

**Borough of Watchung
Planning Board Meeting
July 16th, 2013**

Minutes

Salute to the Flag

The Chair called for a roll call. Present at the call of the roll were:
Speeney (X) Schaefer (X) Haveson (X) Ellis (A) Pennett (X) Boyd (X)
Pote (X) Nehls (X) Desnoyers (X) Hartmann(X)

Chairman Speeney indicated there was a quorum to conduct business. The Chair stated that this meeting was being held in compliance with N.J.S.A. 10:4-6 of the Open Public Meetings Law and proper notification of this meeting has been made. Chairman Speeney indicated that Mr. Hartman would be voting in lieu of Mr. Ellis.

Desnoyers read:Resolution of Memorialization
391 Valley Road
PB13-01 Elite Homebuilding, LLC
Block 4309 Lot 13
Approval of Application

Having heard the resolution read into the record from the findings of fact, Chairman Speeney accepted this reading as a motion to approve and sought a second. Mrs. Pennett made a second.

Mrs. Pennett said she didn't see anything in the resolution regarding tree removal. Mr. Herits said that this will be handled at the time of the application for the tree replacement plan and the land disturbance permit. Hearing no discussion from the board, the Chair called for a roll call vote. The roll call vote was as follows:

Speeney (yes) Schaefer (yes) Pennett (yes) Boyd (yes)
Pote (X) Nehls (yes) Desnoyers (yes) Hartmann(yes)
The motion carried.

Desnoyers read: PB13-02 Kathleen and Marc Ferrara 45 Rock Avenue
Block 2001 Lot 1
Anthony and Dorothy Addario 59 Rock Avenue
Block 1702 Lot 9
Minor Subdivision (lot line adjustment) with any and all variances as needed.

Marc and Kathleen Ferrara came to the microphone. Chairman Speeney asked what the application was and Mr. Ferrara explained that this was a lot line adjustment because the previous owners of his property had built a small portion of their driveway on the Addario's property. The previous owners were given a written easement from the

Addarios and this subdivision will make it possible for the Ferraras to purchase this small piece of land which has been agreed upon. Mr. Linnus said that by the Ferraras purchasing this piece of land, it would certainly make this a better lot, and it would be an enhancement. Mr. Linnus said that the issues he sees relate to a potential notice. Mr. Linnus said that there is a metal shed that pre-exists, which is 4.2 feet from the rear lot line. The minimum distance for an accessory structure is 10 feet, which makes this accessory structure deficient. The legal question becomes did that metal shed exist prior to the adoption of the ordinance. Mr. Linnus said that there is no way for this board to know how long this shed has been there. In addition, the requirements for lot coverage is 30% in the RB zone. The calculations on the plan show lot existing coverage of 40.3%. If this didn't predate the ordinance than this is a preexisting non-forming condition. If the application was approved, it would reduce the lot coverage on the Ferrara's property to 37.4%. Mr. Linnus said that unless the applicant can prove that these conditions predate the ordinance, than notice would have to be required. Chairman Speeney said that normally, a lot line adjustment does not require notice, but that the attorney has picked up some points that relate to possible variances which do need to be noticed. Mr. Ferrara said that from what he understands, the shed was preexisting from the previous owner, and is that old. Chairman Speeney said that they should send out notice that pertains to possible variances, and that might be in front of the board. Mr. Ferrara said the home was built in 1964 by the original owner and the shed has been there since then. Mr. Herits asked what the date of the original ordinance, but no one was sure. Chairman Speeney said that it would be better all-around if the applicant noticed for any and all variances that may be required. Mr. Ferrara said that if he has no other choice, he would comply. Mr. Hartmann asked why the notice requirement wasn't given to the applicant before the night of this meeting. Chairman Speeney said that they had 6 hours' notice, because the attorney did not pick it up in his review. Mr. Hartmann asked who would give the applicant guidance in how to give notice. Mr. Herits said that he and Mrs. Taylor would give the applicant guidance as to the notice. Chairman Speeney asked the applicant for permission to continue this application through September 17th, 2013. Mr. Ferrara agreed to this continuance. Chairman Speeney thanked the Ferraras for their cooperation.

Desnoyers read: PB13-03 Avalon at Watchung
1 Crystal Ridge Drive (aka East Drive)
Block 5601 Lot2 Watchung, Block 6.02 Lot 2.01 North Plainfield
Modification of a condition of a prior Final Site Plan Approval

Mr. Neal Zimmerman of Waters, McPherson McNeal representing the applicant Avalon II New Jersey Value II LLP came to the microphone. Mr. Zimmerman explained that Avalon bought the complex known as Crystal Ridge approximately one year ago. The complex consists of 334 apartment units of which 280 units are in Watchung and 54 units are in North Plainfield. Mr. Zimmerman explained that they are present requesting a modification of a condition of the final site plan approval from resolution PB01-07 which was adopted January 18th, 2001. This condition requires a 24/7 manned gate at

the entrance at Route 22. Mr. Zimmerman explained that there are two reasons that Avalon is requesting this change. The first being the cost, which is approximately \$200,000.00 per year. The second reason, and probably more important, is that Avalon feels as though the gate doesn't provide any meaningful security, and that this application before the board will actually improve security at the complex. The applicant asked that not only does this condition be eliminated, but it be replaced with the addition of an electronic gate in the front of the complex in place of the manned guard gate, and there be security cameras throughout the complex. Prior to this meeting, Avalon has met with the police department and the fire department in order to get their feedback. Originally Avalon had only intended to install the electronic gate, but based upon the comments of the police department, they are amenable to adding security cameras. Avalon wanted to have a follow up meeting with the police department, but due to the busy schedule of the police, they asked that Avalon put their responses in writing. Mr. Zimmerman said that Avalon feels that they have made every attempt to discuss this application with the police and fire department and to address their legitimate concerns. Mr. Zimmerman said that North Plainfield has made a similar requirement and that the applicant will be making a similar application to them. Mr. Zimmerman said that he has noticed and provided proof of notice to the Clerk of the board. Mr. Zimmerman said that a few years ago, the previous owner of Avalon was before this board with a similar request in an informal hearing. One of the suggestions of this board of this board was that voluntary notice be sent to the residents of this community, even though not required by statute. Mr. Zimmerman said that the first witness he would call is Pat Gniadek from Avalon who will speak briefly to explain the application and Avalon's position, and the next is the contractor who would be installing the security cameras and how they work. There is also the contractor who will be installing the electronic gate system. The last witness is Frank Murphy who is a security expert who will address the security issues. Chairman Speeney said that the Police Department issued a report dated July 8th, 2013 and Fire Department issued a report dated July 11th, 2013. Chairman Speeney indicated for the record that Police Lieutenant Joe Cina was present and could speak to the Police Departments report. Pat Gniadek was sworn in by board attorney Frank Linnus. Mr. Gniadek is employed by Avalon Bay, and is the Vice President of Avalon's investment group. Mr. Gniadek has been employed by Avalon since 2007, and before that worked for several real estate investment companies. He explained that he was the person responsible for the purchase of this complex and is doing post purchase due diligence. Mr. Gniadek said that they were before this board to replace the manned gate with an electronic gate system and cameras. He said that the approximate cost of \$200,000.00 per year to have a manned gate would be fine if it was an effective system, but it is not. He said that currently, the guard must take bathroom brakes, waives people though, and is not consistent as far as checking through cars as he should be. Mr. Zimmerman asked Mr. Gniadek what the duty of the guard at the gate is supposed to be. Mr. Gniadek said that he is supposed to stop every car at the gate. The person in the car is supposed to show proof that they live in the complex in order to be allowed access. If it is a visitor to one of the units, the guard is supposed to call the unit to make sure that the visitor

is allowed to enter. Mr. Gniadek said that is not what is currently happening. He said that when a car approaches, the guard just waives to the driver and that's it. They are allowed access. He said in a visit to the complex this evening, the guard just waived him through, didn't ask for any ID at all. He said this is common in this kind of situation. Mr. Zimmerman asked Mr. Gniadek if he read Lieutenant Cina's report. Mr. Gniadek said yes. Mr. Zimmerman asked if he read the portion where Lieutenant Cina raised concerns about people sharing access codes and he said he did. Mr. Zimmerman asked Mr. Gniadek if he could respond to that concern. Mr. Gniadek said that he proposes a electronic key fob that could be put right on a keychain, and that fob could be swiped over a device to allow the gate to open. He said that an access code could be used to call a specific unit for visitors, and it would be a backup to the key fob. Mr. Zimmerman asked Mr. Gniadek if he read the concern of the site committee visit in their report about future sidewalks put along the frontage of the complex on Route 22. Mr. Gniadek said that in addition to license plate reader recognition and cameras facing out from what is now the guard shack on Route 22, there would also be cameras facing toward any pedestrian access from Route 22. Mr. Zimmerman asked Mr. Gniadek if he received a report from the Watchung Fire Department. Mr. Gniadek said yes. Mr. Zimmerman asked if the buildings at Avalon are sprinklered. Mr. Gniadek said yes. Mr. Zimmerman asked if there was a maintenance person who resided at Avalon. Mr. Gniadek said that one of the residents is a maintenance person. He explained that it might not be a maintenance supervisor, but as a requirement, they have at least one maintenance person who lives on sight, and they do currently have one. Mrs. Pennett said that Mr. Gniadek stated that the guard on duty is not doing his job, and asked if anyone has spoken to him about this. Mr. Gniadek said that he is trying to keep the congestion of cars in a cue, not backing up on Route 22 by letting them come right through the gate. Mrs. Pennett asked what the feedback on the residents of the complex is regarding an electronic gate. Mr. Gniadek said that the opinions he has heard have been split about 50/50 regarding the change. Mrs. Schaefer asked who would be monitoring the security cameras. Mr. Gniadek said that the tapes would be able to be monitored by the Police Department. Mrs. Schaefer asked who would be paying our Police Department to monitor these gates. She said that the Police have stated that they will not be able to monitor these cameras 24/7, so where is the security with these cameras. He said that the tapes could be watched when needed to see who has entered. Mrs. Schaefer said that she has seen many instances where people would stick something in one of the doors to keep it open in the buildings if they have someone visiting. She asked what good the access code to get into the building is if doors are propped open in anticipation of someone visiting. She said her question was how you prevent someone from accessing the property, if you don't have a live person there. Mr. Gniadek said that if anyone really wanted to get into the complex, they could just walk in through the woods. There are currently no fences. Mayor Pote asked what the procedure would be if you didn't have your fob with you. Mr. Gniadek said you could use your cell phone, or retrieve your fob. Mayor Pote said that Mr. Gniadek made reference to residents being annoyed if the guard held up the line of cars to get into the complex quickly, but that the residents were split 50/50 on keeping the current

conditions. He asked what Mr. Gniadek perceived to be the reason that the Fire Department wanted a maintenance person on site at all times was. Mr. Gniadek assumed that the Fire Department wanted a maintenance person on site to give them access to the buildings but explained that is not his role. He said that there are lockboxes on site for the Fire Department to gain access. He said that a maintenance person would just be the 'backup to a backup' for the Fire Department. Mayor Pote asked what how the Fire Department to gain access to the property in an emergency with the electronic gate system. Mr. Gniadek said that the technology of the system allows the Emergency Vehicle to sound it's 'yelp' siren for 5 to 6 seconds which will automatically open the gate. Mrs. Schaefer asked what happens if sounding the siren doesn't work. Mr. Gniadek said that the emergency vehicle could push right through and break the gate. He said that the gate could be broken easily by an emergency vehicle. Mr. Haveson said that he was on the site committee visit to the property, and wanted to address the pedestrian ease of access and ability to just be able to walk onto the property and create a problem. He said that he thought overall security should be part of this discussion because of the proximity to the Watchung Square Mall. He said there is a high crime incidence at Watchung Square Mall and that anyone could go and park at WalMart and just walk into the Avalon property. Mr. Gniadek asked if putting a fence around the property would be something that might help this Board be inclined to favor this application. Mr. Haveson said he wasn't sure, but that he was impressed by the site visit to this community, and that people live in these units, and they expect a reasonable level of security. He said that if he lived there, he would not have a secure feeling, because both of the sides and the back of the community are open. Mr. Gniadek said that they don't offer security to the residents. He said that they would consider a fence. Mr. Haveson said that casual monitoring of this location is not the best idea. Mr. Gniadek said that the purpose of the cameras is not to stop the crime, but to catch the person after a crime so that they don't do it a second time. Chairman Speeney said that Mr. Gniadek indicated that the residents become short tempered when they are cued in line due to the guard holding up the cars to check them in. He asked what his position is on that. Mr. Gniadek said that he felt if the guard did his job to the letter of the law, that the residents would be upset due to the fact that those cars would be in a cue and backed up along Route 22. Chairman Speeney asked Mr. Zimmerman if he would have someone talk about cueing in reference to the electronic gate. Mr. Zimmerman said yes. Mr. Zimmerman said that in reference to Mr. Haveson's comment, there is a cross easement by Watchung Square Mall by WalMart, between Avalon and the shopping center at that access point. Mr. Zimmerman said that the Borough is a third party beneficiary of that easement. Mr. Zimmerman said that he thinks that the cameras are the best security, and if it takes more cameras to increase security, they are willing to discuss that. Mrs. Schaefer asked if there is room for two gates, one for residents and one for visitors. Mr. Gniadek said yes. He also said that there is another gate in the back of the community. Chairman Speeney asked how the back gate works. Mr. Gniadek said that the back gate is only for egress, not ingress. Mr. Gniadek said that some residents have fobs for it. Chairman Speeney asked regarding dual gates at the front entrance, and asked if one of those gates could be

manned. He opened up questions from the public. Mr. Herits, Borough Engineer said he thinks two gates are needed. Mr. Zimmerman noted for the record that the front gate is in North Plainfield, and that the applicant would have to go before the board in North Plainfield as well.

Kevin Hammel of East Drive came to the microphone. Mr. Hammel said that he believed when this was first approved, the guard was supposed to be the one to open and close the gates and wanted to know why the guard is not opening and closing the gates for cars currently. Mr. Gniadek said that when the property was purchased, this was the way the gate was operated and continued the same operation. Mr. Gniadek said that when the guard needs to take a break, the gate wouldn't be opened. Mr. Hammel said that if they put in a second gate, that would alleviate the traffic congestion. Mr. Gniadek said that the manned gate was a significant expense. Mr. Zimmerman said that there is the original resolution which speaks for itself, and does not think that it has anywhere near the level of detail in it that Mr. Hammel speaks of. Chairman Speeney said that he has not read that resolution in a long time, and he should read through it. Karen Paluto, resident of Building 12 came to the microphone. Ms. Paluto said she has been a resident of this community for two years. She said that when she chose it, one of the reasons was security, and she has seen the security of the complex go downhill in a major way. She said there are several security guards who do not do their job, but she also doesn't think a electronic gate is going to solve the problem. Ms. Paluto said that one of her major concerns is what happens when the electricity goes out and the residents have no security whatsoever as they did after the hurricane for 10 days. She said that there was a lot of theft going on at that time. Mr. Gniadek said that there would be a generator for the gate, so that in the event of a power outage, it would be operational. He said for pedestrian access, he's not sure how it would be addressed; he thought it would probably be status quo. Another concern Ms. Paluto stated was that there was one night where the fire alarms went off in her building at 2:30 in the morning for at least 45 minutes, and residents had to run down to the gate to inform the guard to contact the maintenance man, and she said that there is no maintenance man 24/7 on site. She said that the maintenance man had to drive that night from Rahway to come and let the Fire Department in to turn off the alarms. She asked if the guard had not been there that night, who would have called the maintenance man to even come to the site. She said that the Fire Department was not notified that night and she believed that Avalon was issued a citation due to the fact that the Fire Department was not notified. She said that the guard told the residents that he couldn't do anything but had to call the maintenance man. Mr. Gniadek said that the maintenance man who lives in the complex is not always on call, that there is a rotation, but that he is the one who is supposed to be the 'sort of on-site person'. He said that he might be out or staying overnight somewhere from time to time. Ms. Paluto said that the dial pad system does not work on her building, and has not worked since Crystal Ridge owned the property, and is an ineffective system. Ms. Paluto said that the gate was not working at all for about 4 weeks while they were waiting for a part to fix it, and for that 4 weeks, the gate was just left wide open. She said that this was the back gate, where there is no manned security guard. She asked what happens

next time it breaks. Mr. Gniadek said that they try to put the residents security first. Ms. Paluto asked if \$200,000.00 was worth the resident's security. Mr. Gniadek said that \$200,000.00 year in and year out was very expensive, and said they don't think they're getting the value for it. Ms. Paluto said that the backup onto Route 22 at rush hour is very treacherous. Mr. Gniadek said that if there two entrances, it would only be an improvement over what the current situation is, and that the length of the driveway is what it is. Ms. Christine Listorti came to the microphone. Ms. Listorti said she has been a resident of this complex for just over a year. She said that in the time she has lived there, there have been times that the back gate has been broken and left open for periods of time, and that when the gate goes up, you could get 5 or 6 cars through that gate before it goes back down. Ms. Listorti said that she has seen people from the apartment complex next door walk through their property to go to WalMart and walk back, and what little security is there is appalling. She said she has two children with her. Ms. Listorti asked if the Fire Department could sound their horn for 5 or 6 seconds, couldn't she? Mr. Gniadek said that the gate responds to a certain decibel level. Mrs. Listorti said that she thought that the physical presence of a guard might be a deterrent to someone who was just toying with the idea of doing something wrong. Ms. Listorti said that someone who is determined to commit a crime will be able to do it, but asked if cameras couldn't just be sprayed with black paint that they could get at WalMart. Ms. Listorti said that Avalon advertises that there is security. She said that it is advertised as a gated community, and that is perceived by people as security. Mr. Gniadek said that there is no way for Avalon to provide absolute security and they do not want to make that implication. Ms. Listorti said she has not been asked if she wants the manned gate removed. Mr. Gniadek said that they attempted to contact the residents by email.

Chairman Speeney opened up questions from the board. Mr. Boyd asked about the license plate recognition and how the fob works. Mr. Gniadek described the fob and how you use it. Councilman Nehls said that Mr. Gniadek has mentioned several times, the cost of the manned gate being \$200,000.00. He asked what the cost would be to install the security cameras. Mr. Gniadek said that the approximate cost for the cameras would be \$100,000.00. Councilman Nehls asked what the annual maintenance cost of these cameras would be. Mr. Gniadek estimated about \$10,000.00 per year in maintenance. Councilman Nehls said that unfortunately because of the malls and Route 22 we have the second highest crime rate in the county. He said that he didn't see how this solution would create any less problems, but instead more problems. Councilman Nehls said that there was always cooperation between the Fire Department and this community, but that that is not happening currently. He said he understands that there is a heavy cost to the manned gate. He said that he thought it was part of the management of this facility to have a security department that actually manages and provides the security that they are paying \$200,000.00 for. Mr. Zimmerman pointed to a blowup of a sketch that shows the security cameras which was previously submitted in the application package. He pointed to the guard shack, and where the cameras were proposed to be installed. Mrs. Shaefer said that residents have testified that components of current security have gone down for long periods of time and orders for

service have been closed out without being fixed. She asked what will happen if there are many components on the proposed system that go down and are not fixed for long periods of time. Mr. Gniadek said that they will fix anything that breaks. Mr. Haveson said that he understands that they have only owned this property for one year. He said that there are issues the residents are concerned about, which is their security. Chairman Speeney asked if there were any other questions from Mr. Gniadek. Mr. Zimmerman called Joe Mitchell to the microphone. Mr. Mitchell was sworn in by Mr. Linnus. Mr. Mitchell is employed by City Heat, which is a security firm in Oceanside NY. Mr. Mitchell said he was the Vice President of this firm. Mr. Mitchell said he manages the company and has installed about 25,000 security systems over the years. Mr. Mitchell said he was a New York City Police Officer for over 20 years. Mr. Mitchell was accepted as a witness in the adequacy of the location of security cameras. Mr. Zimmerman asked Mr. Mitchell what his involvement was with Avalon. Mr. Mitchell said he was involved with the plan for the installation of cameras on the property. He said that the cameras had license plate reading capability at the entrance gate and exit gates at both ends of the property. He went over the locations of the proposed cameras using the sketches previously submitted with the application package. Mr. Mitchell discussed the wireless network that would transmit the data from the cameras to one centralized point which would be located at the clubhouse. There are transmitters that will transfer data which would end up at the Clubhouse, and would basically act as repeaters. All data will be stored for approximately 45 days. The data is all digitally recorded, so it can be accessed from the internet for instant retrieval through in IP address and an authorized login. Mr. Zimmerman asked if Mr. Mitchell's company is also proposing to install the generator for the backup to the gate system. Mr. Mitchell said yes. Mr. Mitchell said they are proposing to install a 20kw automatic standby generator powered by natural gas which would kick on in the event of a power outage within 5 seconds which would switch over the power to the generator from the line. The generator could then work indefinitely or would shut down as soon as the city power is provided to it again. The cameras would work during a power outage as well. The cameras are recording through a network recorder. Mr. Mitchell was asked where the cameras were monitored. Mr. Mitchell said that the cameras are not recorded. They are an incident procedure, so that if something happens, you can go back and instantly retrieve the data. Mr. Hartmann asked which Mr. Mitchell thought was better security, the guard at the gate or the cameras. Mr. Mitchell responded that he thought that the guard was basically a concierge and that they don't have the ability to walk around the property, and that they were basically there just as a concierge for visitors coming into the complex. Mr. Hartman said that there will be no security with for the residents with the proposed cameras. Mr. Mitchell responded that there is currently no security. Mr. Haveson asked where the camera proposed on building nine would be pointed. Mr. Mitchell said that it points down to a parking lot. Mr. Haveson said that there are actually two easements. One is from East Drive WalMart, the other is by building seven and eight where there is also a walkway that is access to the WalMart. Mr. Haveson said that he felt there need to be more cameras. He said that they are not providing security before the fact, but after the fact. Mr. Mitchell said that this is just a

recording system. Mrs. Pennett asked what areas are not going to be recorded by the cameras. Mr. Mitchell explained that not every single angle can be monitored. Mr. Hartmann asked Mr. Mitchell if he thought that a guard at a gate offers some type of security. Mr. Mitchell said that he felt that the definition of a guard was someone who patrols and watches over the property, and felt that a guard at a gate was just someone who opens the gate for visitors at one point, and therefore was not offering security more like a doorman. Mr. Hartmann said that there has been much testimony as to the level of performance of the gate guard and asked Mr. Mitchell if he could do a better job and if it could be done right, and he said that yes, he could do a better job and that the job of the gate guard could be done properly. Mayor Pote asked Mr. Mitchell if his company was proposing to do the maintenance of the cameras and Mr. Mitchell said yes. He explained that the type of system they are proposing includes what is called "Health Monitors". He said that if the cameras were to go offline, these health monitors actually send email alerts letting them know that a camera is down. In that event, the company would then notify Avalon maintenance and make an appointment to come down and correct whatever needs to be corrected. Mayor Pote asked about proactive maintenance rather than reactive maintenance. Mr. Mitchell said that the camera system technology sends alerts now before the problem even occurs. He also said that if there is a block in the image of the camera, such as something covering the lens, it sends an immediate alert as well. Mr. Mitchell listed other sites where his company has installed systems such as the proposed one. Mr. Mitchell said that these cameras have lasted as long as 15 years in some of his locations. Mr. Zimmerman asked Mr. Mitchell why he said that he thought he could do a better job at the gate the current guard. Mr. Mitchell said that in his opinion, the guard was hired as a concierge and was not hired to walk around the property. Mr. Zimmerman said that he had no further questions of this witness. Chairman Speeney asked if there were any questions from the public. Mr. Kevin Hammel of East Drive came to the microphone. Mr. Hammel asked Mr. Mitchell what he thought of the performance of the guards at the gate currently. Mr. Mitchell said that he was really not familiar with the guard's job description of exactly what they do and how they do it. Mr. Hammel asked Mr. Mitchell if someone who worked under his employ was performing badly, would he let them go. Mr. Mitchell said surely he would. Karen Paluto came to the microphone. She asked how exactly the license plate recognition works. He said it was designed to pick up the plate of a vehicle entering and exiting the property for retrieval down the line. Christine Lisorti of building 9 came to the microphone. Ms. Listorti said that from prior testimony of Mr. Gniadek, most criminals who come on to the property to commit a crime will not be using a car, so would license recognition really help with anything? Mr. Mitchell said that in the event of a crime, the license plate recognition would provide some sort of investigative lead. Karen Paluto came to the microphone and asked where these cameras will be placed, on the buildings or on posts. Mr. Mitchell said that they will be placed on the building, will be visible, and that they will be placed at a height that they will not be able to be vandalized.

Hearing no more comments or questions from the public or the Board, the Chairman asked Mr. Zimmerman about a continuance. Mr. Zimmerman asked for a 10 minute

break. Chairman Speeney agreed.

Chairman Speeney brought the meeting back to order and asked the Clerk to call the roll. Present at the call of the roll were:

Speeney (X) Schaefer (X) Haveson (X) Ellis (A) Pennett (X) Boyd (X)

Pote (X) Nehls (X) Desnoyers (X) Hartmann(X)

The Chair indicated that everyone was back and present.

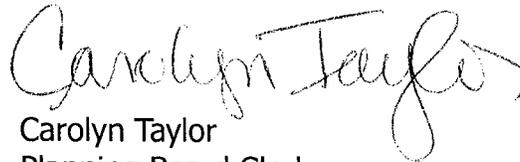
Mr. Zimmerman indicated that he would like to get through the next witness with the boards indulgence since he was in the hospital for the last few days.

Mr. Jeff Comprelli came to the microphone. 33 Birch Run Avenue, Denville New Jersey came to the microphone. Mr. Comprelli stated that he is employed by CES Fence for 18 years. He is president of the company. He installs electronic gates and fences. There will be a resident and visitor side. The resident side will work with a remote. It will be individual to each resident. The gate will open and as soon as they drive through the gate will close behind them. The visitor side will have a telephone entry pad. The person in the unit can push a number on their phone which would open the gate. Mr. Zimmerman asked how a police car would be able to follow an ambulance through the gate. Mr. Comprelli explained that it would work to open with a siren sounding for 5 seconds. This works with a 'yelp' siren which they are equipped with. For exiting, the gate will automatically open to let any car out. Mr. Zimmerman asked about the Police Departments concerns with the reliability of this system. Mr. Comprelli said that the equipment is extremely reliable. He said that he has these installed in many locations as well as the Port Authority. Mr. Zimmerman asked what the track record of reliability has been with these systems. Mr. Comprelli said that he has only had to replace them from being hit, but not due to mechanical failure. Mr. Comprelli said that these gate systems are not designed to hold back a vehicle and that even a police car could drive right through. He said they are only made of PVC. Mayor Pote asked what is being proposed on the rear gate. Mr. Comprelli said the rear gate will have the exact same system with a telephone entry. He said that whether it would be used just for residents or visitors, he was not sure yet. He said that all residents will be able to access it for ingress and egress. Mayor Pote asked how the gate could be remotely opened. Mr. Comprelli said that when the visitor calls the resident of the complex, either by cell phone or house phone, the resident just has to hit a number or a tone on their phone and the gate automatically opens. Mr. Haveson asked if the gate was broken, what would Mr. Comprelli rely on to know that it was broken, did the complex need to call him to say it's broken, or is there an alarm of some sort that comes straight to his company. Mr. Comprelli said he would be relying on a call back from Avalon. Chairman Speeney asked Mr. Comprelli where on the drawing they showed the two proposed gates, one for the residents and one for the visitors. Mr. Comprelli said that on the current plan, only one gate was shown.

Chairman Speeney asked if there were any comments from the public. Mr. Kevin Hammel of East Drive came to the microphone. Mr. Hammel asked if Mr. Comprelli had read the original resolution. Mr. Comprelli said no. Mr. Hammel said that on that

resolution, the gate on East Drive was only intended for residents, not visitors. Chairman Speeney said that he would like to continue this application. Mr. Zimmerman said that his client was not available in August, and would like to grant a continuance until September 17th, 2013. Chairman Speeney agreed and continued this application until September 17th, 2013. Chairman Speeney adjourned the meeting until the next meeting of August 20th, 2013.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Carolyn Taylor". The signature is written in black ink and is positioned above the printed name and title.

Carolyn Taylor
Planning Board Clerk

Note from Board Clerk: The quality of the tapes from this meeting were very poor and sometimes indiscernible.