

**MINUTES OF THE REGULAR MEETING
OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF WALL, HELD IN THE
MEETING ROOM, MUNICIPAL COMPLEX
WEDNESDAY, SEPTEMBER 13, 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 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 July 29, 2006 - August 31, 2006, in the amount of \$12,997,139.57. 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 Vouchers approved.

A Proclamation Honoring Kids Day America on September 16, 2006, was read into the record.

This being the advertised time for the Second Reading and Public Hearing of **ORDINANCE NO. 23-2006** - Amending the Zoning Map MLCC Zone 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 AND AMENDING AND SUPPLEMENTING THE LAND USE AND DEVELOPMENT REGULATIONS TO ESTABLISH THE MLCC CONGREGATE CARE (30DU/ACRE)ZONE". Mrs. Kubacz read the Ordinance by title only as required by law. Mayor Burne declared the Ordinance will be carried to September 27, 2006. Committeeman Peters moved that the Ordinance be carried to September 27, 2006. 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 carried.

This being the advertised time for the Second Reading and Public Hearing of **ORDINANCE NO. 25-2006** - Property Exchange - Sunnyside Manor entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING THE EXCHANGE OF CERTAIN MUNICIPAL PROPERTY IN ACCORDINANCE WITH N.J.S.A. 40A:12-16". Mrs. Kubacz read the Ordinance by title only as required by law. Mayor Burne declared the ordinance will be carried to September 27, 2006. Committeeman Peters moved that the Ordinance be carried to September 27, 2006. 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 carried.

This being the advertised time for the Second Reading and Public Hearing of **ORDINANCE NO. 26-2006** - Amending ordinance for Fire Marshall - Joseph Rizzitello 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 113 ENTITLED, "FIRE PREVENTION", OF THE TOWNSHIP CODE OF THE TOWNSHIP OF WALL". 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 Thomson moved that the public hearing be closed. Committeeman Devlin seconded the motion and all members voted yes. Committeeman Thomson moved that the Ordinance be adopted as to its second reading and final passage. 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. Committeeman Thomson moved that the

Ordinance be advertised according to law. Committeeman Devlin seconded the motion and all members voted yes.

This being the advertised time for the Second Reading and Public Hearing of **ORDINANCE NO. 27-2006** - Amending Land Use and Development Regulations Pertaining to Mandatory Development Fees and Exemption Therefrom 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 ADDITIONAL EXEMPTION THEREFROM". Mrs. Kubacz read the Ordinance by title only as required by law. Mayor Burne declared the Public Hearing open.

Bill Myrtetus, Laurel Avenue, asked about exempting the mandatory fees. Mr. McLaughlin explained that development projects in the redevelopment area will be exempt from trust fund fees. Deputy Mayor Tobia advised that developers are required to pay into a fund for a municipal parking area. This fee is not being waived.

There being no further comments or objections, Deputy Mayor Tobia moved that the public hearing be closed. Committeeman Devlin 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 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. Deputy Mayor Tobia moved that the Ordinance be advertised according to law. Committeeman Devlin seconded the motion and all members voted yes.

This being the advertised time for the Second Reading and Public Hearing of **ORDINANCE NO. 28-2006** - Vacation of Shark River Station Road entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL VACATING A PORTION OF SHARK RIVER STATION ROAD". 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 Peters moved that the public hearing be closed. Committeeman Devlin seconded the motion and all members voted yes. Committeeman Peters moved that the Ordinance be adopted as to its second reading and final passage. 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. Committeeman Peters moved that the Ordinance be advertised according to law. Committeeman Devlin seconded the motion and all members voted yes.

With reference to Introduction of **BOND ORDINANCE NO. 30-2006** - Amending Bond Ordinance - Open Space entitled, "BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 5-2003 ADOPTED ON FEBRUARY 12, 2003, AS AMENDED BY BOND ORDINANCE NO. 21-2003 ADOPTED ON AUGUST 13, 2003, AS AMENDED BY BOND ORDINANCE NO. 3-2005 ADOPTED ON FEBRUARY 9, 2005, PROVIDING FOR THE ACQUISITION OF OPEN SPACE PROPERTIES, IN ORDER TO CHANGE THE SCOPE OF THE IMPROVEMENTS AUTHORIZED THEREBY, 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 Tobia 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. Deputy Mayor Tobia moved that the Clerk advertise the Ordinance according to law, the second reading and public hearing to be held October 11, 2006 at 7:30 P.M. Committeeman Devlin seconded the motion and all members voted yes.

Consent Agenda

With reference to Items 11 A - LL 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.
Mayor Burne will abstain on Item M. Deputy Mayor Tobia will
abstain from Item O. There being no further comments, a

motion was made by Committeeman Peters and seconded by Committeeman Thomson to adopt the following Resolutions, and on roll-call, members voted as follows:

Devlin	Yea
Peters	Yea
Thomson	Yea
Tobia	Yea Abstained on O
Burne	Yea Abstained on M

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

#06-821 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AWARDING THE CONTRACT FOR JANITORIAL SERVICES - UNITED CLEANING CONTRACTORS, INC. (RATIFY)

#06-822 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN PERSONNEL ACTIONS (RATIFY)

#06-901 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING A RESOLUTION RENEWING THE PLENARY RETAIL ALCOHOLIC BEVERAGE CONSUMPTION LICENSE OF RUNWAY ASSOCIATES, LLC. (RATIFY)

#06-904 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING ENFORCEMENT OF TRAFFIC REGULATIONS - BLOCK 930, LOT 51.05

#06-905 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING ENFORCEMENT OF TRAFFIC REGULATIONS - BLOCK 922, LOT 2

#06-906 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING ENFORCEMENT OF TRAFFIC REGULATIONS - BLOCK 907, LOT 17.02

#06-907 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL CERTIFYING COMPLIANCE WITH THE PROMULGATION OF THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY DATED JULY 30, 2968 (2005 AUDIT REPORT)

#06-908 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING A RESOLUTION CONFIRMING THE ASSESSMENT REPORT FOR SEWER IMPROVEMENTS IN AND ALONG VARIOUS PROPERTIES IN WALL TOWNSHIP KNOWN AS THE ROUTE 34, ALLENWOOD, ALLAIRE AND RIDGEWOOD ROAD SANITARY SEWER ASSESSMENT PROJECT

#06-909 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF WALL AUTHORIZING THE REMOVAL OF WEEDS AND DEBRIS
FROM BLOCK 5, LOT 12 - 1728 "I" STREET

#06-910 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES POSTED BY APPLE RIDGE II, BLOCK 811.11, LOT 1

#06-911 - 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 ATLANTIC CORPORATE CENTER, LLC, BLOCK 829, LOT 1

#06-912 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE EXECUTION OF A GIS BSEMAP LICENSE AGREEMENT WITH THE COUNTY OF MONMOUTH

#06-913 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE EXECUTION OF AN APPLICATION AND DOCUMENTS TO THE COUNTY OF MONMOUTH FOR OOPEN SPACE TRUST FUNDS

#06-914 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL EXTENDING A CONDITIONAL REDEVELOPER DESIGNATION FOR PROPERTY KNOWN AS LOTS 6, 7 AND 12 IN BLOCK 12 IN THE WEST BELMAR GATEWAY REDEVELOPMENT AREA

#06-915 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE ADVERTISEMENT OF BIDS FOR THE LEASING OF A PORTION OF BLOCK 314 LOT 1 FOR PURPOSES OF FARMING

#06-916 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE ADVERTISEMENT OF BIDS FOR IMPROVEMENTS TO MONMOUTH BOULEVARD

#06-917 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE ADVERTISEMENT OF BIDS FOR THE DESIGN AND INSTALLATION OF A TELECOMMUNICATION SYSTEM AT THE WALL TOWNSHIP POLICE HEADQUARTERS

#06-918 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE ADVERTISEMENT OF BIDS FOR THE INSTALLATION OF A CLOSED CIRCUIT TELEVISION SYSTEM AT THE WALL TOWNSHIP POLICE HEADQUARTERS

#06-919 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE PUBLIC AUCTION SALE OF VARIOUS ITEMS

#06-920 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF WALL AUTHORIZING THE CANCELLATION OF TAXES
PERTAINING TO BLOCK 805, LOT 25

#06-921 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE REFUND OF STOP PAYMENT FEE

#06-922 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN TAX REFUNDS

#06-923 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN WATER/SEWER REFUNDS

#06-924 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN PERSONNEL ACTIONS

Raffle - Wall High School Booster Association - October 28, 2006 - 50/50 - Benefit Wall Dance Squad (Ratify)

Raffle - The Food Bank of Monmouth/Ocean Counties - October 25, 2006 - 50/50 - Purchase Food for the Needy

Raffle - Wall Pop Warner Football - Various dates - 50/50 - Benefit Pop Warner Football Team

Raffle - CAPE - December 14, 2006 - 50/50 - Benefit Central School Students

One Day Social Affairs Permit - Foodbank of Monmouth and Ocean Counties - Atlantic Club - October 26, 2006 - 5:00 - 9:00 P.M. - Wine Tasting - Benefit Needy Families of Monmouth and Ocean Counties

One Day Social Affairs Permit - InfoAge Learning Center - 9/16/06 - Benefit InfoAge Learning Programs (Ratify)

One Day Social Affairs permit - Wall Township Republican Club - 10/22/06 - Oktoberfest - 1:00 - 5:00 P.M.

Street Closing - Block Party - 9/9/06 (rain date 9/10/06) Woodchuck Lane - 12 noon - 11:00 P.M. (Ratify)

Street Closing - Block Party - 9/9/06 (no rain date) - Bellewood Avenue - 1:00 - 11:00 P.M. (Ratify)

Street Closing - Block Party - 9/9/06 - 4:00 - 11:30 P.M. - Minnehaha Trail (Ratify)

Street Closing - Block Party - 9/16/06 (no rain date) - Oak Road - 12 noon - 8:00 P.M.

Street Closing - Block Party - 9/23/06 (rain date 9/24/06) - Winesap Drive - 12 noon - 10:00 P.M.

Street Closing - Block Party - 9/30/06 (rain date 10/01/06) -
Grant Street - 2:00 P.M.

Street Closing - Block Party - 9/30/06 (rain date 10/01/06) -
Lenape Trail - 2:00 - 8:00 P.M.

End of Consent Agenda

Comments from Township Committee

Deputy Mayor Tobia commended Kate Elia for obtaining the grant for the purchase of the Wheel-Wright Shop which is a big part of Wall Township.

Audience Participation

Bill Myrtetus, Laurel Avenue, asked about Title 39. Attorney McLaughlin advised that this allows the Police to patrol the areas and enforce the laws on the properties.

Mr. Myrtetus asked how much money is involved in the grant for Open Space. Kate Elia responded \$50,000 from the County and the Township.

There being no further comments, Committeeman Peters made a motion to adjourn. Committeeman Devlin seconded and all members voted yes. The meeting adjourned at 7:50 p.m.

TOWNSHIP CLERK

MAYOR