



TOWNSHIP OF WALL
REGULAR MEETING AGENDA
MARCH 22, 2023

7:00 PM
CONFERENCE ROOM A

This agenda reflects to the extent known at the time of the posting, pursuant to N.J.S.A. 10:4-8(d). The agenda is tentative and is subject to amendment, additions, or deletions prior to the meeting.

Agenda Review:

1. Sunshine Statement

In compliance with the "Open Public Meetings Act," Chapter 231, P.L. 1975, adequate notice of this meeting has been provided in the following manner: the annual notice was forwarded to the official Township newspapers and was posted in the Wall Township Municipal Building. All notices are on file with the Township Clerk.

2. **Roll Call**

3. Review of the Public Business Meeting Agenda

4. **Resolution No. 23-0307** - Authorization to discuss matters in private session:

- o Anticipated litigation

Motion - Second – Roll Call Vote

MAIN MEETING ROOM

Public Business Portion:

5. Salute to the Flag and a Moment of Silence

6. Sunshine Statement

In compliance with the "Open Public Meetings Act," Chapter 231, P.L. 1975, adequate notice of this meeting has been provided in the following manner: the annual notice was forwarded to the official Township newspapers and was posted in the Wall Township Municipal Building. All notices are on file with the Township Clerk.

7. **Roll Call**

8. INTRODUCTION OF **ORDINANCE NO. 2-2023** AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH STATE OF NEW JERSEY AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMIT AND ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) FOR CALENDAR YEAR 2023

Re: CAP Bank 2023

Motion that **ORDINANCE NO. 2-2023** be adopted as to its first reading and advertised for second reading and public hearing on **April 26, 2023**, at 7:00 pm. pursuant to law.

Motion - Second - Roll-Call Vote

9. INTRODUCTION OF **ORDINANCE NO. 3-2023** AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 191, SECTION 9 "TOWNSHIP RECYCLING FACILITIES" OF THE TOWNSHIP CODE

Re: Elimination of acceptance of grass clippings at recycling centers

Motion that **ORDINANCE NO. 3-2023** be adopted as to its first reading and advertised for second reading and public hearing on **April 26, 2023**, at 7:00 pm. pursuant to law.

Motion - Second - Roll-Call Vote

10. INTRODUCTION OF **ORDINANCE NO. 4-2023** AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF

NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 206, TOWING AND STORAGE OF MOTOR VEHICLES, SECTION 5, "FEES", OF THE TOWNSHIP CODE

Re: Towing

Motion that **ORDINANCE NO. 4-2023** be adopted as to its first reading and advertised for second reading and public hearing on **April 26, 2023**, at 7:00 pm. pursuant to law.

Motion - Second - Roll-Call Vote

11. 2023 Budget Presentation

12. INTRODUCTION OF **BUDGET RESOLUTION NO. 23-0308** – INTRODUCING THE 2023 MUNICIPAL BUDGET

Motion that **BUDGET RESOLUTION NO. 23-0308** be adopted as to its first reading and advertised for second reading and public hearing on **April 26, 2023**, at 7:00 pm. Pursuant to law.

Motion - Second - Roll-Call Vote

13. **Consent Agenda:**

All items listed on the "Consent Agenda" are considered routine by the Township and will be adopted or approved collectively by a single motion and roll-call vote of a majority of the Township Committee. All items are available for public inspection at this meeting and in the office of the Township Clerk. There will be no separate discussion of these items. If a discussion is desired on any item, it will be considered separately. The **Mayor** asks if any member of the Township Committee wishes to consider any item separately. If not, he/she requests a **Motion** to approve the items listed.

Approval of Minutes:

- o 2/22/2023

Resolution No. 23-0309 - Approval of vouchers for March 9, 2023, through March 22, 2023, in the amount of \$2,680,502.82

Resolution No. 23-0310 - Authorization to renew the lease for Block 804 Lot 8.03 – 3010 Allaire Road to Jacqueline and Brian Riccio for the purpose of farming

Resolution No. 23-0311 - Authorization to execute a Rights-Of-Way agreement by and between the Township of Wall ("Municipality") and Comcast Business Communications, LLC, to permit the installation, use and maintenance of telecommunications facilities within public rights-of-way for purposes of providing telecommunications services

Resolution No. 23-0312 - Authorization to execute a contract with Detcon Corp. for the purchase of 624 96-gallon Toter carts through Sourcewell Cooperative Purchasing Program #04152-TOT at a price not to exceed \$48,160.32

Resolution No. 23-0313 - Authorization to correct Resolution No. 23-0146 which authorized the execution of a contract with Foley Inc. for the purchase of 2023 caterpillar model 440 backhoe loader through Sourcewell at a price not to exceed \$250,697.00 and permitting the purchase of a 2022 caterpillar model 440 backhoe loader through Sourcewell at a price not to exceed \$250,697.00

Resolution No. 23-0314 - Authorization to execute an agreement with Carolina Flying Discs Inc. for the purchase of disc golf baskets through competitive quotes for the Watson Road Disc Golf Course at a price not to exceed \$8,691.00

Resolution No. 23-0315 - Authorization to update the BRAC 91 Federal Lands Use at Fort Monmouth, Camp Evans Area, Parcel A- 2701 Brighton Avenue, and 699 Monmouth Boulevard

Resolution No. 23-0316 - Authorization to endorse the Southeast Monmouth Municipal Utilities Authority in their application for membership in the Monmouth County Municipal Joint Insurance Fund

Resolution No. 23-0317 - Authorization for Wall Township to enter into a Cooperative Purchasing Program with OMNIA Partners

Resolution No. 23-0318 - Authorization to approve certain personnel matter(s):

NAME	DEPARTMENT/POSITION	SALARY	EFFECTIVE DATE
Erika Ward	Land Use/ Planning Assistant/ Board Secretary	\$58,000.00	3/23/2023
Christina Fluhr	Youth Center-Recreation Aide	\$14.13/hour	01/01/2023
Lily Pirog	Youth Center-Recreation Aide	\$14.13/hour	01/01/2023

Resolution No. 23-0319 - Authorization to approve certain Township refund(s):

- o EMS

Resolution No. 23-0320 - Authorization for Wall Fire Department No. 1 to conduct charitable solicitations in roadways commonly known as a Coin Toss

Resolution No. 23-0321 - Authorization to execute the first amendment to the December 18, 2019, settlement agreement between the Township of Wall and Fair Share Housing Center

End of Consent Agenda:

Motion - Second - Roll Call Vote

14. **Public Comment:** Opportunity for anyone to comment with a limit of five (5) minutes per speaker

The public comment portion of our meeting is to allow the public to bring to the Committee's attention their concerns or comments. In accordance with N.J.S.A. 10: 4-12(a), the Committee asks the public to limit their comments to five minutes or less. The Committee will respect the public's time by refraining any comment until the speaker has finished with their allotted time. It should be further noted that the public comment portion of our meeting is not structured as a question-and-answer session. If a member of the public has questions, they seek answers to, an appointment can be made with the Township Administrator's office during regular business hours. The attorney will regulate the time during the comment portion of our meeting.

15. **Close Public Comment:**

Motion - Second – Roll Call Vote

16. **Closing Comments:**

17. **Resolution No. 23-0322** - Authorization to discuss matters in private session:

- Anticipated litigation

Motion - Second – Roll Call Vote

18. Motion to Adjourn:

Motion - Second - Voice Vote - All in Favor

DRAFT

TOWNSHIP OF WALL

ORDINANCE NO. 2-2023

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH STATE OF NEW JERSEY AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMIT AND ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) FOR CALENDAR YEAR 2023

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Wall in the County of Monmouth finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, fiscal responsibility, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 1.0% increase in the budget for said year, amounting to \$363,083.21 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriations in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Wall, in the County of County of Monmouth, with a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Township of Wall shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$1,270,791.24 and that the CY 2023 municipal budget for the Township of Wall be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

This Ordinance shall take effect upon its passage and publication according to law.

ROLL CALL			
Committeeman	Vote	Abstention	Absent
Committeeman Becht		-	-
Committeeman Clayton		-	-
Committeeman Orender			
Deputy Mayor Mangan		-	-
Mayor Farrell		-	-

Introduced: **March 22, 2023**

Adopted:

Attest: _____

Roberta Lang, RMC
Township Clerk

Approve: _____

Timothy Farrell
Mayor

DRAFT

SUMMARY AND NOTICE

TOWNSHIP OF WALL

ORDINANCE NO. 2-2023

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH STATE OF NEW JERSEY AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMIT AND ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) FOR CALENDAR YEAR 2023

The purpose of this Ordinance is to authorize that the final appropriations of the Township of Wall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, which shall be increased by 1.0%, amounting to \$363,083.21 (for a total increase of 3.5%, \$1,270,791.24) and that the CY 2023 municipal budget for the Township of Wall be approved and adopted in accordance with this ordinance and to establish a CAP Bank.

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on **March 22, 2023** and will be further considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey on **April 26, 2023** at 7 o'clock P.M., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to, and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall Town Hall to the members of the general public who shall request the same or on Wall Township's website www.wallnj.com.

Roberta M. Lang, RMC
Township Clerk

TOWNSHIP OF WALL
ORDINANCE NO. 3-2023

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 191, SECTION 9 “TOWNSHIP RECYCLING FACILITIES” OF THE TOWNSHIP CODE

WHEREAS, the Township of Wall, through adoption of Wall Municipal Code Chapter 191, “Solid Waste” codifies, among other things, the collection and disposal of solid waste in the Township of Wall; and,

WHEREAS, the Wall Township Committee desires to amend and supplement Chapter 218, Section 9, “Township Recycling Facilities” to update the existing language to regulate the disposal of residential glass clippings due to recent amendments by the New Jersey Department of Environmental Protection related to Storm Water Discharge.

WHEREAS, all additions are shown in **bold italics with underlines**. The deletions are shown as ~~**strikeovers in bold italics**~~. Sections of Chapter 191, Section 9 that will remain unchanged are shown in normal type.

NOW, BE IT ORDAINED by the Township Committee of the Township of Wall, in the County of Monmouth, in the State of New Jersey, as follows:

§ 191-9 **Township recycling facilities.**

- a.** All items taken to a Township recycling facility as provided for in this article are subject to the provisions of Article II of this chapter.
- b.** **H-3 Grass. All residential grass clippings shall be bagged and placed in household trash waste containers. Due to the NJDEP/N.J.A.C. 7:14A Storm Water Discharge Plan, no grass, sod, soil or thatch shall be disposed of on any Township owned property including Recycling Centers. The Township will not take any commercially cut grass clippings of any kind in the residential household trash waste system. All commercial cut/maintained properties shall have the contractor remove and dispose of any all grass materials.**

All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency. The Township Clerk is authorized to renumber and/or re-codify any sections affected by such repeal to the extent consistent with this Ordinance.

If any word, phrase, clause, section or provision of this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional such word, phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

This Ordinance shall take effect upon publication thereof after final passage according to law and approval by the State of New Jersey.

Introduced: March 22, 2023

Adopted:

Attest: _____
Roberta Lang, RMC
Township Clerk

Approve: _____
Timothy Farrell
Mayor

SUMMARY AND NOTICE

TOWNSHIP OF WALL

ORDINANCE NO. 3-2023

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 191, SECTION 9 “TOWNSHIP RECYCLING FACILITIES” OF THE TOWNSHIP CODE

Adoption of this ordinance will amend Chapter 191, Section 9, regarding the elimination of acceptance of grass clippings at recycling centers

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on **March 22, 2023**, and will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on **April 26, 2023** at 7:00 p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to the members of the general public who shall request the same or may be viewed on our website at www.wallnj.com.

**Roberta M. Lang, R.M.C.
Municipal Clerk**

TOWNSHIP OF WALL

ORDINANCE NO. 4-2023

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 206, TOWING AND STORAGE OF MOTOR VEHICLES, SECTION 5, “FEES”, OF THE TOWNSHIP CODE

WHEREAS, the Township of Wall, through adoption of Wall Municipal Code Chapter 206 adopted regulations and fees associated with the required towing and storage of motor vehicles when the call for such services is initiated by the Wall Township Police Department and the vehicle owner has not made other arrangements for towing and storage of a disabled vehicle or where the towing and storage occurs without the consent of the owner; and,

WHEREAS, the Wall Township Committee desires to amend and supplement Chapter 206, Article 5, entitled “Fees”, to reflect appropriate fees associated with towing services in conjunction with the Wall Township Police Department; and,

WHEREAS, all additions are shown in ***bold italics with underlines***. The deletions are shown as *~~strikeovers in italics~~*. Sections of Chapter 206, Section 5, that will remain unchanged are shown in normal type.

NOW, BE IT ORDAINED by the Township Committee of the Township of Wall, in the County of Monmouth, in the State of New Jersey, as follows:

SECTION ONE. Chapter 206, Article 5, “Fees” shall be amended and supplemented to include the following:

§ 206-5 Fees.

- A. ***Towing fees and charges shall conform with the New Jersey State Police towing rates published and updated on an annual basis. To the extent that the New Jersey Police towing rates published on an annual basis conflict with the fees below, the subject fee due and owing shall be whichever is greater.*** The following fees are hereby established for towing services in conjunction with the Wall Township Police Department:

Towing	
Service	Fees
Standard tow	\$105 <u>\$155</u>
Flatbed tow	\$105 <u>\$155</u>
Tows over 6,999 GVW \$175 plus tax Tows over 15,000 GVW \$350 plus tax <u>Tows between 6,999-16,000 GVW</u>	<u>\$300 per hour</u> plus tax
<u>Tows over 16,001 GVW</u> <u>Decoupling Fee</u>	<u>\$500 per hour</u> plus tax <u>½ of Basic Rate</u>
Vehicle Winching	
Service	Fees

<u>Light Duty (up to 10,000 lbs)</u>	<u>\$350 per hour (charged in half-hour increments of \$175)</u>
<u>Medium Duty (10,001-16,000 lbs)</u>	<u>\$350 per hour (charged in half-hour increments of \$175)</u>
<u>Heavy Duty (16,001 lbs and above)</u>	<u>\$650 per hour</u>
<u>Under 6,999 GVW</u>	<u>\$100 first hour/\$75 per hour thereafter</u>
<u>7,000 to 14,999 GVW</u>	<u>\$200 first hour/\$150 per hour thereafter</u>
Road Calls	
Service	Fees
All road calls	\$60 plus fuel
Vehicle lockouts	\$60
Police vehicle tow	\$50; \$3 per mile out of town to Wall border; maximum of \$200
MVA scene cleanup	\$50; \$3 per mile out of town to Wall border; maximum of \$200 <u>\$75 per hour; \$3 per mile out of the Township of Wall border plus cost of absorbent materials used</u>
Rollover/recovery up to 14,999 GVW	\$225 first 1/2 hour; \$150 per hour after
Disabled tow from scene to site of owner's choice	Applicable tow cost (plus \$3.50 per mile out of town to Wall border)
Wait time (investigative delays)	\$30 per half hour
Police car after-hour tire	\$40
Storage	
Service	Fees
Passenger vehicles	\$35 <u>\$50 per day, plus \$10 for indoor</u>
<u>Over 6,999 GVW</u>	<u>\$40 per day, plus \$10 for indoor</u>
<u>Over 15,000 GVW</u>	<u>\$60 per day, plus \$10 for indoor</u>
<u>Trucks (dual wheels)/ single axle</u>	<u>\$125 per day, plus \$10 for indoor</u>
<u>Tractors, dump trucks, tractor trailer combos, trailers</u>	<u>\$150 per day</u>
<u>Buses</u>	<u>\$150 per day</u>

- B. Liability for operators who engage in a pattern and practice of knowingly violating fee limits. Operators who engage in removal of motor vehicles, or any employee, officer or agent thereof, who engages in a pattern or practice of knowing violation of the fee limits set herein may be liable to the municipality for a civil penalty of not less than \$25 or more than \$50 for each motor vehicle stored with the operator. Such penalties will be collected

in a summary manner in the Wall Township Municipal Court in accordance with the Penalty Enforcement Law of 1999.

- C. Fees paid by municipality. Storage fees will only be paid by the Township in cases where the owner cannot be located for payment of the fees after diligent inquiries. This will only apply when such a vehicle is towed at direction of the Police Department and has extensive damage so that storage at the police impound lot is not feasible. This determination shall be made by a police officer at the scene. In that case, the storage fees shall be:
- (1) Three dollars ~~(\$3)~~ per day for the first 30 days of storage per vehicle.
 - (2) Two dollars ~~(\$2)~~ per day for the 31st day of storage and thereafter.
 - (3) A maximum of \$400 per vehicle storage, regardless of the duration of the storage, except that the Division of Local Government Services in the Department of Community Affairs may grant a waiver for good cause upon the request of a municipality.
- D. Administrative fee. The Township of Wall shall assess an administrative fee of \$25 per vehicle to recover costs of administering the towing and storage services for all vehicles coming under the purview of the police impound. The assessment will be placed on each vehicle processed in addition to the model fees outlined in this chapter for towing and storage services.

SECTION TWO. This Ordinance shall hereby become effective upon final passage and publication as provided by law.

SECTION THREE. REPEALER. All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency. The Township Clerk is authorized to renumber and/or re-codify any sections affected by such repeal to the extent consistent with this Ordinance.

SECTION FOUR. SEVERABILITY. If any word, phrase, clause, section or provision of this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional such word, phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

SECTION FIVE. EFFECTIVE DATE. This Ordinance shall take effect upon publication thereof after final passage according to law.

Introduced: March 22, 2023

Adopted:

Attest: _____
Roberta Lang, RMC
Township Clerk

Approve: _____
Timothy Farrell
Mayor

SUMMARY AND NOTICE

TOWNSHIP OF WALL

ORDINANCE NO. 4-2023

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 206, TOWING AND STORAGE OF MOTOR VEHICLES, SECTION 5, "FEES", OF THE TOWNSHIP CODE

Adoption of this ordinance will amend Chapter 206, Section 5, regarding fees for towed vehicles.

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on **March 22, 2023**, and will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on **April 26, 2023** at 7:00 p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to the members of the general public who shall request the same or may be viewed on our website at www.wallnj.com.

**Roberta M. Lang, R.M.C.
Municipal Clerk**

TOWNSHIP OF WALL

RESOLUTION NO. 23-0308

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL INTRODUCTION OF BUDGET

MUNICIPAL BUDGET NOTICE

BE IT RESOLVED, by the Township Committee of the Township of Wall that the following statements of revenues and appropriations shall constitute the Municipal Budget of the Township of Wall, County of Monmouth for the Calendar Year 2023;

Table with 3 columns: Item Number, Description, and Amount. Rows include Appropriations within 'CAPS', Appropriations excluded from 'CAPS', Reserve for Uncollected Taxes, Total General Appropriations, Less: Anticipated Revenues, and Difference: Amount to be raised by Taxes.

BE IT FURTHER RESOLVED, that said Budget will be published in the Coast Star in the issue of March 30, 2023.

AND THAT, the Governing Body of the Township of Wall does hereby approve the preceding as the Budget for the year 2023:

ROLL CALL table with 4 columns: Committeeman, Vote, Abstension, and Absent. Lists names of committee members and their respective votes.

Notice is hereby given that the Budget and Tax Resolution was approved by the Township Committee of the Township of Wall, County of Monmouth, on March 22, 2023.

A hearing on the Budget and Tax Resolution will be held at the Municipal Complex, on April 26, 2023 at 7:00 o'clock p.m. at which time and place objections to said Budget and Tax Resolution for the year 2023 may be presented by taxpayers or other interested persons.

Copies of the budget are available in the office of the Municipal Clerk at the Municipal Building, 2700 Allaire Rd., New Jersey, (732)449-8444, during the hours of 8:00 A.M. to 4:00 P.M.

I, Roberta M. Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a Resolution adopted by the Mayor and Council of the Township of Wall in the County of Monmouth in the State of New Jersey at a Meeting held on March 22, 2023

Roberta M. Lang, RMC
Municipal Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 23-0309

**CERTIFICATION OF TOWNSHIP FUNDS
MARCH 9, 2023 THROUGH MARCH 22, 2023 IN THE AMOUNT OF \$2,680,502.82**

We, the undersigned members of the Township Committee of the Township of Wall have reviewed the information provided by the Township Administrator and rely on his recommendation that the attached vouchers are in proper order and may be executed for payment. This authorization for execution does not extend to any voucher that would constitute a conflict of interest for any of the undersigned Committee members.

Timothy J. Farrell, Mayor

Erin M. Mangan, Deputy Mayor

Kevin P. Orender, Committeeman

Daniel F. Becht, Committeeman

Timothy J. Clayton, Committeeman

TOWNSHIP OF WALL

RESOLUTION NO. 23-0310

**AUTHORIZATION TO RENEW THE LEASE BLOCK 804 LOT 8.03 – 3010
ALLAIRE ROAD TO JACQUELINE AND BRIAN RICCIO FOR THE PURPOSE
OF FARMING**

WHEREAS, pursuant to N.J.S.A. 40A:11-1 et. seq., Wall Township publicly advertised for and solicited bids to lease Township property not needed for public use, identified as Block 804, Lot 8.03 on the Official Tax Map of the Township of Wall for the purpose of growing, harvesting, and storing mixed grass hay from May 1, 2020, to April 30, 2023, with the option to renew for two (2) additional one-year periods at the discretion of the Township Committee; and,

WHEREAS, Wall Township received sealed bids from Jacqueline and Brian Riccio to lease Township property identified as Block 804, Lot 8.03; and,

WHEREAS, the highest bid received to lease Block 804, Lot 8.03 was from Jacqueline and Brian Riccio in the amount of \$5,200.00 (five thousand two hundred dollars and zero cents) per year; and,

WHEREAS, the Township of Wall Mayor and Committee entered into a lease agreement with Jacqueline and Brian Riccio on March 25, 2020, authorizing the lease of the above referenced property from May 1, 2020 to April 30, 2023; and,

WHEREAS, the Township desires to exercise its option to extend the lease from April 30, 2023, through April 30, 2024.

NOW, THEREFORE, BE IT RESOLVED, the Wall Township Mayor and Committee hereby authorized to exercise its option to extend the lease with Jacqueline and Brian Riccio for the use of Block 804, Lot 8.03 through April 30, 2024, and,

BE IT FURTHER RESOLVED, that all Township officials including, but not limited to the Mayor, the Township Administrator and the Municipal Clerk, are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

I, Roberta M. Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on March 22, 2023.

Roberta M. Lang, RMC
Municipal Clerk

TOWNSHIP OF WALL
RESOLUTION NO.23-0311

**AUTHORIZATION TO EXECUTE A RIGHTS- OF-WAY AGREEMENT BY AND
BETWEEN THE TOWNSHIP OF WALL (“MUNICIPALITY”) AND COMCAST
BUSINESS COMMUNICATIONS, LLC, TO PERMIT THE INSTALLATION, USE
AND MAINTENANCE OF TELECOMMUNICATIONS FACILITIES WITHIN
PUBLIC RIGHTS-OF-WAY FOR PURPOSES OF PROVIDING
TELECOMMUNICATIONS SERVICES**

WHEREAS, Comcast Business Communications, LLC (“CBC”), a local exchange and interexchange telecommunications services provider, with offices located at 1701 JFK Boulevard, Philadelphia, Pennsylvania 19103, is authorized to provide local exchange and interexchange telecommunications services throughout the State of New Jersey pursuant to an Order dated February 15, 2001, issued by the New Jersey Board of Public Utilities (“NJBPU”) in Docket No. TE00100789; and,

WHEREAS, CBC has requested the consent of the Municipality to occupy public rights-of-way within the Municipality for the purpose of constructing, installing, operating, repairing, maintaining, or replacing a telecommunications system; and,

WHEREAS, it is deemed to be in the best interest of the Municipality and its citizenry, particularly including the commercial and industrial citizens, for the Municipality to grant municipal consent to CBC to occupy the public rights-of-way within the Municipality for this purpose; and,

WHEREAS, the granting of such consent is and shall be conditional upon CBC’s compliance with all existing and future applicable ordinances of the Municipality and its entering into a written agreement with the Municipality to, *inter alia*, indemnify and hold the Municipality harmless as to all claims and liability resulting from any injury or damage caused by CBC which may arise from the construction, installation, operation, repair, maintenance, disconnection, replacement and removal of its telecommunications system within certain public rights-of-way and its provision of liability insurance coverage for personal injury and property damage.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF
THE TOWNSHIP OF WALL:**

1. That non-exclusive consent is hereby granted to CBC to occupy the public rights-of-way within the Municipality for the purpose of construction, installation, operation, repair, maintenance and replacement of a telecommunications system for a period of fifty (50) years; and,
2. That the within granted permission is conditioned upon CBC entering into the attached Rights-of-Way Use Agreement with the Municipality and providing liability and property damage insurance coverage; and,
3. That the Mayor and Municipal Clerk are hereby authorized to execute the attached Rights-of-Way Use Agreement; and,
4. That a copy of this Resolution and the executed Rights-of-Way Use Agreement shall be filed in the Office of the Municipal Clerk.

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a Meeting held on March 22, 2023.

Roberta M. Lang, RMC
Township Clerk

**TOWNSHIP OF WALL
RESOLUTION NO. 23-0312**

**AUTHORIZATION TO EXECUTE A CONTRACT WITH DETACHABLE
CONTAINER & COMPACTOR CORP. (DETCO) FOR THE PURCHASE OF 96-
GALLON Toter CARTS THROUGH SOURCEWELL AT A PRICE NOT TO
EXCEED \$48,160.32**

WHEREAS, the Township is desirous of purchasing 96-gallon Toter carts from Detachable Container & Compactor Corp. (DETCO) through Sourcewell at a price not to exceed \$48,160.32 (forty-eight thousand one hundred sixty dollars and thirty-two cents); and,

WHEREAS, the Superintendent of Public Works and the Township Administrator recommend that the Township Committee purchase 96-gallon Toter carts through the Sourcewell cooperative purchasing program; and,

WHEREAS, the Township of Wall entered into Sourcewell on July 28, 2016; and,

WHEREAS, in accordance with Local Finance Notice (LFN) 2013-07 the anticipated execution of this contract was advertised in the Coast Star on March 14, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall as follows:

1. The Township Committee hereby concurs with the recommendations of the Superintendent of Public Works and Township Administrator and authorizes the purchase of 96-gallon Toter carts through Sourcewell from Detachable Container & Compactor Corp. (DETCO) at a price not to exceed \$48,160.32 (forty-eight thousand one hundred sixty dollars and thirty-two cents).
2. The Mayor, Municipal Clerk and any other applicable Township officers or employees are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the terms of this resolution.

Certifications		
Township Clerk		
I, Roberta M. Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on March 22, 2023.		
Roberta M. Lang, RMC Township Clerk		
Chief Financial Officer		
I, Thomas O'Hara, Chief Financial Officer of the Township of Wall, do hereby certify to the Township Committee of the Township of Wall that funds are available for the purchase of 96-gallon Toter carts through Sourcewell.		
Thomas O'Hara, CFO Chief Financial Officer		
Grant		
Account	Description	Amount
G-02-21-701-000-101	Recycling Tonnage Grant	\$22,528.95
G-02-22-701-000-101	Recycling Tonnage Grant	\$25,631.37

TOWNSHIP OF WALL

RESOLUTION NO. 23-0313

AUTHORIZATION TO CORRECT RESOLUTION NO 23-0146 WHICH AUTHORIZED THE EXECUTION OF A CONTRACT WITH FOLEY INC. FOR THE PURCHASE OF 2023 CATERPILLAR MODEL 440 BACKHOE LOADER THROUGH SOURCEWELL AT A PRICE NOT TO EXCEED \$250,697.00 AND PERMITTING THE PURCHASE OF A 2022 CATERPILLAR MODEL 440 BACKHOE LOADER THROUGH SOURCEWELL AT A PRICE NOT TO EXCEED \$250,697.00

WHEREAS, the Township Committee passed Resolution No. 23-0146 which authorized the Township to execute a contract with Foley Inc. for the purchase of a 2023 Caterpillar Model 440 Backhoe Loader through Sourcewell at a price not to exceed \$250,697.00 (two hundred fifty thousand six hundred ninety-seven dollars and zero cents); and,

WHEREAS, the Department of Public Works has notified the Township Administrator that a correction is required to Resolution No. 23-0146 due to supply chain issues; and,

WHEREAS, the amendment should read as follows: Authorization to execute a contract with Foley Inc. for the purchase of a 2022 Caterpillar Model 440 Backhoe Loader through Sourcewell at a price not to exceed \$250,697.00 (two hundred fifty thousand six hundred ninety-seven dollars and zero cents); and,

WHEREAS, the Township Administrator has reviewed the aforesaid information and has recommended to the Township Committee that the appropriate Township officials be authorized to make the necessary amendment to authorize the purchase of a 2022 Caterpillar Model 440 Backhoe Loader through Sourcewell at a price not to exceed \$250,697.00 (two hundred fifty thousand six hundred ninety-seven dollars and zero cents); and,

WHEREAS, the Township published notice of its intent to purchase a 2022 Caterpillar Model 440 Backhoe Loader through Sourcewell at a price not to exceed \$250,697.00 (two hundred fifty thousand six hundred ninety-seven dollars and zero cents) in the appropriate Township newspaper and provided no interested parties comment on same, the Township shall be permitted to effectuate the purchase of said 2022 Caterpillar Model 440 Backhoe Loader through Sourcewell.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Wall, County of Monmouth, New Jersey that the Township is hereby authorized to contract with Foley Inc. for the purchase of a 2022 Caterpillar Model 440 Backhoe Loader through Sourcewell for the Wall Township Department of Public Works at a price not to exceed \$250,697.00 (two hundred fifty thousand six hundred ninety-seven dollars and zero cents); and,

BE IT FURTHER RESOLVED, that all Township officials including, but not limited to the Mayor, the Township Administrator and the Municipal Clerk, are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

Certifications		
Township Clerk		
I, Roberta M. Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on March 22, 2023.		
Roberta M. Lang, RMC Township Clerk		
Chief Financial Officer		
I, Thomas O'Hara, Chief Financial Officer of the Township of Wall, do hereby certify to the Township Committee of the Township of Wall that funds are available for the purchase of 2022 Caterpillar Model 440 Backhoe Loader through Sourcewell.		
Thomas O'Hara, CFO Chief Financial Officer		
Capital		
Account	Description	Amount
C-08-55-584-000-200	Ordinance 24-2022	\$250,000.00
C-08-55-583-000-600	Ordinance 17-2021	\$697.00

TOWNSHIP OF WALL

RESOLUTION NO. 23-0314

AUTHORIZATION TO AWARD A CONTRACT FOR DISC GOLF BASKETS WITH CAROLINA FLYING DISCS INC. AT A PRICE NOT TO EXCEED \$8,691.00

WHEREAS, the Township of Wall solicited quotes for the purchase of disc golf baskets; and,

WHEREAS, Director of Recreation, evaluated the proposals for qualifications, experience and cost reasonableness, and recommends the award of contract to Carolina Flying Discs Inc., at a price not to exceed \$8,691.00 (eight thousand six hundred ninety-one dollars and zero cents); and

WHEREAS, the Township Administrator concurs with the recommendation of the Director of Recreation to award the contract for the purchase of disc golf baskets at a price not to exceed \$8,691.00 (eight thousand six hundred ninety-one dollars and zero cents).

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall, that the Township shall award the contract for the purchase of disc golf baskets to Carolina Flying Discs Inc. at a price not to \$8,691.00 (eight thousand six hundred ninety-one dollars and zero cents).

BE IT FURTHER RESOLVED that all Township officials including, but not limited to the Mayor, the Township Administrator and the Municipal Clerk, are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

Certifications		
Township Clerk		
I, Roberta M. Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on March 22, 2023		
Roberta M. Lang, RMC Township Clerk		
Chief Financial Officer		
I, Thomas O'Hara, Chief Financial Officer of the Township of Wall, do hereby certify to the Township Committee of the Township of Wall that funds are available for the purchase of disc golf baskets through the US Communities Cooperative Pricing Program.		
Thomas O'Hara, CFO Chief Financial Officer		
Trust		
Account	Description	Amount
T-17-56-860-001-318	Recreation Trust	\$8,691.00

TOWNSHIP OF WALL

RESOLUTION NO. 23-0315

**AUTHORIZATION TO UPDATE THE BRAC 91 FEDERAL LANDS USE AT
FORT MONMOUTH, CAMP EVANS AREA, PARCEL A- 2701 BRIGHTON
AVENUE, AND 699 MONMOUTH BOULEVARD**

WHEREAS, the Township of Wall previously acquired certain properties in 2003 under the Federal Lands to Parks Program (“FLP”); and,

WHEREAS, as required by the FLP program, the Township is required to provide periodic updates to the Federal Lands to Parks National Park Service; and,

WHEREAS, the Township Administrator is seeking authorization to provide a written update as it relates to Parcel A – 2701 Brighton Avenue and 699 Monmouth Boulevard; and,

WHEREAS, specifically, the Township Administrator is seeking authorization to provide a written update to the Federal Lands to Parks National Park Service that provides in detail that Township continues to move towards the goal of utilizing the subject properties for active recreation purposes.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Wall, County of Monmouth, New Jersey that the Township Administrator hereby permitted to provide a written update as it relates to Parcel A – 2701 Brighton Avenue and 699 Monmouth Boulevard to the Federal Lands to Parks National Park Service.

BE IT FURTHER RESOLVED, that all Township officials including, but not limited to the Mayor, the Township Administrator and the Municipal Clerk, are hereby authorized and directed to take such ministerial actions and to execute all required documents and agreements as are necessary to effectuate the provisions of this resolution.

I, Roberta M. Lang, Township Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a Regular Meeting held March 22, 2023

Roberta M. Lang, RMC
Township Clerk

TOWNSHIP OF WALL
RESOLUTION NO. 23-0316

**AUTHORIZATION TO ENDORSE THE SOUTHEAST MONMOUTH
MUNICIPAL UTILITIES AUTHORITY IN THEIR APPLICATION FOR
MEMBERSHIP IN THE MONMOUTH COUNTY MUNICIPAL JOINT
INSURANCE FUND**

WHEREAS, the Township of Wall, a municipal corporation of the State of New Jersey, having its principal offices located at 2700 Allaire Road in the Township of Wall Township, County of Monmouth, State of New Jersey (hereinafter referred to as “Wall Township”) and the Southeast Monmouth Municipal Utilities Authority, a Utilities Authority organized under the laws of the State of New Jersey, having its offices located at 2700 Allaire Road, Wall Township, NJ 07719 (hereinafter referred to as the “Utilities Authority”) witnesseth as follows;

WHEREAS, Wall Township is a member of the Monmouth County Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund; and,

WHEREAS, Southeast Monmouth Municipal Utilities Authority desires to participate in the aforesaid joint insurance funds and requested that the Township of Wall endorse same; and,

WHEREAS, under the rules and regulations of the aforesaid excess joint insurance funds, the Township of Wall must endorse the application of a Utilities Authority which desires to participate in the joint insurance funds and must agree to assume responsibility for the financial obligations of such a Utilities Authority; and,

WHEREAS, the Township of Wall finds that the participation of Utilities Authority in the joint insurance funds would be advantageous to the taxpayers of the Township of Wall due to the resulting cost savings to the Utilities Authority, and further finds that the respective obligations of the Utilities Authority should be set forth in a written agreement; and,

WHEREAS, the Township of Wall is willing to sponsor the membership of Utilities Authority and to assume responsibility to the joint insurance funds for the financial obligations of the Utilities Authority, subject to certain terms and conditions which are set forth herein;

NOW, THEREFORE, be it agreed by and between the parties hereto as follows:

1. **Endorsement of Application for Membership.** The Township of Wall hereby agrees to endorse the application of the Utilities Authority for membership in the Monmouth County Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund of which the Township of Wall is a member. It is understood and agreed by the parties that in order to endorse the aforesaid application, the Township of Wall must enter into an Agreement with the aforesaid joint insurance funds to assume responsibility for the financial obligations of the Utilities Authority as a member of the aforesaid funds.

2. **Utilities Authority to Hold Harmless.** The Utilities Authority agrees to indemnify and hold harmless the Township of Wall from any and all claims, actions, losses, expenses, premiums, fees, assessments, and any other financial obligation arising out of, or related to in any way, the Utilities Authority membership in either the Monmouth County Municipal Joint Insurance Fund or the Municipal Excess Liability Joint Insurance Fund. The Utilities Authority shall reimburse the Township of Wall for the cost of defending any action or lawsuit brought against the Township of Wall which arises out of, or related in any way, to the membership of the Utilities Authority in the aforesaid joint insurance funds.
3. **Financial Responsibility.** The Utility Authority understands and agrees that if it is accepted as a member of the Monmouth County Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund it will incur expenses for insurance premiums and other charges and assessments which may be levied by the aforesaid funds. The Township of Wall agrees to pay the premiums, charges and assessments of the Utilities Authority with the understanding that notwithstanding this obligation, it is merely a guarantor of those obligations and not the principal obligor.
4. **Reimbursement Through Tax Levies.** Should either of the aforesaid joint insurance funds notify the Township of Wall of a failure by the Utilities Authority to pay any charge, premium or assessment, and should such moneys remain unpaid thirty (30) days after the Township of Wall serves a written demand upon the Utilities Authority to pay such moneys to the joint insurance fund or funds, the Township of Wall may make payment of the amount due to either of the aforesaid joint insurance funds. In the event of such payment, the Township of Wall shall be entitled to retain a like amount from moneys collected on behalf of the Utilities Authority by the levying of taxes by the Township of Wall which are next due and payable to the Utilities Authority.
5. **Disputed Claims.** The right of the Township of Wall to retain moneys to reimburse it for charges, fees or assessments paid on behalf of the Utilities Authority to either of the aforesaid joint insurance funds shall not be subject to, or effected in any way by any dispute between the Utilities Authority and either of the aforesaid joint insurance funds with respect to the nature or amount of such moneys alleged to be due to the joint insurance funds. The Township of Wall shall have the absolute right to make payments to either joint insurance fund should the Utilities Authority fail to do so, and to obtain reimbursement for such payments in the manner set forth in paragraph 4 herein, although the Township of Wall may, at its option, assist in the resolution of any such dispute between the Utilities Authority and either joint insurance fund.
6. **Entire Agreement.** This writing contains the entire agreement and understandings of the parties with respect to the matters set forth herein. No amendment, alteration or modification of this agreement shall have any effect unless it is set forth in writing and executed in the same fashion as this agreement.

BE IT FURTHER RESOLVED, that all Township officials including, but not limited to the Mayor, the Township Administrator and the Municipal Clerk, are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

I, Roberta M. Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on March 22, 2023.

Roberta M. Lang, RMC
Municipal Clerk

TOWNSHIP OF WALL

RESOLUTON NO. 23-0317

AUTHORIZATION TO ENTER INTO A COOPERATIVE PURCHASING PROGRAM WITH OMNIA PARTNERS

WHEREAS, N.J.S.A. 40A:11-1 et. seq. authorizes contracting units to enter into Cooperative purchasing Agreements; and,

WHEREAS, the Township of Wall previously passed Resolution No. 14-808 and Resolution 14-513 which authorized the Township of Wall to enter into the cooperative purchasing programs of National Intergovernmental Purchasing Alliance Company (“National IPA”) and the US Communities Cooperative Pricing Program (“US Communities”), respectively; and,

WHEREAS, the Township has learned that since the adoption of the aforementioned resolutions and the Township’s participation in these National Cooperative Purchasing Programs that National IPA and US Communities have merged to form OMNIA Partners, Public Sector; and,

WHEREAS, the OMNIA Partners, Public Sector (hereinafter the “Lead Agency”) has offered voluntary participation in a Cooperative Purchasing System for purchase of goods and services; and,

WHEREAS, the Township of Wall desires to become a member of the OMNIA Partners, Public Sector Cooperative Purchasing program, effective March 22, 2023; and,

WHEREAS, such membership shall renew every five (5) years unless the Township of Wall elects to formally withdraw from the system; and

WHEREAS, that the Township Committee of the Township of Wall, in the County of Monmouth, State of New Jersey authorizes the Township of Wall to participate in the OMNIA Partners, Public Sector Cooperative Purchasing program and authorizes the execution of a Cooperative Pricing Agreement with the Lead Agency upon its approval by the Division of Local Government Services.

NOW THEREFORE BE IT RESOLVED, that OMNIA Partners, Public Sector Cooperative as Lead Agency is expected to comply with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq and all of the provisions of the revised statutes of the State of New Jersey) ; and

BE IT FURTHER RESOLVED, that all Township officials including, but not limited to the Mayor, the Township Administrator and the Municipal Clerk, are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

I Roberta M. Lang, Clerk, of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a Regular meeting held on March 22, 2023

Roberta M. Lang, RMC
Township Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 23-0318

AUTHORIZATION TO APPROVE CERTAIN PERSONNEL ACTIONS

WHEREAS, the Department Head(s) has recommended the appointment of the following individual(s); and,

WHEREAS, the Township Administrator concurs with the findings of the Department Head and hereby recommends to the Township Committee that the following appointment(s) be made:

NAME	DEPARTMENT/POSITION	SALARY	EFFECTIVE DATE
Erika Ward	Land Use/ Planning Assistant/ Board Secretary	\$58,000.00	3/23/2023
Christina Fluhr	Youth Center-Recreation Aide	\$14.13/hour	01/01/2023
Lily Pirog	Youth Center-Recreation Aide	\$14.13/hour	01/01/2023

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall that the following personnel actions be and are hereby authorized on the effective date included herein.

I, Roberta M. Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on March 22, 2023

Roberta M. Lang, RMC
Township Clerk

TOWNSHIP OF WALL
RESOLUTION NO. 23-0319

AUTHORIZATION TO APPROVE TOWNSHIP REFUND(S)

WHEREAS, the appropriate Department Head(s) has notified the Chief Financial Officer that certain refunds are appropriate; and,

WHEREAS, the Chief Financial Officer, has reviewed the circumstances surrounding these refunds and has recommended to the Township Committee that the appropriate Township officials be authorized to issue said refunds.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall that the appropriate Township officials be and are hereby authorized to issue the refunds in accordance with the memorandum from the respective Department Head(s) to the Chief Financial Officer.

EMS REFUNDS	
NAME	AMOUNT
Brown, Nancy	\$980.00
Chapman, Stacy	\$1,088.72
Halpin, Barbara	\$944.00
Kirchhein, Albert	\$996.03
Skuby, Emma	\$225.00
Waldman, Karen	\$457.41

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a Regular Meeting held on March 22, 2023

Roberta M. Lang, RMC
Township Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 23-0320

**AUTHORIZATION FOR WALL TOWNSHIP FIRE COMPANY NO. 1 TO
CONDUCT CHARITABLE SOLICITATIONS IN ROADWAYS COMMONLY
KNOWN AS A COIN TOSS**

WHEREAS, the Wall Township Fire Company No. 1 has requested permission to conduct a coin toss; and,

WHEREAS, the coin toss will be held off road as per the rules and regulations of the New Jersey Department of Transportation; and,

WHEREAS, the organization shall submit a letter to the New Jersey Department of Transportation Permit Office inclusive of all information required by that agency; and,

WHEREAS, the organization shall complete and submit the required New Jersey Department of Transportation Application for Highway Occupancy form currently known as "MT-120A"; and,

WHEREAS, the organization shall abide by all New Jersey Department of Transportation requirements under their Charitable Solicitation Conditions; and,

WHEREAS, upon approval by the New Jersey Department of Transportation, the organization shall submit a letter of request to the Wall Township Chief of Police along with a copy of the NJDOT's approval; thereafter, the Chief shall either approve or deny said request; and,

WHEREAS, the aforesaid proposal has been reviewed and approved by the Chief of Police.

NOW THEREFORE, I, Timothy J. Farrell, Mayor of the Township of Wall, do hereby authorize Wall Fire Company No. 1 authorization to conduct a coin toss.

CHARITABLE SOLICITATIONS IN ROADWAYS					
<u>REQUESTOR</u>	<u>INTERSECTION</u>	<u>DATE</u>	<u>TIME</u>	<u>RAIN DATE</u>	<u>RAIN DATE TIME</u>
Wall Fire Company # 1	Route 71 and 18 th Ave	06/03/2023	9:00 am to 4:00 pm	6/04/2023	9:00 am to 4:00 pm

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a Regular Meeting held on March 22, 2023

Roberta M. Lang, RMC
Township Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 23-0321

**AUTHORIZATION TO EXECUTE THE FIRST AMENDMENT TO THE
DECEMBER 18, 2019, SETTLEMENT AGREEMENT BETWEEN THE TOWNSHIP
AND FAIR SHARE HOUSING CENTER**

WHEREAS, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015)(Mount Laurel IV), on July 2, 2015, the Township of Wall (hereinafter “Wall Township” or the “Township”) filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Housing Element and Fair Share Plan (hereinafter “Fair Share Plan”), to be amended as necessary, satisfies its “fair share” of the regional need for low- and moderate-income housing pursuant to the “Mount Laurel doctrine”; and

WHEREAS, the Township simultaneously sought, and ultimately secured, a protective order providing Wall Township immunity from all exclusionary zoning lawsuits, including builder’s remedy lawsuits, while it pursues approval of its Fair Share Plan, which is still in full force and effect; and

WHEREAS, the Court also appointed Francis J. Banisch III, P.P., A.I.C.P. as the Special Court Master (hereinafter the “Court Master”), as is customary in Mount Laurel matters adjudicated in the courts; and

WHEREAS, under the supervision of the Court Master, the Township and Fair Share Housing Center (“FSHC”) entered into a Settlement Agreement on July 26, 2019, which was replaced in its entirety by an Amended Settlement Agreement on December 18, 2019 (hereinafter the “December 2019 Amended FSHC Settlement Agreement”), and which was thereafter approved by a Court Order entered on July 21, 2020, after a properly noticed Fairness Hearing was held on June 24, 2020; and

WHEREAS, as per the terms of the December 2019 Amended FSHC Settlement Agreement and the Court’s July 21, 2020 Order, the Township’s Planning Board adopted a Housing Element and Fair Share Plan on April 5, 2021, and the Township Committee endorsed same on April 14, 2021 (hereinafter the “2021 Fair Share Plan”), and said 2021 Fair Share Plan was filed with the Court but never approved at a Compliance Hearing; and

WHEREAS, the Township and FSHC have agreed that a First Amendment to the December 2019 Amended FSHC Settlement Agreement needs to be entered into to address proposed changes to the Township’s 2021 Fair Share Plan; and

WHEREAS, although there is a well-established policy favoring the settlement of all forms of litigation, the settlement of Mount Laurel litigation is particularly favored because (1) it avoids the expenditure of finite public resources; (2) establishes certainty with regard to the overall obligation of quantity and type of units; (3) continues the Township’s immunity to all Mount Laurel lawsuits, including Builder’s Remedy Lawsuits; (4) maintains municipal control over land use decisions; and (5) provides for the construction of safe, decent housing for the region’s low- and moderate-income households; and

WHEREAS, in light of the above, the Township Committee finds that it is in the best interest of Wall Township to execute a First Amendment to the December 2019 Amended FSHC Settlement Agreement and to take various other actions delineated below, which will ultimately result in approval of the Township’s Amended Housing Element and Fair Share Plan which, in turn, will maintain the Township’s immunity from all Mount Laurel lawsuits through July 2, 2025.

NOW, THEREFORE, BE IT RESOLVED on this ____ day of _____, 2023, by the Township Committee of the Township of Wall, County of Monmouth, State of New Jersey, as follows:

1. The Township Committee hereby authorizes and directs the Mayor of Wall Township to execute the First Amendment to the December 2019 Amended FSHC Settlement Agreement in a form acceptable to FSHC, the Township Administrator and the Township's Legal Counsel.
2. The Township Committee hereby directs the Township's Affordable Housing Counsel to (a) file the First Amendment to the December 2019 Amended FSHC Settlement Agreement with the Court for review and approval at a duly-noticed combined Fairness and Compliance Hearing, (b) take all actions reasonable and necessary to secure an Order approving the First Amendment to the December 2019 Amended FSHC Settlement Agreement Amended Settlement Agreement, and (c) work towards ultimately securing judicial approval of the Township's Amended Housing Element and Fair Share Plan, after it is adopted by the Township's Planning Board and endorsed by the Township Committee.

I, Roberta M. Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on March 22, 2023

Roberta M. Lang, RMC
Township Clerk