

**MINUTES OF THE REGULAR MEETING
OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF WALL, HELD IN THE
MEETING ROOM, MUNICIPAL COMPLEX
WEDNESDAY, FEBRUARY 8, 2006**

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

Mayor Burne read the sunshine statement.

Roll-call was taken by Lorraine Kubacz.

Committeeman Peters made a motion to approve the Vouchers for December 2005 and January 2006, in the amount of \$12,997,139.57. Committeeman Thomson seconded the motion and on roll-call, members voted as follows:

Devlin	Yea
Peters	Yea
Thomson	Yea
Tobia	Yea
Burne	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. 1-2006** - Authorizing Sale by Private Auction - Block 45, Lot 5 - Third Avenue entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING CONVEYANCE OF TITLE TO CERTAIN LANDS OWNED BY THE TOWNSHIP OF WALL PURSUANT TO A PRIVATE SALE IN ACCORDANCE WITH N.J.S.A 40A:12-13(b)(5)". Mrs. Kubacz read the Ordinance by title only as required by law. Mayor Burne declared the Public Hearing open. There being no comments or objections, Committeeman Devlin moved that the public hearing be closed. Committeeman Peters seconded the motion and all members voted yes. Committeeman Devlin moved that the Ordinance be adopted as to its second reading and final passage. Committeeman Peters seconded the motion and on roll-call, members voted as follows:

Devlin	Yea
Peters	Yea

Thomson	Yea
Tobia	Yea
Burne	Yea

There being five yeas and no nays, the Mayor declared the Ordinance adopted. Committeeman Devlin 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. 2-2006** - Further Amending the 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 Burne declared the Public Hearing open.

Joe Gorga, Brooklyn Boulevard, stated that only one of the lots concerned conforms to the R-60 zone and asked if the other lots are being grandfathered. Mr. Verruni replied yes. Mr. Gorga stated that all the lots are under 1.5 acres. Mr. McLaughlin stated that if they were developing as individual lots, that would be grandfathered. Mr. Gorga asked if a variance is required for a two car garage. Mr. McLaughlin said no.

There being no further comments or objections, Deputy Mayor Tobia moved that the public hearing be closed. Committeeman Thomson seconded the motion and all members voted yes. Deputy Mayor Tobia moved that the Ordinance be adopted as to its second reading and final passage. Committeeman Thomson seconded the motion and on roll-call, members voted as follows:

Devlin	Yea
Peters	Yea
Thomson	Yea
Tobia	Yea
Burne	Yea

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

With reference to Introduction of **ORDINANCE NO. 3-2006** - Vacating a Portion of Filmore Street entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL VACATING A PORTION OF FILMORE STREET". Mrs. Kubacz read the Ordinance by title only, as required by law. Committeeman Peters moved that the Ordinance be adopted as to first reading.

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

Devlin	Yea
Peters	Yea
Thomson	Yea
Tobia	Yea
Burne	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 8, 2006 at 7:30 P.M. Committeeman Devlin seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 4-2006** - Amending Chapter 140 - Pertaining to Hotels, Building Design Standards, Board of Adjustment 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, PERTAINING TO HOTELS, BUILDING DESIGN STANDARDS AND BOARD OF ADJUSTMENT." Mrs. Kubacz read the Ordinance by title only, as required by law. Committeeman Thomson moved that the Ordinance be adopted as to first reading. Deputy Mayor Tobia seconded the motion and on roll-call, members voted as follows:

Devlin	Yea
Peters	Yea
Thomson	Yea
Tobia	Yea
Burne	Yea

There being five yeas and no nays, the Mayor declared the Ordinance adopted as to its first reading. Committeeman Thomson moved that the Clerk advertise the Ordinance according to law, the second reading and public hearing to be held March 8, 2006 at 7:30 P.M. Deputy Mayor Tobia seconded the motion and all members voted yes.

Committeeman Thomson moved that Ordinance No. 4-2006 be referred to the Wall Township Planning Board fore review and recommendations. Deputy Mayor Tobia seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 5-2006** - Salary Ordinance entitled, "AN ORDINANCE TO FIX THE COMEPSATON OF OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF WALL FOR THE YEAR 2006." Mrs. Kubacz read the Ordinance by title only, as required by law. Committeeman Devlin moved that the Ordinance

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

Devlin	Yea
Peters	Yea
Thomson	Yea
Tobia	Yea
Burne	Yea

There being five yeas and no nays, the Mayor declared the Ordinance adopted as to its first reading. Committeeman Devlin moved that the Clerk advertise the Ordinance according to law, the second reading and public hearing to be held March 8, 2006 at 7:30 P.M. Committeeman Peters seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 6-2006** - Vacation of Sycamore entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL VACATING A PORTION OF SYCAMORE AVENUE." Mrs. Kubacz read the Ordinance by title only, as required by law. Committeeman Thomson moved that the Ordinance be adopted as to first reading. Deputy Mayor Tobia seconded the motion and on roll-call, members voted as follows:

Devlin	Yea
Peters	Yea
Thomson	Yea
Tobia	Yea
Burne	Yea

There being five yeas and no nays, the Mayor declared the Ordinance adopted as to its first reading. Committeeman Thomson moved that the Clerk advertise the Ordinance according to law, the second reading and public hearing to be held March 8, 2006 at 7:30 P.M. Deputy Mayor Tobia seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 7-2006** - Stormwater Regulations entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING THE CODE OF THE TOWNSHIP OF WALL TO CONFORM TO CURRENT STORMWATER REGULATIONS." Mrs. Kubacz read the Ordinance by title only, as required by law. Committeeman Peters moved that the Ordinance be adopted as to first reading. Committeeman Thomson seconded the motion and on roll-call, members voted as follows:

Devlin	Yea
Peters	Yea
Thomson	Yea
Tobia	Yea

Burne

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 8, 2006 at 7:30 P.M. Committeeman Thomson seconded the motion and all members voted yes.

Consent Agenda

With reference to Items 11 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 Burne asked if any member of the Township Committee wished to consider any item separately. Committeeman Devlin stated that he votes No on Item I. There being no further comments, a motion was made by Committeeman Thomson and seconded by Committeeman Peters to adopt the following Resolutions, and on roll-call, members voted as follows:

Devlin	Yea (except Item I)
Peters	Yea
Thomson	Yea
Tobia	Yea
Burne	Yea

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

#06-201 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL CONCERNING BIDS RECEIVED FOR A NEW PLENARY RETAIL DISTRIBUTION ALCOHOLIC BEVERAGE LICENSE (RATIFY)

#06-204 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL SCHEDULING A SPECIAL PUBLIC BUSINESS MEETING

#06-205 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING A LIEN ON BLOCK 276, LOT 1 IN CONNECTION WITH THE DEMOLITION OF THE STRUCTURE THEREON

#06-206 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE PROPER OFFICIALS TO EXECUTE ALL DOCUMENTS IN CONNECTION WITH THE NEW JERSEY DAM RESTORATION PROGRAM-REHABILITATION OF THE OLD MILL POND

#06-207 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING EXECUTION OF A CANCELLATION OF MORTGAGE ON PREMISES KNOWN AS 4703 BELMAR BOULEVARD, BLOCK 935, LOT 11

#06-208 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING EXECUTION OF A CANCELLATION OF MORTGAGE ON PREMISES KNOWN AS 1609 RIVERVIEW TERRACE, BLOCK 60, LOT 117

#06-209 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING EXECUTION OF A CANCELLATION OF MORTGAGE ON PREMISES KNOWN AS 1043 SIXTH AVENUE, BLOCK 47K, LOT 7

#06-210 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING EXECUTION OF AN APPLICATION AND AGREEMENT WITH THE NJDEP FOR GREEN ACRES FUNDING

#06-211 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT AND GENERAL RELEASE

#06-212 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES AND ESCROW FEES PERTAINING TO BLOCK 263, LOT 11 - COUNTRY VIEW AT SEA GIRT

#06-213 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE PERTAINING TO BLOCK 274, LOT 24 - A & S ITALIAN IMPORT DELI

#06-214 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE ADVERTISEMENT OF BIDS FOR THE RENOVATIONS AND IMPROVEMENTS TO WALL TOWNSHIP POLICE HEADQUARTERS

#06-215 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE CANCELLATION OF TAXES

#06-216 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN TAX REFUNDS

#06-217 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN WATER/SEWER REFUNDS

#06-218 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF WALL AUTHORIZING PAYMENT OF 30 VACATIONS DAYS AND
284 HOURS SICK TIME PAID @ HALF RATE - CATHERINE MADDOCKS

#06-219 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING PAYMENT OF 25 VACATION DAYS AND 1191 HOURS SICK TIME PAID @HALF RATE CAPPED AT \$7,500 - MICHAEL SULLIVAN

#06-220 - A RESOLUTION OF THE TOWNSHIP COMMITTEE AUTHORIZING PAYMENT OF 25 VACATION DAYS AND 380 HOURS SICK TIME PAID @ HALF RATE - PETER TRAVERS

#06-221 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL APPOINTING A MEMBER TO THE LOCAL ASSISTANCE BOARD - PATRICIA MARICONDA

#06-222 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN PERSONNEL ACTIONS

End of Consent Agenda

Comments from Township Committee

NONE

Audience Participation

Bill Myrtetus, Laurel Avenue, asked about street paving. Mayor Burne replied that the street is on the list. Mr. Myrtetus asked Committeeman Devlin why he voted no for Item I on the agenda. Committeeman Devlin replied that he felt that there were more questions that should have been answered. Mr. Devlin wanted the matter carried for a few weeks. Mr. Myrtetus asked what the Resolution pertained to. Mayor Burne replied that it is a settlement of a Personnel matter. Attorney McLaughlin stated that it would be made public when the Agreement is signed by both sides. This is a former Township employee. The Agreement should be on file by Monday for review.

There being no further comments, Committeeman Peters made a motion to adjourn. Committeeman Thomson seconded and all members voted yes. The meeting adjourned at 7:45 p.m.

TOWNSHIP CLERK

MAYOR