

**MINUTES OF THE REGULAR MEETING
OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF WALL, HELD IN THE
MEETING ROOM, MUNICIPAL COMPLEX
WEDNESDAY, MARCH 14, 2007**

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

Mayor Tobia read the sunshine statement.

Roll-call was taken by Lorraine Kubacz.

Committeewoman Burne made a motion to approve the Vouchers for February 3, 2007 thru March 2, 2007, in the amount of \$10,014.388.28. Deputy Mayor Thomson seconded the motion and on roll-call, members voted as follows:

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|---------|--------|
| Devlin | Absent |
| Peters | Yea |
| Burne | Yea |
| Thomson | Yea |
| Tobia | Yea |

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

This being the advertised time for the Second Reading and Public Hearing of **BOND ORDINANCE NO. 5-2007** - Land Use and Development MLCC Congregate Care entitled "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE LAND USE AND DEVELOPMENT REGULATIONS OF THE TOWNSHIP OF WALL, SECTION 140 - 314, "MLCC CONGREGATE CARE (30 DU/ACRE) ZONE," Ms. Kubacz read the Ordinance by title only as required by law. Mayor Tobia declared the Public Hearing open. There being no comments or objections, Committeeman Peters moved that the public hearing be closed. Deputy Mayor Thomson seconded the motion and all members voted yes. Committeeman Peters

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:

| | |
|---------|--------|
| Devlin | Absent |
| Peters | Yea |
| Burne | Yea |
| Thomson | Yea |
| Tobia | 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. Deputy Mayor Thomson seconded the motion and all members voted yes.

This being the advertised time for the Second Reading and Public Hearing of **BOND ORDINANCE NO. 6-2007** - Amendment to Chapter 62 - Alcoholic Beverages - Hotel Licenses entitled "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF WALL, CHAPTER 62, "ALCOHOLIC BEVERAGES", SECTION 62-6, "LICENSE FEES; MAXIMUM NUMBER," Ms. Kubacz read the Ordinance by title only as required by law. Mayor Tobia declared the Public Hearing open.

Bill Myrtetus, Laurel Avenue, asked if any of these licenses pocket licenses. Mr. Verruni replied that this is for a hotel license which allows for a hotel with more than one hundred rooms to have a license. There is a new hotel on Route 33. Mr. McLaughlin added that this Ordinance is exactly the same as before, except it adds a hotel license. Mr. Myrtetus asked if any of the licenses are not being used. Mr. Verruni said that there are two pocket licenses in Wall Township. There is also the new distribution license that the Township recently sold. There is one club license available, but it is not being used.

There being no comments or objections, Deputy Mayor Thomson moved that the public hearing be closed. Committeeman Peters 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 Peters seconded the motion and on roll-call, members voted as follows:

| | |
|---------|--------|
| Devlin | Absent |
| Peters | Yea |
| Burne | Yea |
| Thomson | Yea |
| Tobia | Yea |

There being four yeas and no nays, the Mayor declared the Ordinance adopted. Deputy Mayor Thomson 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 **BOND ORDINANCE NO. 7-2007** - Amending Chapter 215 - Traffic - Left Turns Allaire Road, 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. Kubacz read the Ordinance by title only as required by law. Mayor Tobia declared the Public Hearing open. There being no comments or objections, Committeewoman Burne moved that the public hearing be closed. Deputy Mayor Thomson 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 Thomson seconded the motion and on roll-call, members voted as follows:

| | |
|---------|--------|
| Devlin | Absent |
| Peters | Yea |
| Burne | Yea |
| Thomson | Yea |
| Tobia | Yea |

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

Consent Agenda

With reference to Items 7 A - U 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 Tobia asked if any member of the Township Committee wished to consider any item separately. There being no further comments, a motion was made by Deputy Mayor Thomson and seconded by Committeeman Peters to adopt the following Resolutions, and on roll-call, members voted as follows:

| | |
|---------|--------|
| Devlin | Absent |
| Peters | Yea |
| Burne | Yea |
| Thomson | Yea |
| Tobia | Yea |

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

#07-301 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL APPOINTING A MEMBER TO THE BOARD OF ADJUSTMENT (RATIFY)

#07-304 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF ESCROW FEES PERTAINING TO BLOCK 762, LOT 11.04 - OLD MILL ROAD

#07-305 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE PERTAINING TO BLOCK 907, LOT 17.02 - MEWS AT COLLINGSWOOD

#07-306 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE REDUCTION OF A PERFORMANCE GUARANTEE POSTED BY ASHTON WOODS AT WALL (XANADU), IN RELATION TO BLOCK 80, LOT 12.01 - 18TH AVENUE

#07-307 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF ALL GUARANTEES AND ESCROW PERTAINING TO A CERTAIN MAJOR SUBDIVISION - MARTIN ROAD

#07-308 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL APPROVING CHANGE ORDER NO. 1 - 18TH AVENUE SEWERAGE FORCE MAIN EXTENSION - MARVEC CONSTRUCTION

#07-309 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL APPROVING CHANGE ORDER NO. 4 - PUBLIC SAFETY BUILDING - STRUCTURAL CONCEPTS

#07-310 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE TRANSFER OF OWNERSHIP OF A POLICE EXPLOSIVE DETECTION K-9

#07-311 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL OPPOSING S-457 AND A-3870, AMENDING THE TIME OF DECISION RULE

#07-312 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN TAX REFUNDS

#07-313 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN WATER/SEWER REFUNDS

#07-314 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN PERSONNEL ACTIONS

One Day Liquor Permit - Monmouth County Police Chiefs Association - 8/12/2007 - 12 noon - 8:00 P.M. - Pat's Thirty Acres

Raffle - Kiwanis Club of Wall Township - Various dates - 50/50

Raffle - Wall High School Boosters Association - June 13, 2007 - 50/50

Raffle - American Legion Four Seasons Wall Memorial post #529 - July 4, 2007 - 50/50

Raffle - New Jersey Historical Divers Association, Inc. - May 5, 2007 - 50/50

Raffle - PTO Wall Intermediate - May 31, 2007 - 50/50

Raffle - PTO Manasquan Elementary - May 10, 2007 - Various Gifts

Raffle - PTO Manasquan Elementary - May 10, 2007 - 50/50

End of Consent Agenda

Comments from Township Committee

None

Audience Participation

Bill Myrtetus, Laurel Avenue, asked about the transfer of ownership of the K-9 dog. Mayor Tobia stated that this dog is being retired because of his age and will become the officer's dog.

Mr. Myrtetus asked about the resolution opposing the Senate bill. Attorney McLaughlin replied that this pertains to legislation that has been introduced about the time of decision rule which deals with Land Use applications and zoning changes. If there is an application before the Board and the governing body decides that it shouldn't be permitted, they can change the zone. This legislation will say that once an application is filed, you cannot change the zone. This issue comes up about every five years and has always been opposed.

William Spillane, West Atlantic Avenue, Vice President of the Homeowners Association asked to address a letter that was sent to the Township Committee by Henry Schilling, owner of the trailer park. Mr. McLaughlin noted that the Township Committee has not received a copy of the letter yet. The Committee will receive a copy in their Friday packets.

There being no further comment, Committeeman Peters moved to adjourn the meeting. Deputy Mayor Thomson seconded the motion and all voted in favor. The meeting adjourned at 7:45 p.m.

TOWNSHIP CLERK

MAYOR