

**MINUTES OF THE REGULAR MEETING
OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF WALL, HELD IN THE
MEETING ROOM, MUNICIPAL COMPLEX
WEDNESDAY, FEBRUARY 9, 2005**

The meeting was called to order by Mayor Thomson, at 7:30 P.M. Present were Mayor Edward H. Thomson presiding, Deputy Mayor Mark J. Brosnan, Committeewoman Mary L. Burne, Committeeman Robert D. Peters, Committeeman John Tobia, Township Administrator Joseph L. Verruni, Township Attorney Roger J. McLaughlin and Township Clerk Lorraine Kubacz.

Mayor Thomson read the sunshine statement.

Roll-call was taken by Mrs. Kubacz.

Committeeman Tobia congratulated Kate Elia on her one year anniversary with Wall Township and thanked her for her great service to the Township. Ms Elia has worked hard on several projects including the gift catalog, moving the house in West Belmar, the Township Newsletter and our Open Space update. The entire Committee thanked Ms. Elia.

Committeeman Peters made a motion to approve the Vouchers for January 2005, in the amount of \$5,541,931.65. Committeewoman Burne seconded the motion and on roll-call, members voted as follows:

Tobia	Yea
Peters	Yea
Burne	Yea
Brosnan	Yea
Thomson	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. 1-2005** - Amending Chapter 140-Mandatory Development Fees 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 140-283 "MANDATORY DEVELOPMENT FEES", AND PROVIDING FOR AN INCREASE IN THE MANDATORY DEVELOPMENT FEES FOR RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT." Mrs. Kubacz read the Ordinance by title only as required by law. Mayor Thomson declared the Public Hearing open. There being no comments or objections, Committeeman Peters moved that the public hearing be closed.

Committeewoman Burne seconded the motion and all members voted yes. Committeeman Peters moved that the Ordinance be adopted

as to its second reading and final passage. Committeewoman Burne seconded the motion and on roll-call, members voted as follows:

Tobia	Yea
Peters	Yea
Burne	Yea
Brosnan	Yea
Thomson	Yea

There being five yeas and no nays, the Mayor declared the Ordinance adopted. Committeeman Peters moved that the Ordinance be advertised according to law. Committeewoman Burne seconded the motion and all members voted yes.

This being the advertised time for the Second Reading and Public Hearing of **ORDINANCE NO. 2-2005** - Amending Zoning Map 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. Mayor Thomson declared the Public Hearing open. There being no comments or objections, Committeeman Peters moved that the public hearing be closed. Committeewoman Burne seconded the motion and all members voted yes. Committeeman Peters moved that the Ordinance be adopted as to its second reading and final passage. Committeewoman Burne seconded the motion and on roll-call, members voted as follows:

Tobia	Yea
Peters	Yea
Burne	Yea
Brosnan	Yea
Thomson	Yea

There being five yeas and no nays, the Mayor declared the Ordinance adopted. Committeeman Peters moved that the Ordinance be advertised according to law. Committeewoman Burne seconded the motion and all members voted yes.

This being the advertised time for the Second Reading and Public Hearing of **BOND ORDINANCE NO. 3-2005** - Amendment to Open Space Bond Ordinance entitled, "BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 5-2003 ADOPTED ON FEBRUARY 12, 2003, PROVIDING FOR THE ACQUISITION OF OPEN SPACE PROPERTIES, IN ORDER TO EXPAND THE SCOPE OF THE IMPROVEMENTS AUTHORIZED THEREBY, INCREASE THE APPROPRIATION THEREFOR BY \$3,250,000 FOR A TOTAL APPROPRIATION OF \$6,250,000 INCREASE THE AUTHORIZED

BONDS AND NOTES TO BE ISSUED TO FINANCE A PORTION OF THE COSTS
THEREOF BY \$3,087,000 FOR A TOTAL DEBT AUTHORIZATION OF

\$3,775,000, AND INCREASE THE ALLOCATION OF THE APPROPRIATION TO COSTS PERMITTED UNDER N.J.S.A. 40A:2-20, 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. Mayor Thomson declared the Public Hearing open. There being no comments or objections, Committeewoman Burne moved that the public hearing be closed. Deputy Mayor Brosnan seconded the motion and all members voted yes. Committeewoman Burne moved that the Ordinance be adopted as to its second reading and final passage. Deputy Mayor Brosnan seconded the motion and on roll-call, members voted as follows:

Tobia	Yea
Peters	Yea
Burne	Yea
Brosnan	Yea
Thomson	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. Deputy Mayor Brosnan seconded the motion and all members voted yes.

This being the advertised time for the Second Reading and Public Hearing of **BOND ORDINANCE NO. 4-2005** - Amendment to West Belmar Gateway Bond Ordinance entitled, "BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 5-2004 ADOPTED ON APRIL 28, 2004, PROVIDING FOR IMPROVEMENTS TO THE WEST BELMAR GATEWAY REDEVELOPMENT AREA, IN ORDER TO INCREASE THE APPROPRIATION THEREFOR BY \$300,000 FOR A TOTAL APPROPRIATION OF \$4,300,000, TO INCREASE THE AUTHORIZED BONDS AND NOTES TO BE ISSUED TO FINANCE A PORTION OF THE COSTS THEREOF BY \$285,000 FOR A TOTAL DEBT AUTHORIZATION OF \$4,085,000, AND TO INCREASE THE ALLOCATION OF THE APPROPRIATION TO COSTS PERMITTED UNDER N.J.S.A. 40A:2-20, 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. Mayor Thomson declared the Public Hearing open. There being no comments or objections, Committeeman Peters moved that the public hearing be closed. Committeewoman Burne seconded the motion and all members voted yes. Committeeman Peters moved that the Ordinance be adopted as to its second reading and final passage. Committeewoman Burne seconded the motion and on roll-call, members voted as follows:

Tobia	Yea
Peters	Yea
Burne	Yea

Brosnan
Thomson

Yea
Yea

There being five yeas and no nays, the Mayor declared the Ordinance adopted. Committeeman Peters moved that the Ordinance be advertised according to law. Committeewoman Burne seconded the motion and all members voted yes.

This being the advertised time for the Second Reading and Public Hearing of **ORDINANCE NO. 5-2005** - Amending Chapter 113 - Fire Prevention Fees entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING AND SUPPLEMENTING CHAPTER 113 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF WALL ENTITLED, "FIRE PREVENTION", SECTION 113-3, PARAGRAPH G ENTITLED "FEES; INSPECTION." Mrs. Kubacz read the Ordinance by title only as required by law. Mayor Thomson declared the Public Hearing open. There being no comments or objections, Deputy Mayor Brosnan moved that the public hearing be closed. Committeeman Tobia seconded the motion and all members voted yes. Deputy Mayor Brosnan 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
Peters	Yea
Burne	Yea
Brosnan	Yea
Thomson	Yea

There being five yeas and no nays, the Mayor declared the Ordinance adopted. Deputy Mayor Brosnan 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. 6- 2005** - Amending Chapter 33 "Personnel Policies", entitled "AN ORDINANCE OF THE TOWNSHIP OF WALL AMENDING AND SUPPLEMENTING CHAPTER 33, "PERSONNEL POLICIES", OF THE CODE OF THE TOWNSHIP OF WALL AND SECTION 36-1, "MEMBERSHIP", OF CHAPTER 36, "POLICE DEPARTMENT", OF THE CODE OF THE TOWNSHIP OF WALL." Mrs. Kubacz read the Ordinance by title only, as required by law. Deputy Mayor Brosnan moved that the Ordinance be adopted as to first reading. Committeeman Tobia seconded the motion and on roll-call, members voted as follows:

Tobia	Yea
Peters	Yea
Burne	Yea
Brosnan	Yea
Thomson	Yea

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

Brosnan moved that the Clerk advertise the Ordinance according to law, the second reading and public hearing to be held March 9, 2005 at 7:30 P.M. Committeeman Tobia seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 7-2005 -** Amending Chapter 215 - Traffic - Designating Ridgewood Road a One-Way Street 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 215 "TRAFFIC" OF THE TOWNSHIP CODE 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
Peters	Yea
Burne	Yea
Brosnan	Yea
Thomson	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 March 9, 2005 at 7:30 P.M. Committeewoman Burne seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 8-2005 -** Amending Chapter 129 "Hotels and Motels" entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, AMENDING CHAPTER 129, "HOTELS AND MOTELS" OF THE CODE SO AS TO CREATE SECTION 129-3 ENTITLED, "MUNICIPAL HOTEL AND MOTEL OCCUPANCY TAX." Mrs. Kubacz read the Ordinance by title only, as required by law. Committeeman Peters moved that the Ordinance be adopted as to first reading. Deputy Mayor Brosnan seconded the motion and on roll-call, members voted as follows:

Tobia	Yea
Peters	Yea
Burne	Yea
Brosnan	Yea
Thomson	Yea

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

Peters moved that the Clerk advertise the Ordinance according to law, the second reading and public hearing to be held March

9, 2005 at 7:30 P.M. Deputy Mayor Brosnan seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 9-2005 -** Amending Chapter 140 - "Land Use and Development Pertaining to the OR-5 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 OR-5 (OFFICE RESEARCH)ZONE." 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
Peters	Yea
Burne	Yea
Brosnan	Yea
Thomson	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 March 9, 2005 at 7:30 P.M. Committeewoman Burne seconded the motion and all members voted yes. Committeeman Tobia made a motion to refer Ordinance No. 9-2005 to the Wall Township Planning Board for review and recommendations. Committeewoman Burne seconded the motion and all members voted yes.

Consent Agenda

With reference to Items 13 A - Y 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 Thomson asked if any member of the Township Committee wished to consider any item separately. There being no further comments, a motion was made by Committeewoman Burne and seconded by Deputy Mayor Brosnan to adopt the following Resolutions, and on roll-call, members voted as follows:

Tobia	Yea
Peters	Yea
Burne	Yea
Brosnan	Yea
Thomson	Yea

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

#05-201 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDED AGREEMENT PROVIDING FOR PAYMENTS IN LIEU OF TAXES - ALLAIRE CROSSING (RATIFY)

#05-202 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, REJECTING ALL BIDS RECEIVED FOR THE MAINTENANCE AND REPAIR OF POLICE COMMUNICATIONS AND ELECTRONIC SYSTEMS FOR USE BY THE WALL TOWNSHIP POLICE DEPARTMENT AND AUTHORIZING THE RE-ADVERTISEMENT OF BIDS FOR SAME (RATIFY)

#05-203 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL APPOINTING AN ACTING CONSTRUCTION OFFICIAL (RATIFY)

#05-206 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL INFORMING COURT OF AMENDMENT TO DEVELOPMENT FEE ORDINANCE (ORDINANCE 1-2005)

#05-207 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE TOWNSHIP TAX ASSESSOR TO REPRESENT THE TOWNSHIP IN TAX APPEALS

#05-208 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE EXECUTION OF A CONTRACT FOR PROFESSIONAL APPRAISAL SERVICES - JOSEPH L. MAZOTAS, INC.

#05-209 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE EXECUTION OF A CONTRACT FOR PROFESSIONAL APPRAISAL SERVICES - BUCHALSKI, REYNOLDS & BRODOWSKI

#05-210 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL CONSENTING TO AN ASSIGNMENT OF A CERTAIN LICENSE AGREEMENT - VSNL

#05-211 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE EXECUTION OF A CONTRACT

DOCUMENTS PERTAINING TO THE ADMINISTRATION OF A PARTIALLY
SELF-FUNDED HEALTH INSURANCE PROGRAM

#05-212 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING PARTICIPATION IN THE MONMOUTH COUNTY MOSQUITO PROGRAM

#05-213 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL SUPPORTING AN APPLICATION FOR A DAM SAFETY PERMIT PERTAINING TO THE OLD MILL ROAD DAM

#05-214 - STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES ENABLING RESOLUTION

#05-215 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF A CERTAIN MAINTENANCE BOND POSTED FOR BLOCK 942, LOTS 16, 17 & 18 - SHERIDAN WOODS

#05-216 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AWARDING A CONTRACT FOR THE SUPPLY AND DELIVERY OF COLD WATER METERS FOR THE USE BY THE WALL TOWNSHIP WATER DEPARTMENT - RIO SUPPLY, INC. dba SLC METER EAST, INC.

#05-217 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE PUBLIC ADVERTISEMENT OF BIDS FOR CONCESSION SERVICES

#05-218 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE TAX COLLECTOR TO CANCEL CERTAIN TAXES PERTAINING TO LOCS 6, 6 QUAL B01 AND 12 IN BLOCK 6 - WALL AUTO WRECKERS

#05-219 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN TAX REFUNDS

#05-220 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN WATER/SEWER REFUNDS

#05-221 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL CONCERNING APPOINTMENTS TO THE BOARD OF ADJUSTMENT

#05-222 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING PAYMENT OF 24 VACATION DAYS AND 727 HOURS SICK TIME CAPPED - GREGORY KIRK

#05-223 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN PERSONNEL ACTIONS

Raffle - Old Mill Home & School, 50/50, March 12, 2005

One Day Liquor Permit - Glendola Fire Company, March 11, 2005

One Day Liquor Permit - Wall Republic Club - Fundraiser for Candidates - South Wall Firehouse, June 24, 2005, 6:00 - 10:00 P.M.

One Day Liquor Permit - South Wall Firehouse - Lane Family Fundraiser, March 11, 2005

End of Consent Agenda

Comments from Township Committee

None

Audience Participation

Bill Myrtetus, Laurel Avenue, asked about item I on the Consent Agenda, the Partially-funded Health Benefits Program. Mayor Thomson explained that this is the normal health program.

Elaine Stevens stated that the West Belmar Gateway Project is a nice improvement. Ms. Stevens said that she has a five lot subdivision on Ridgewood Road and is waiting for the advice from the Board on what she can do with this. Ms. Stevens said she cannot develop the nine acres because it is zoned six acres. Ms. Stevens also asked about the Open Space funds.

Mayor Thomson stated that the Township has an Open Space Plan which is part of the Master Plan. If funding becomes available, each project stands alone on its own merit. The bonding limit for Ridgewood Road Wildlife Program was just raised.

Ms. Stevens asked if she should wait on her project in the event that the area might be rezoned. Mayor Thomson replied that there was no change planned.

Administrator Verruni stated that the Township needs to wait to see if they finalize the Ridgewood Road property deal. Once that is done, the Committee may entertain something on Ms. Stevens's property which is next to it.

Route 33 Supply stated that they have containers on their property that they use for storage. Mayor Thomson stated that the Township Ordinance does not permit containers as permanent or semi-permanent structures and they must be removed.

Ed Brown asked for an update on Sunnyside. Attorney McLaughlin stated that after the denial by the Board of Adjustment, Sunnyside filed a motion in federal court to

compel enforcement of the settlement and enforce the application. Responses have been filed. Once this is finalized, the Court will set a date. This is pending now.

Ed Brown asked if this process is behind closed doors. Attorney McLaughlin said that nothing in Federal Court is behind closed doors. Mr. Brown asked if anyone can contribute to this. Mr. McLaughlin replied that the public had the opportunity before the Board of Adjustment and this is all part of public record. The public does not get to participate in the litigation.

There being no further comments, Committeeman Peters made a motion to adjourn. Committeewoman Burne seconded and all members voted yes. The meeting adjourned at 7:55 p.m.

TOWNSHIP CLERK

MAYOR