

**MINUTES OF THE REGULAR MEETING  
OF THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF WALL, HELD IN THE  
MEETING ROOM, MUNICIPAL COMPLEX  
WEDNESDAY, MARCH 10, 2004**

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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 Mark J. Brosnan, Committeeman John W. Tobia, 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.

Committeewoman Burne read a Proclamation for South Wall Little League 9 and 10 Year Old All Stars and called the team to the floor. Mayor Peters congratulated the team and stated that the Township is very proud of their accomplishments.

Committeeman Brosnan read a Proclamation for the Wall Pop Warner Junior Pee Wee Cheerleaders and called the girls to the floor. Mayor Peters congratulated the team, their coaches and their parents.

Committeeman Brosnan read a Proclamation for the Wall Pop Warner Junior Midget Cheerleaders. Mayor Peters congratulated the National Champions and expressed how proud the Township and the Committee are of the girls accomplishments. Mayor Peters thanked the girls for working very hard.

Committeeman Brosnan read a Proclamation for the Wall Pop Warner Midget Cheerleaders. Mayor Peters congratulated all the girls, their coaches and parents. Committeeman Brosnan praised the young ladies who put in a lot of time and effort to become National Champions. Committeeman Brosnan explained some of the difficult and dangerous stunts that the girls are required to perform and stated that they beat teams from as far away as Guam and Hawaii.

Committeewoman Burne congratulated the teams and introduced Assemblyman Sean Kean to present Resolutions from the Assembly. Assemblyman Kean congratulated the girls and stated that the Wall teams are recognized all over the State of New Jersey as cheerleading champions. Mrs. Burne thanked Assemblyman Kean for attending and recognizing the teams.

Committeeman Brosnan added that Mr. Verruni has verified that a new field house for Pop Warner should be completed by August.

8:10 p.m. The Committee adjourned for a five minute break to give the girls a chance to exit the Meeting Room.

8:15 p.m. the meeting resumed.

Deputy Mayor Thomson made a motion to approve the Vouchers for February 2004, in the amount of \$9,858,364.39. Committeeman Brosnan seconded the motion and on roll-call, members voted as follows:

Tobia	Yea
Brosnan	Yea
Burne	Yea
Thomson	Yea
Peters	Yea

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

Committeeman Tobia made a motion to approve the minutes of February 2004. Committeeman Brosnan seconded the motion and all members voted yes.

This being the advertised time for the Second Reading and Public Hearing of **ORDINANCE NO. 2-2004** - Amending Chapter 215, Vehicles and Traffic, Violations and Penalties entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING AND SUPPLEMENTING CHAPTER 215 ENTITLED "VEHICLES AND TRAFFIC" OF THE TOWNSHIP CODE OF THE TOWNSHIP OF WALL, SECTION 215-21 ENTITLED "VIOLATIONS AND PENALTIES." 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, Committeeman Brosnan moved that the public hearing be closed. Deputy Mayor Thomson seconded the motion and all members voted yes. Committeeman Brosnan moved that the Ordinance be adopted as to its second reading and final passage. Deputy Mayor Thomson seconded the motion and on roll-call, members voted as follows:

Tobia	Yea
Brosnan	Yea
Burne	Yea
Thomson	Yea
Peters	Yea

There being five yeas and no nays, the Mayor declared the Ordinance adopted. Committeeman Brosnan moved that the

Ordinance be advertised according to law. Deputy Mayor Thomson seconded the motion and all members voted yes.

This being the advertised time for the Second Reading and Public Hearing of **ORDINANCE NO. 3-2004** - Amending Chapter 140, Veterinary Services in OP-2 Zone entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING CHAPTER 140, THE "LAND USE AND DEVELOPMENT REGULATIONS OF THE TOWNSHIP OF WALL," OF THE CODE OF THE TOWNSHIP OF WALL, SECTION 140-138, "SCHEDULE OF PERMITTED AND CONDITIONAL USES," PERTAINING TO THE OP-2 (OFFICE PARK) ZONE." 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 Tobia 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 Tobia seconded the motion and on roll-call, members voted as follows:

Tobia	Yea
Brosnan	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 Tobia seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 4-2004** - Rezoning Carol Court entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, FURTHER AMENDING THE ZONING MAP OF THE TOWNSHIP OF WALL." Mrs. Kubacz read the Ordinance by title only, as required by law. Committeeman Tobia moved that the Ordinance be adopted as to first reading. Committeewoman Burne seconded the motion and on roll-call, members voted as follows:

Tobia	Yea
Brosnan	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 Tobia moved that the Clerk advertise the Ordinance according to law, the second reading and public hearing to be held April 21,

2004 at 7:30 P.M. Committeewoman Burne seconded the motion and all members voted yes. Committeeman Tobia made a motion to refer Ordinance No. 4-2004 to the Wall Township Planning Board for their review and recommendations. Committeewoman Burne seconded the motion and all members voted yes.

With reference to Introduction the Temporary Capital Budget Deputy Mayor Thomson offered Resolution #04-304 and moved it be adopted. Mrs. Kubacz read the resolution by title only entitled, "A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL ADOPTING TEMPORARY CAPITAL BUDGET." Committeewoman Burne seconded the motion and on roll-call, members voted as follows:

Tobia	Yea
Brosnan	Yea
Burne	Yea
Thomson	Yea
Peters	Yea

There being five yeas and no nays, the Mayor declared the resolution adopted.

With reference to Introduction of **ORDINANCE NO. 5-2004 - Bond** Ordinance entitled, "BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE WEST BELMAR GATEWAY REDEVELOPMENT AREA, APPROPRIATING \$4,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,800,000 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. Committeewoman Burne seconded the motion and on roll-call, members voted as follows:

Tobia	Yea
Brosnan	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 April 21, 2004 at 7:30 P.M. Committeewoman Burne seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 6-2004 -** Increasing the CAP entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL INCREASING "CAP" TO THE

INDEX RATE." Mrs. Kubacz read the Ordinance by title only, as required by law. Committeeman Brosnan moved that the Ordinance be adopted as to first reading. Deputy Mayor Thomson seconded the motion and on roll-call, members voted as follows:

Tobia	Yea
Brosnan	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 Brosnan moved that the Clerk advertise the Ordinance according to law, the second reading and public hearing to be held April 21, 2004 at 7:30 P.M. Deputy Mayor Thomson seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 7-2004** - Amending and Supplementing Chapter 222 - Water and Sewer - Pertaining to the late Payment of Water Bills entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING AND SUPPLEMENTING CHAPTER 222, "WATER AND SEWER," OF THE CODE OF THE TOWNSHIP OF WALL, SECTIONS 222-16 AND 222-39, "DISCONTINUANCE OF SERVICE," PERTAINING TO DISCONTINUANCE OF WATER AND SEWER SERVICE FOR FAILURE TO PAY CHARGES." Mrs. Kubacz read the Ordinance by title only, as required by law. Committeeman Tobia moved that the Ordinance be adopted as to first reading. Deputy Mayor Thomson seconded the motion and on roll-call, members voted as follows:

Tobia	Yea
Brosnan	Yea
Burne	Yea
Thomson	Yea
Peters	Yea

There being five yeas and no nays, the Mayor declared the Ordinance adopt as to its first reading. Committeeman Tobia moved that the Clerk advertise the Ordinance according to law, the second reading and public hearing to be held April 21, 2004 at 7:30 P.M. Deputy Mayor Thomson seconded the motion and all members voted yes.

With reference to the 2004 Municipal Budget Deputy Mayor Thomson offered **RESOLUTION NO. 04-305** and moved it be adopted. Mrs. Kubacz read the resolution entitled, "A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING INTRODUCTION OF THE 2004 BUDGET, SCHEDULING OF PUBLIC HEARING FOR 7:30 P.M. ON APRIL 21, 2004 AND SUBMITTAL OF THE BUDGET TO

THE DEPARTMENT OF COMMUNITY AFFAIRS." Committeeman Tobia seconded the motion and on roll-call members voted as follows:

Tobia	Yea
Brosnan	Yea
Burne	Yea
Thomson	Yea
Peters	Yea

There being five yeas and no nays, the Mayor declared the Resolution adopted.

### **Consent Agenda**

With reference to Items 17 A - EE 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.

Mayor Peters excused himself on Item C. Mayor Peters added that Resolution Item U will be deleted from the agenda.

There being no further comments, a motion was made by Deputy Mayor Thomson and seconded by Committeeman Brosnan to adopt the following Resolutions, and on roll-call, members voted as follows:

Tobia	Yea
Brosnan	Yea
Burne	Yea
Thomson	Yea
Peters	Yea (Abstained on C)

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

#04-302 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RE-ADVERTISEMENT OF BIDS FOR THE DEMOLITION OF CERTAIN STRUCTURES LOCATED AT CAMP EVANS (RATIFY)

#04-306 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE REDUCTION OF A PERFORMANCE GUARANTEE PERTAINING TO A CERTAIN MAJOR SUBDIVISION - BLOCK 755, LOT 18

#04-307 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF CERTAIN PERFORMANCE GUARANTEES POSTED FOR BLOCK 262, LOT 28 - BARKALOW ROAD

#04-308 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE AND ESCROW FEES PERTAINING TO BLOCK 892, LOTS 16 & 24 - STERLING DRIVE

#04-309 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL SUPPORTING SENATE BILL 128

#04-310 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL (A) ENDORSING AND ADOPTING AN "AMENDMENT TO THE HOUSING ELEMENT"; (B) ADOPTING AN "AMENDMENT TO THE FAIR SHARE PLAN" AND (C) DIRECTING APPLICATION FOR APPROVAL OF THE AMENDMENTS; AND (D) AUTHORIZING RELATED ACTIONS

#04-311 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE MONMOUTH COUNTY BOARD OF HEALTH

#04-312 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN INTERLOCAL SERVICE AGREEMENT WITH THE BOROUGH OF SPRING LAKE FOR THE UTILIZATION OF THE TOWNSHIP'S VOLUNTEER CRISIS INTERVENTION TEAM (CIT) BY THE BOROUGH OF SPRING LAKE

#04-313 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN INTERLOCAL SERVICE AGREEMENT WITH THE BOROUGH OF MANASQUAN FOR THE UTILIZATION OF THE TOWNSHIP'S VOLUNTEER CRISIS INTERVENTION TEAM (CIT) BY THE BOROUGH OF MANASQUAN

#04-314 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN INTERLOCAL SERVICE AGREEMENT WITH THE BOROUGH OF BRIELLE FOR THE UTILIZATION OF THE TOWNSHIP'S VOLUNTEER CRISIS INTERVENTION TEAM (CIT) BY THE BOROUGH OF BRIELLE

#04-315 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT AND MUTUAL RELEASE - TRINITY CEMETERY ASSOCIATES

#04-316 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE INSTITUTION OF AN IN REM TAX FORECLOSURE - BLOCK 942, LOT 87

#04-317 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL APPROVING CHANGE ORDER NO. 1 (FINAL) FOR THE 2001 CDBG SIDEWALK AND CURB IMPROVEMENTS - DNL INC.

#04-318 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING EXECUTION OF A DISCHARGE OF MORTGAGE ON PREMISES KNOWN AS 3213 SHARPE ROAD, WALL, NJ

#04-319 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING PARTICIPATION IN THE MONMOUTH COUNTY MOSQUITO PROGRAM

#04-320 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL DIRECTING THE TAX ASSESSOR TO REDUCE A CERTAIN PROPERTY TAX ASSESSMENT IN THE CAMP EVANS AREA

#04-321 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN TAX REFUNDS

#04-322 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN WATER/SEWER REFUNDS

#04-323 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL APPOINTING A MEMBER TO THE COMMUNITY RELATIONS/COMMUNITY ALLIANCE COMMITTEE - STEVE DESMARAIS

#04-324 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE APPOINTMENT OF AN ADA COMPLIANCE OFFICER

#04-325 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING PAYMENT OF 25 VACATION DAYS AND 408 HOURS SICK TIME PAY @ HALF RATE - PHYLLIS DEVEREUX

#04-326 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING PAYMENT OF 25 VACATION DAYS, ½ OF 1712 SICK DAYS - JAMES BURNS

#04-327 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL APPOINTING AN ACTING MAYOR - MARY L. BURNE

#04-328 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN PERSONNEL ACTIONS

Raffle - Wall High School Booster Association - October 17, 2004 - Go-cart - Pop Warner Football Field

Raffle - Allenwood School Parent Teacher Group - May 15, 2004 - Various Prizes - Allenwood School

Raffle - Allenwood School Parent Teacher Group - May 15, 2004  
- Various Prizes - Allenwood School

Raffle - Wall High School Booster Association - May 28, 2004 -  
Four NY Yankee Tickets and Limousine - Wall High School

Raffle - PSFA Communications High School - April 23, 2004 -  
50/50 - Scholarship Fund

Raffle - Allaire Village - March 20 - December 12, 2004 -  
Quilt - Allaire Village

### **End of Consent Agenda**

### **Comments from Township Committee**

None

### **Audience Participation**

Bill Myrtetus, Laurel Avenue, asked why the next meeting is scheduled for April 21, 2004, instead of April 14, 2004. Administrator Verruni explained that that is a holiday week and many people will be on vacation.

Mr. Myrtetus suggested that the Township Water/Sewer Department look into the possibility of paying bills on line without the current surcharge. Committeewoman Burne stated that this had been discussed with Administrator Verruni and Mr. Verruni requested that the staff look into other ways of making payments on line without having to pay a charge.

Mr. Myrtetus asked what the duties of the ADA Compliance Officer would be. Mr. Verruni replied that when there are complaints with commercial buildings about not being handicap accessible, the ADA Compliance Officer would look into the matter and determine if the business needs to modify or change the building. The Township is required to follow certain rules and is required to appoint someone to this position.

Mr. Myrtetus asked if the Basketball Instructor who was appointed received all the money as stated in the Resolution. Mr. Verruni replied that some goes to the coach and some goes to the Township, but the coach received most of the \$30 per child. Mr. Myrtetus asked how many people were in the clinic. Mr. Verruni said he wasn't sure, but would find out and asked Mr. Myrtetus to telephone him for the response.

There being no further comments, Deputy Mayor Thomson made a motion to adjourn. Committeeman Brosnan seconded and all members voted yes. The meeting adjourned at 8:25 p.m.

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**TOWNSHIP CLERK**

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**MAYOR**