

**MINUTES OF THE REGULAR MEETING
OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF WALL, HELD IN THE
MEETING ROOM, MUNICIPAL COMPLEX
WEDNESDAY, MARCH 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, Committeeman Robert D. Peters, Committeewoman Mary L. Burne, Committeeman John Tobia, Township Administrator Joseph L. Verruni, Township Attorney Roger J. McLaughlin and Deputy Clerk Betty Schinestuhl.

Mayor Thomson read the sunshine statement.

Roll-call was taken by Betty Schinestuhl.

Deputy Mayor Brosnan made a motion to approve the Vouchers for February 2005, in the amount of \$10,714,027.46. 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.

Deputy Mayor Brosnan made a motion to approve the minutes of January 2005. 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. 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." Ms. Schinestuhl read the Ordinance by title only as required by law.

Deputy Mayor Brosnan moved to amend Ordinance No. 6-2005, Section 7, by amending language of Section 36-1A to read as follows: "A Chief of Police, who has attained the rank of captain or lieutenant of the Police Department, and such other qualifications as may be prescribed by the Township

Administrator." 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 amended.

Mayor Thomson declared the Public Hearing open.

Bill Myrtetus said he is trying to figure out if someone working 60 hours a week for 20 weeks, according to this schedule, it would be a tremendous amount of compensatory time and how somebody could possibly get six months compensatory time. Administrator Verruni said it is time off. It is not pay. It has to be approved by me. They have to use it or loose it. We are normally talking about hours to a week. Public Works gets the time because of the snowstorms. Mr. Myrtetus asked if they can carry the time. Administrator Verruni said no. Mr. Myrtetus asked if there was a max. Administrator Verruni said no.

There being no further 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 as amended 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 as amended adopted. Deputy Mayor Brosnan moved that the Ordinance as amended be advertised according to law. Committeeman Tobia seconded the motion and all members voted yes.

This being the advertised time for the Second Reading and Public Hearing 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." Ms. Schinestuhl read the Ordinance by title only as required by law. Mayor Thomson declared the Public Hearing open. There being no

comments or objections, Committeeman Tobia moved that the public hearing be closed. Committeewoman Burne seconded the motion and all members voted yes. Committeeman Tobia 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 Tobia 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. 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." Ms. Schinestuhl read the Ordinance by title only as required by law.

Deputy Mayor Brosnan moved to amend Ordinance 8-2005 - Amend Section 4 to change effective date to June 1, 2005. Committeeman Peters 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 amended.

Mayor Thomson declared the Public Hearing open. There being no comments or objections, Deputy Mayor Brosnan moved that the public hearing be closed. Committeeman Peters seconded the motion and all members voted yes. Deputy Mayor Brosnan moved that the Ordinance as amended be adopted as to its second reading and final passage. Committeeman Peters 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 Peters seconded the motion and all members voted yes.

This being the advertised time for the Second Reading and Public Hearing 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" Ms. Schinestuhl read the Ordinance by title only as required by law. Mayor Thomson declared the Public Hearing open. There being no comments or objections, Committeeman Tobia moved that the public hearing be closed. Committeewoman Burne seconded the motion and all members voted yes. Committeeman Tobia 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 Tobia moved that the Ordinance be advertised according to law. Committeewoman Burne seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 10-2005** - Amending 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 AMENDING REGULATIONS PERTAINING TO MANDATORY DEVELOPMENT FEES FOR RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT." Ms. Schinestuhl

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 April 13, 2005 at 7:30 P.M. Deputy Mayor Brosnan seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 11-2005** - 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." Ms. Schinestuhl read the Ordinance by title only, as required by law. Deputy Mayor Brosnan moved that the Ordinance be adopted as to first reading. Committeeman Peters seconded the motion and on roll-call, members voted as follows:

Tobia	Nay
Peters	Yea
Burne	Yea
Brosnan	Yea
Thomson	Yea

There being four yeas and one nay, 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 April 13, 2005 at 7:30 P.M. Committeeman Peters seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 12-2005** - Amending Chapter 140, Pertaining to HB, OB and OP Zones 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 HB (HIGH BUSINESS); OB (OFFICE BUSINESS) AND OP (OFFICE PARK) ZONES." Ms. Schinestuhl 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 April 13, 2005 at 7:30 P.M. Deputy Mayor Brosnan seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 13-2005 -** Fee for Insufficient Funds 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 1 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF WALL ENTITLED, "GENERAL PROVISIONS." Ms. Schinestuhl 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 April 13, 2005 at 7:30 P.M. Deputy Mayor Brosnan seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 14-2005 -** Increasing the CAP entitled, "ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)". Ms. Schinestuhl 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
Thomson

Yea
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 April 13, 2005 at 7:30 P.M. Deputy Mayor Brosnan seconded the motion and all members voted yes.

With reference to the 2005 Municipal Budget Committeeman Peters offered Resolution #05-305 and moved it be adopted. Ms. Schinestuhl read the resolution by title only entitled, "A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING INTRODUCTION OF THE 2005 BUDGET, SCHEDULING OF PUBLIC HEARING FOR 7:30 ON APRIL 13, 2005 AND SUBMITTAL OF THE BUDGET TO THE DEPARTMENT OF COMMUNITY AFFAIRS." 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 Resolution adopted.

Consent Agenda

With reference to Items 15 A - W 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 Committeeman Peters 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:

#05-301 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL REFERRING A PETITION FOR ANNEXATION OF LAND TO THE TOWNSHIP OF HOWELL TO THE WALL TOWNSHIP PLANNING BOARD (RATIFY)

#05-302 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL APPOINTING AN ACTING MAYOR (RATIFY)

#05-306 - 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

#05-307 - 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

#05-308 - 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

#05-309 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL ENDORSEMENTS ON BEHALF OF THE TOWNSHIP FOR APPROVAL OF PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF WATER MAIN EXTENSION FOR MONMOUTH SHORES CORPORATE PARK, PERTAINING TO BLOCK 930.02, LOT 1

#05-310 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL ENDORSEMENTS ON BEHALF OF THE TOWNSHIP FOR APPROVAL OF PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF A SANITARY SEWER EXTENSION APPLICATION FOR MONMOUTH CORPORATE PARK, PERTAINING TO BLOCK 930.02, LOT 1

#05-311 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL DESIGNATING CAMP EVANS HISTORIC DISTRICT AS THE WORLD WAR II LIVING MEMORIAL

#05-312 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE PERTAINING TO BLOCK 337, LOT 34 - PALATIAL HOMES, INC.

#05-313 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE AND ESCROW FEES PERTAINING TO BLOCK 914, LOT 3 AND BLOCK 913, LOT 24 - ROUTE 34

#05-314 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF ESCROW FEES PERTAINING TO BLOCK 974, LOT 2

#05-315 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING A SOIL REMOVAL PERMIT FOR BLOCK 922, LOT 1

#05-316 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL CONSENTING TO THE ANNEXATION OF LOTS 16 AND 18 IN BLOCK 977 ON THE TAX ASSESSMENT MAP OF THE TOWNSHIP OF WALL BY THE TOWNSHIP OF HOWELL

#05-317 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL PROVIDING FOR THE APPOINTMENT OF SPECIAL COUNSEL - JOHN T. LANE, JR.

#05-318 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE EXECUTION OF A RELEASE AND SETTLEMENT AGREEMENT OF CERTAIN LITIGATION

#05-319 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, REJECTING ALL BIDS RECEIVED FOR MAINTENANCE AND REPAIR OF POLICE COMMUNICATIONS AND ELECTRONIC SYSTEMS FOR USE BY THE WALL TOWNSHIP POLICE DEPARTMENT AND AUTHORIZING THE READVERTISEMENT OF BIDS FOR SAME

#05-320 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL DESIGNATING A REDEVELOPER FOR PROPERTY KNOWN AS LOT 22 IN BLOCK 4 IN THE WEST BELMAR GATEWAY REDEVELOPMENT AREA - WOOD IN WALL INVESTORS, L.L.C.

#05-321 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE SUBMISSION OF A RECYCLING TONNAGE GRANT APPLICATION

#05-322 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN TAX REFUNDS

#05-323 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN WATER/SEWER REFUNDS

#05-324 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF WALL APPOINTING A CONSTRUCTION OFFICIAL - PAUL
RABENDA

#05-325 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN PERSONNEL ACTIONS

Raffle - Wall High School Band Boosters - April 16, 2005 - Gift Baskets

End of Consent Agenda

Comments from Township Committee

Committeeman Tobia commended the Public Works Department on the recent snow storms. They did a great job.

Audience Participation

Bill Myrtetus asked what Item O on the Consent Agenda is. Attorney McLaughlin said the Township instituted litigation against a number of entities because of defects with this building. This settlement is with one defendant. This was for the retaining wall behind the municipal building.

Mr. Myrtetus said this is just one part. Attorney McLaughlin said we are settling with one of the entities. Mr. Myrtetus asked, how much? Attorney McLaughlin said \$10,000. Mayor Thomson said that is the price of the wall.

Mr. Myrtetus said, referring to Items I, J, K and L, he wants the exact addresses. Mayor Thomson said, street addresses? Attorney McLaughlin said the only one that is not identified is Lakewood Allenwood Road. He said it is in the resolution.

Mr. Myrtetus asked Committeeman Tobia why he voted No on Ordinance No. 11-2005. Committeeman Tobia said that it should be taken up with the Master Plan.

Don Herbert said he had two items for the Committee. He said every time he goes to the recycling center the paper dumpster is closed. They are always full and closed. The other item is he had garbage pick-up on Tuesday. He said his garbage was put out. It was not picked up. He said he called Public Works and they told him they would pick it up today. It still has not been picked up.

There being no further comments, Committeeman Peters made a motion to adjourn. Deputy Mayor Brosnan seconded the motion and all members voted yes. The meeting adjourned at 7:50 P.M.

TOWNSHIP CLERK

MAYOR