TOWNSHIP OF WALL

2700 Allaire Road
P.O. Box 1168
Wall, New Jersey 07719-1168

Carl Braun, Mayor
Thomas M. Kingman, Deputy Mayor
Timothy J. Farrell
Kevin P. Orender

(732) 449-8444 Ext. 2200
FAX (732) 449-8996

8/26/20

WELCOME TO WALL TOWNSHIP'S REMOTE ACCESS TOWNSHIP COMMITTEE MEETING

ACCESS CAN BE ACHIEVED BY PHONE, COMPUTER OR SMART DEVICE

- **PHONE ONLY (audio only without the ability to ask questions)**
  1. You will hear Township Committee and hear Attendees' questions but NOT be able to participate in the Public Comment portion of the meeting
  2. **To enter meeting via Non-Smart Phone do the following:**
     United States (Toll Free): **1 877 568 4106**
     United States: **+1 (646) 749-3129**
     Access Code: 599-952-757

  Please Note **You will have to re-start the call-in process if you enter a wrong number or the connection is not good.

- **SMART DEVICE (i.e. iPhone/ Android etc.)/ COMPUTER (audio and video you will have the ability to ask questions)**
  1. You will be able to hear and see the Township Committee and other Attendees and participate in the Public Comment portion of the meeting
  2. To join the Meeting via this option, click on the Township Committee's Meeting remote access URL below or copy into your browser: **https://www.gotomeet.me/WallTwp/tc**
  3. Please note if you have never used "GoToMeeting" you should download the App in advance, so you are prepared to view, listen and participate in the Township Committee's Meeting. To do so click here: **https://global.gotomeeting.com/install/599952757**

  Please Note In the event that your PC does not have a microphone please select the Phone Audio Option and follow the remaining instructions in the "Go to Meeting" App.

- **Meeting Guidelines and Participation Rules**
  a) We encourage you to join the meeting prior to its start time, you will be placed in a "waiting room" until the meeting starts.
  b) You will join muted and must remain muted until you are acknowledged during the Public Comment portion of the Meeting. Only the Meeting Organizer will "unmute/ mute" a participate and/ or attendee.
  c) In order to participate in the Public Comment portion of the Meeting you must type a request to the Meeting Organizer via the "Chat" feature in the app. You must state your Name and Address for the record.
  d) You will be acknowledged when it is your turn to comment.
  e) The "Chat" feature should only be used to indicate your desire to participate in the Public Comment portion of the meeting
  f) Please note Public Comments are limited to seven (7) minutes.

  Please Note In order maintain necessary decorum, violators of the above rules will be disconnected from the meeting.

TOWNSHIP OF WALL
REGULAR MEETING AGENDA
AUGUST 26, 2020

7:00 PM
REMOTE 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

Public Business Portion:

1. Salute to the Flag and a Moment of Silence

2. 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.

3. Roll Call

4. Proclamation declaring August 31, 2020 Overdose Awareness Day

5. Proclamation recognizing September as Hunger Action Month

6. COVID-19 Update

7. Acknowledgement of the receipt of an email today (8/26/2020) from the owner/developer of the property commonly known as Peddlers Village

8. INTRODUCTION OF **ORDINANCE NO. 6-2020** AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, CREATING THE AFFORDABLE HOUSING AH3-ASBURY ROAD ZONE AND AMENDING THE ZONING MAP WITHIN CHAPTER 140 OF THE CODE OF THE TOWNSHIP OF WALL ENTITLED LAND USE AND DEVELOPMENT REGULATIONS TO REZONE BLOCK 913 LOTS 2, 3, AND 15 FROM OR-10 TO AH3

   Re: Rezone Block 913 Lots 2, 3, and 15 from OR-10 to AH3-Asbury Road Zone

   Motion that **ORDINANCE NO. 6-2020** be adopted as to its first reading and advertised for second reading and public hearing on September 23, 2020 at 7:30 pm. Pursuant to law.

   Motion - Seconded - Roll-Call Vote

9. INTRODUCTION OF **ORDINANCE NO. 7-2020** AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, CREATING THE AFFORDABLE HOUSING/AGE RESTRICED AH1-ATLANTIC AVENUE ZONE AND AMENDING THE ZONING MAP WITHIN CHAPTER 140 OF THE CODE OF THE TOWNSHIP OF WALL ENTITLED LAND USE AND DEVELOPMENT REGULATIONS TO REZONE BLOCK 819 LOT 13 FROM OR-5 TO AH1

   Re: Rezone Block 819 Lot 13 from OR-5 to AH1

   Motion that **ORDINANCE NO. 7-2020** be adopted as to its first reading and advertised for second reading and public hearing on September 23, 2020 at 7:30 pm. Pursuant to law.

   Motion - Seconded - Roll-Call Vote

10. INTRODUCTION OF **ORDINANCE NO.8-2020** AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, CREATING THE AFFORDABLE HOUSING AH4-DUNROAMIN ROAD ZONE AND AMENDING THE ZONING MAP WITHIN CHAPTER 140 OF THE CODE OF THE TOWNSHIP OF WALL ENTITLED LAND USE AND DEVELOPMENT REGULATIONS TO REZONE BLOCK 942 PORTIONS OF LOTS 79 AND 132 FROM OR-10 TO AH4

Re: Rezone Block 942 portions of Lots 79 and 132 from OR-10 to AH4

Motion that **ORDINANCE NO. 8-2020** be adopted as to its first reading and advertised for second reading and public hearing on September 23, 2020 at 7:30 pm. Pursuant to law.

Motion - Seconded - Roll-Call Vote

11. **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. **Motion- Second-Roll Call Vote**

A. **Approval of Minutes**
   - 07/08/2020
   - 07/22/2020

B. **Resolution No. 20-0807** - Approval of vouchers for August 13, 2020 through August 26, 2020 in the amount of $8,459,589.59

C. **Resolution No. 20-0808** - Authorization to approve certain township refund(s)
   - Clerk
   - Youth Center
   - Recreation
   - Tax
   - Utility
   - Police/ EMS

D. **Resolution No. 20-0809** - Authorization to accept and certify the 2019 Municipal Audit

E. **Resolution No. 20-0810** - Authorization to renew a contract with the Affordable Housing Alliance for affordable housing administrative agent services for a two (2) year period June 1, 2019 – May 31, 2021 at a cost not to exceed $6,500 per year

F. **Resolution No. 20-0811** - Authorization to approve change of text, title, or amount of Appropriation N.J.S.A.40A-4-85 Municipal Alliance Grant in the amount of $890.85 as a result of state funding cuts

G. **Resolution No. 20-0812** - Authorization to approve items of revenue and appropriations N.J.S.A. 40A-87 Municipal Alliance Grant in the amount of $3,563.40 as a result of state funding cuts

H. **Resolution No. 20-0813** - Authorization to execute a contract with Philadelphia Insurance Companies for a blanket accident coverage for the Recreation Department at a premium cost not to exceed $6,492.00 for the period 9/22/2020 through 9/21/2021

I. **Resolution No. 20-0814** - Authorization to approve new Recreation programs and associated fees

J. **Resolution No. 20-0815** - Authorization for the person-to-person transfer of a Plenary Retail Consumption License No. 1352-33-014-010 held by Grainmonger LLC to Brook 35 Liquor Inc.

K. **Resolution No. 20-0816** - Authorization to utilize the services of Sonnenfeld + Trocchia Architects, P.A. for construction services for the Municipal Building and Library roof replacement projects at a price not to exceed $10,000 and for bidding services not to exceed $2,500 and for the Municipal Clerk to advertise for public bids

L. **Resolution No. 20-0817** - Authorization of the separation payout as a result of the resignation of Anthony Lacher in accordance with Township Ordinance and a Collecting Bargaining Agreement

M. **Resolution No. 20-0818** - Authorization of the separation payout as a result of the resignation of Brittney Mangan in accordance with Township Ordinance

N. **Resolution No. 20-0819** - Authorization to approve of a tax exemption from all taxes as a Disabled Veteran

O. **Resolution No. 20-0820** - Authorization to apply for County Open Space Trust Funds in the amount of $250,000.00 to fund the construction of the Community Park South Improvements – Phase II

P. **Resolution No. 20-0821** - Authorization to change the petty cash custodian for the Recreation Department

Q. **Resolution No. 20-0822** – Authorization to execute an emergency contract with Frank Lurch Demolition Company, LLC for the removal of three (3) previously unknown oil tanks discovered during Wall Athletic Complex building demolition in an amount not to exceed $24,468.80

R. **Resolution No. 20-0823** – Authorization to execute Change Order No. 1 with Meco, Inc. for repaving in connection with the 2019 Repaving of Various Roads at South Wall Recycling Facility in an amount not to exceed $25, 015.00 (1.8% increase in original contract amount)

S. **Resolution No. 20-0824 –** Authorization to approve personnel actions:

NAME	DEPARTMENT/POSITION	SALARY	EFFECTIVE DATE
Roseann Ferguson	Police/ Crossing Guard	$16.06/hour	8/27/2020
Sarah Kutz	Police/ Crossing Guard	$15.10/hour	8/27/2020
Jennifer Lasko	Police/ Crossing Guard	$15.75/hour	8/27/2020
William Lewcyk	Police/ Crossing Guard	$15.75/hour	8/27/2020
Catherine Mirault	Police/ Crossing Guard	$16.06/hour	8/27/2020
Erin Mitchell	Police/ Crossing Guard	$16.06/hour	8/27/2020
Susan Novak	Police/ Crossing Guard	$16.06/hour	8/27/2020
Kimberly Potter	Police/ Crossing Guard	$15.75/hour	8/27/2020
Sherry Winemiller	Police/ Crossing Guard	$16.06/hour	8/27/2020
Erin Wolter	Police/ Crossing Guard	$16.06/hour	8/27/2020

T. **Resolution No. 20-0825 –** Authorization to accept a Performance Guarantee and Safety and Stabilization Guarantee posted by 1902 Route 35 Wall, LLC in connection with application PB # 16-2019 known as "1902 Route 35 Wall, LLC- Block 151 Lot 36.01

U. **Resolution No. 20-0826 –** Authorization to purchase 44 Avon C50 gas masks with filters from Atlantic Tactical at a price not to exceed $22,136.07

V. **Resolution No. 20-0827** – Authorization to execute a Developer's Agreement with American Properties At Wall, LLC for the development of an affordable housing project in accordance with the Township's December 18, 2019 Settlement Agreement with the Fair Share Housing Center, Block 912, Lots 2 & 4.02 - 1307 Wyckoff Road & 1306 Hwy 34

W. **One Day Social Affair Permit** - Valerie Fund – 1412 Old Schoolhouse Road – October 10, 2020 – October 11, 2020 from 12:00pm-6:00pm

End of Consent Agenda
Motion - Second - Roll Call Vote

12. **Public Comment:** Opportunity for anyone to comment with a limit of seven (7) 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 seven 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.

13. **Close Public Comment**
Motion - Second – Roll Call Vote

14. **Resolution No. 20-0828**- Authorization to discuss matters in private session
Motion - Second – Roll Call Vote

15. **Closing Comments from the Township Committee:**

16. Motion to Adjourn
Motion - Second - Voice Vote - All in Favor

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.

TOWNSHIP OF WALL

ORDINANCE NO. 6-2020

ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, CREATING THE AFFORDABLE HOUSING AH3-ASBURY ROAD ZONE AND AMENDING THE ZONING MAP WITHIN CHAPTER 140 OF THE CODE OF THE TOWNSHIP OF WALL ENTITLED LAND USE AND DEVELOPMENT REGULATIONS TO REZONE BLOCK 913 LOTS 2, 3, AND 15 FROM OR-10 TO AH3

WHEREAS, the Township of Wall recognizes its constitutional responsibility to provide for the development of affordable housing pursuant to the New Jersey Supreme Court's Mount Laurel decisions; and,

WHEREAS, in an effort to retain its immunity from builder development lawsuits and retain control over affordable housing development, the Township of Wall has recognized its current need to facilitate responsible development; and,

WHEREAS, the Township of Wall expects that in the next several months it will be ordered by the court to provide for a substantial number of affordable units to satisfy Wall Township's third round Mount Laurel obligation; and,

WHEREAS, the Township of Wall recognizes the benefits that will inure to the Township through this project will create not only affordable housing units but will result in a substantial contribution to the Wall Township Affordable Housing Trust Fund; and,

WHEREAS, the Township Committee on December 11, 2011, adopted an official Zoning Map of the Township; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wall that the Affordable Housing AH3-Asbury Road Zone be created and that the Wall Township Zone Map be amended as follows:

Section 1. 140-318 Affordable Housing AH3-Asbury Road Zone

A. **Purpose.**
The AH3 Zone is intended to provide for the development of townhouse and multifamily housing of which 20% is restricted to occupancy by households of very low, low and moderate income. Affordable dwellings shall be integrated with and indistinguishable in outward appearance from the market-rate housing. There shall be a minimum of 60 affordable family rental dwelling units in the AH3 Zone District.

B. **Applicability of standards**.
The use, bulk, design and performance standards of the AH3 Zone District shall supersede all other provisions of the Wall Township Land Use Development Ordinance. However, where the regulations and standards of the AH3 are silent, the standards of Land Development Ordinance shall apply.

C. **Permitted Uses**
    a. Principal uses.
        i. Townhouses.
        ii. Stacked townhouses. A stacked townhouse shall be defined as a structure containing two or more connected dwelling units stacked one dwelling unit above the other, which can include shared floors divided by walls and shared common party walls, with private entrances to each unit.
        iii. Apartments.
    b. Accessory uses.

Draft

i. Private garages and off-street parking;
ii. Patios;
iii. Fences and walls;
iv. Conservation areas, recreation, open space and public purpose uses;
v. Stormwater Management and other utilities;
vi. Structures for maintenance and storage of maintenance equipment;
vii. Structures for tenant storage;
viii. Clubhouse, pool, community building, rental/management office, and model;
ix. Accessory uses on the same lot and customarily incidental to the principal use.

D. Area and Bulk Requirements

a. Tract Requirements.
   i. The maximum number of dwelling units shall be 360;
   ii. The development of the tract shall be limited to the developable area as approved in the March 4, 2010 letter from the New Jersey Department of Environmental Protection (NJDEP), Division of Watershed Management which refers to a concept plan entitled "Boulder Development LLC Concept Plan", prepared by R. Deboer, PP of French and Parrello Associates, dated January 28, 2010, last revised February 2, 2010 for Block 913 Lots 2, 3 and 15. Development limitations, as it relates to the identified concept plan, for the tract only refer to the developable area (19.9 acres) and does not endorse or require the building and site layout as depicted on the concept plan.
   iii. The minimum setback from a public street right-of-way to any building shall be 25 feet;
   iv. The minimum setback from a public street to off-street parking area shall be 60 feet;
   v. The minimum tract setback from rear and side property lines shall be 50 feet;
   vi. The minimum planted frontage buffer to Asbury Road shall be 25 feet and provided in accordance with Section 140-212.
   vii. The minimum planted tract buffer shall be 25 feet and provided in accordance with Section 140-212.
   viii. Impervious coverage shall not exceed 70% of developable area;
   ix. Building coverage shall not exceed 50% of developable area;

b. Townhouses:
   i. Maximum Height: 45 feet/3 stories
   ii. Rear-Loaded Townhouses:

Minimum distances from front facade to private streets:
   i. Building to sidewalk: 14 feet
   ii. Building to curb: 21 feet
   iii. Minimum distance from garage facade to curb, edge of alley pavement or edge of sidewalk: 20 feet

Minimum distances for side facade (s):
   iv. Building to building: 28 feet
   v. Building to private street: 15 feet

c. Front-Loaded Townhouses:

Minimum distance from front facade to private streets
   i. Building to sidewalk: 20 feet
   ii. Building to curb: 26 feet
   iii. Minimum distance from garage facade to sidewalk: `20 feet

Minimum distance for side facade(s):
   iv. Building to building: 25 feet

Draft

v. Building to private streetline: 18 feet

c. Apartments
   i. Maximum Height: 48 feet/ 3 stories
   ii. Minimum Building setbacks
      i. Building to building: 25 feet
      ii. Building to parking area or driveway: 15 feet
   c. For each apartment, in addition to any storage areas contained within the apartment, there shall be provided 300 cubic feet of storage in a conveniently accessible area in the cellar, basement or ground floor of the building where storage will not constitute a fire hazard and where belongings can be kept locked and separated from the belongings of other occupants.

d. Accessory office, clubhouse and maintenance buildings shall be limited to one story and 30 feet in height.

e. Accessory structures except for stormwater management and walking paths shall not be located in the front yard area.

f. All mechanical equipment and related appurtenances shall be screened from view.

g. Signs.
   i. Community Building: The community building may have one identification sign which may include the street address.
   ii. Monument signs: one single-sided interior monument sign may be provided at each road entrance from a public road, as set forth below:
      i. Sign, Monument: A sign in which the entire bottom is in contact with the ground, utilizing a base or structural frame of stone, brick, or other material that is harmonious in architectural style and material to the existing principal building(s) on site.
      ii. Maximum sign face area: 50 square feet.
      iii. Maximum sign height: 7 feet.
      iv. Minimum setback: 5 feet from the front, side, and rear property lines.
      v. Structural frame shall project perpendicular from a sign face by no more than six (6) inches and parallel by no more than eighteen (18) inches
   c. Directional Signs: Up to two directional signs shall be allowed on each street or driveway frontage from which vehicular access is derived. A directional sign shall not exceed six square feet in sign area and shall not exceed six feet in height. A directional sign shall be set back from any lot line by at least three feet.
   d. Residential Building Identification: Each residential building may have up to two attached identification signs. The maximum sign area of each shall not exceed six square feet. Such signs shall be appropriately integrated within the architecture of the buildings.
   e. Signs may only be externally illuminated by ground lights directed at the sign and in compliance with section 140-213 (Lighting).

E. Development Requirements

a. Community design
   i. Streets that are not through streets through the development, and all infrastructure within those streets, shall be privately owned and maintained.
   ii. All public and private streets, alleys, and driveways shall demonstrate adequate access and circulation of the most restrictive Wall Township fire apparatus, taking in consideration parking spaces.
   iii. No refuse container or trash or recycling collection area shall be located closer than 50 feet from any residential unit.

Draft

iv. Street trees shall be planted an average of 45 feet on center along the entirety of the public and private frontages, except for frontages on lanes or alleys and except in front of front-loaded townhouses.

v. All streets and roads within the tract shall be private streets and shall be maintained by the body responsible for common areas unless otherwise determined by resolution of the Township Committee. Rights of access and enforcement shall be formally granted to the Township upon written request by the body responsible for common areas and upon the adoption of a resolution of the Township Committee authorizing the enforcement of the provisions of Subtitle 1 of Title 39 on the subject property.

vi. Pedestrian walkways connecting streets and the dwellings shall be provided.

b. Open Space and Recreation Standards

i. Open space and recreational amenities shall be provided, and shall include at a minimum:

i. Children's play area, with appropriate amenities approved by the Board;

ii. Community building, which may include, but is not limited to, a clubhouse, leasing office, and model, of which a minimum of 4,000 square feet shall be devoted to recreational uses for the residents;

iii. In-ground pool with a deck area for seating;

iv. Central open space for passive uses; and

v. Walking trail

b. Common open space, recreational or other facilities shall be owned, operated and maintained as such by an association comprised of all the owners of the individual units and/or a property management company for the apartment buildings.

c. Parking Requirements

i. Townhouses

i. Townhouses shall be provided with the number of parking spaces pursuant to R.S.I.S. standards.

ii. Every Townhouse shall have at least one enclosed garage measuring a minimum of 12 feet wide and 270 square feet.

b Apartments

i. Apartments shall be provided with the number of parking spaces pursuant to R.S.I.S. standards.

d. Utilities

i. All utilities shall be installed underground by the developer.

ii. All dwelling units shall be served by public water and sanitary sewer systems. The developer shall pay the cost of connection and transmission facilities necessary to connect to the sewer and water systems servicing the development.

e. Garbage, refuse, leaf and brush collection, removal of snow ice and other obstructions from internal roads and streets and lighting of roads and streets shall be provided and maintained by the body responsible for internal private streets and other common facilities. Reimbursement to the owner shall be governed by the Qualified Private Communities Statute (N.J.S.A. 40:67-23.3).

f. Streets, roads, driveways, parking facilities, walkways, streetlights, fire hydrants, drainage facilities and other improvements required by this chapter or appropriate or necessary to the development shall be installed at the expense of the developer in accordance with the specifications of this chapter except as modified herein:

Draft

i. Drainage maintenance in privately maintained streets shall be the responsibility of the developer and his successors in title.

F. Design Standards. Deviations from these standards shall be considered exceptions pursuant to N.J.S.A. 40:55D-51.

1) Building Design. The purpose of these building design standards is to ensure that the design of townhouse and apartment buildings promotes a desirable visual and spatial environment.
   a. Townhouses.
      i. Townhouses shall be designed with a unified architectural scheme.
      ii. Each building shall contain, at a minimum, one end unit model and one interior model. Each base model type home in any block shall have at least two alternative front elevations containing different design features, including, but not limited to, porches, porticos, columns, dormers, accent windows or door color.
      iii. Materials shall be unified among all townhouses.
      iv. For alley-loaded townhouses, the finished first floor shall be a minimum of 18 inches above the front sidewalk elevation, and the front sidewalk shall rise no more than 16 inches at the sidewalk and 60 inches at the stoop.
      v. A fence, wall, plantings or some other element shall be provided to delineate the sidewalk from the front yard
   b. Apartments.
      i. Facades.
         a) Building facade length shall not exceed 150 feet.
         b) The front facade of any structure shall not continue the same plane for a distance of more than the width of two horizontally adjacent units. Offsets between front facade planes shall not be less than two feet for no more than 20 feet.
      ii. Roofs.
         a) Roofs shall be pitched with a minimum slope of 5/12.
         b) When buildings are greater than 9,000 square feet, and where a fully pitched roof throughout would not be practical, a sloped perimeter roof with a slope of 5/12 or greater shall be permitted in coordination with a flat roof, provided that the appearance is that of a full roof. The primary roofing materials shall be standing seam metal or dimensional shingles.
         c) All buildings shall provide architectural elements such as wall articulations and roofline variations. Box-like building shapes that offer minimal articulation of the walls and roofline shall be prohibited
2) Lighting. The lighting plan shall comply with all applicable ordinance requirements, as well as the following standards:
   a. All outdoor lighting shall be aimed, located, designed, fitted and maintained so as not to present a disabling glare hazard to drivers or a nuisance to neighboring properties. Glare shall be controlled through the use of cutoff fixtures, the appropriate application of mounting height, wattage, aiming, fixture placement, and fixture design, etc. and the addition of shields and baffles as necessary.
   b. LED lights shall not exceed 3500 degrees Kelvin.
   c. Applicants shall use fixtures to complement the building architecture. Pole-mounted lights shall be a maximum of 20 feet tall. Floodlights and spotlights shall not be permitted.

Draft

d. Lighting shall be controlled by automatic switching devices, such as timers, motion detectors, and/or photocells, to extinguish potentially offending, nonessential light sources overnight, to minimize glare and sky-lighting consequences.

G. Affordable Housing.

a. At least twenty percent (20%) of the dwelling units shall be affordable to very low, low and moderate income households in accordance with UHAC regulations.
b. A minimum of 60 affordable family rental units shall be provided.
c. The affordable housing units shall comply in every respect with the affordable housing requirements of the New Jersey Council on Affordable Housing, or any successor or replacement agency; the New Jersey Housing Mortgage and Finance Agency, or any successor or replacement entity; and the New Jersey courts, as such requirements exist at the time of final development approval.
d. Affordable housing units shall not be age restricted.

Section 2. Zone Map The Official Zoning Map the Township of Wall dated July 14, 2011, be and the same is hereby amended to change the zoning designation of the following Block and Lot as indicated:

Block	Lots	July 14, 2011 Zoning Map	New Zoning Designation
913	2, 3, & 15	OR-10	AH-3 *
(Located at 5201 and 5115 Asbury Road).			
*If permitted by the Developer's Agreement.			

Section 3. All ordinances, or parts thereof, inconsistent with the provisions of this ordinance be and the same are hereby repealed to the extent of such inconsistency.

Section 4. Should any section, paragraph, clause of other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgement shall not affect or impair the remainder of this Ordinance.

Section 5. This Ordinance shall effect upon its passage and publication according to law, and upon filing of a certified copy thereof with the Monmouth County Planning Board.

Introduced on: _____

Adopted: _____

Attest: _____
Roberta Lang, CMR, RMC
Township Clerk

Approve:_____
Carl Braun
Mayor

Draft

TOWNSHIP OF WALL

ORDINANCE NO. 7-2020

ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, CREATING THE AFFORDABLE HOUSING/AGE RESTRICED AH1-ATLANTIC AVENUE ZONE AND AMENDING THE ZONING MAP WITHIN CHAPTER 140 OF THE CODE OF THE TOWNSHIP OF WALL ENTITLED LAND USE AND DEVELOPMENT REGULATIONS TO REZONE BLOCK 819 LOT 13 FROM OR-5 TO AH1

WHEREAS, the Township of Wall recognizes its constitutional responsibility to provide for the development of affordable housing pursuant to the New Jersey Supreme Court's Mount Laurel decisions; and,

WHEREAS, in an effort to retain its immunity from builder development lawsuits and retain control over affordable housing development, the Township of Wall has recognized its current need to facilitate responsible development; and,

WHEREAS, the Township of Wall expects that in the next several months it will be ordered by the court to provide for a substantial number of affordable units to satisfy Wall Township's third round Mount Laurel obligation; and,

WHEREAS, the Township of Wall recognizes the benefits that will inure to the Township through this project will create not only affordable housing units but will result in a substantial contribution to the Wall Township Affordable Housing Trust Fund; and,

WHEREAS, the Township Committee on December 11, 2011, adopted an official Zoning Map of the Township; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wall that the Affordable Housing/Age Restricted (AH1-Atlantic Avenue) Zone be created and that the Wall Township Zone Map be amended as follows:

Section 1. 140-316 Affordable Housing/Age Restricted (AH1-Atlantic Avenue) Zone

A. Purpose. The purpose of this zone is to allow for a multi-family project of age restricted residential uses that partially addresses the Township's affordable housing obligation. The developer's agreement shall govern the nature of the age-restricted multifamily project to be constructed by the developer, and require a 20% (twenty percent) set-aside for affordable housing providing for a minimum of ten (10) affordable units. These units shall be either all rental or all for sale. The Planning Board shall make compliance with such developer's agreement a condition of any approval it may grant for a development in the AH1-Atlantic Avenue Zone.

B. Permitted principal uses. In the AH1-Atlantic Avenue, no premises shall be used and no structure shall be erected, altered or occupied for any purposes except the following:

1) Multifamily dwellings.

C. Permitted accessory uses.

1) Enumeration of permitted accessory uses and structures.
    a. Common parking areas.
    b. Garage parking facilities under multifamily dwellings.
    c. Common private recreational facilities, structures, and open space.
    d. Common maintenance and trash facilities.
    e. All provisions of the Wall Township sign regulations contained in Article XXIX shall apply except that one monument style sign identifying the name of the development, as defined below, is permitted.

Draft

a) Sign, Monument: A sign in which the entire bottom is in contact with the ground, utilizing a base or structural frame of stone, brick, or other material that is harmonious in architectural style and material to the existing principal building(s) on site.
b) Maximum sign face area: 50 square feet.
c) Maximum sign height: 7 feet.
d) Minimum setback: 5 feet from the front, side, and rear property lines.
e) Structural frame shall project perpendicular from a sign face by no more than six (6) inches and parallel by no more than eighteen (18) inches.
f) Signs may only be externally illuminated by ground lights directed at the sign and in compliance with section 140-213 (Lighting).

f. Such other uses and structures that are customary and incidental to the principal use as may be permitted by the approving authority. All structures accessory to individual dwelling units shall be attached to the dwelling unit, to which they are an accessory.
g. Temporary sales/rental trailer, the location to be shown on the approved site plan, which shall be removed after 90% of the dwelling units have received a Certificate of Occupancy.
h. One rental management office located within one of the residential buildings.

D. Compliance with site plan standards, subdivision standards and regulations. Unless provided to the contrary herein, applications for developments in the AH1-Atlantic Avenue Zone shall follow and be subject to the applicable procedures, regulations, standards and guidelines as required for preliminary and final site plan and/or subdivision review of this Chapter and other applicable ordinances which are incorporated herein by reference.

E. Maximum regulations. Development in the AH1-Atlantic Avenue Zone shall be subject to the following maximum regulations:

1) Density. The gross density of the overall tract shall be no more than 12.5 dwelling units per acre not to exceed 50 (fifty) units, prior to any dedications of land to public entities.
2) Impervious surfaces. The maximum total impervious surface shall not exceed 65% (sixty-five percent) of the developable area of the tract.
3) The maximum total lot coverage by buildings shall be 30% (thirty percent) of the developable area of the tract.
4) Residential units per building. The maximum number of units per building in multifamily residential buildings shall be 12 (twelve).
5) Principal building length. The maximum principal building length for both multifamily and townhouse buildings shall be 120 (one hundred and twenty) feet.
6) Building height.
   a. Each multifamily building shall be a maximum of three (3) stories and 40 (forty) feet.
   b. Accessory maintenance building shall be limited to 1 (one) story and 20 (twenty) feet in height.
   c. Building height shall be measured as set forth in section 140-17, "Definitions," of this chapter,.
7) Bedroom distribution. Affordable units shall have either one, two, or three-bedroom units.

F. Minimum regulations. Developments in the AH1 - Atlantic Avenue Zone shall be subject to the following minimum regulations:

1) Overall tract requirements,
   a. Min. Lot Area: 4 (four) acres

Draft

b. Min. Lot Width 200 (two hundred) feet
c. Min. Lot Frontage: 200 (two hundred) feet
d. Min. Lot Depth 800 (eight hundred) feet
e. Min. Building Setback from Internal Lot Lines: 0 (zero) feet
f. Min. Principal Building Setback from External Tract Line:
   i. Front Yard: 100 (one hundred) feet
   ii. Side Yard: 40 (forty) feet
   iii. Rear Yard: 80 (eighty) feet
g. Min. Distance between Structures: 35 (thirty-five) feet
h. Min. Principal Building Setback from Internal Roads: 10 (ten) feet except for direct garage access.
   i. Min. Principal Building Setback from Internal Parking Area: 10 (ten) feet.

2) Dwelling unit width. No multifamily dwelling shall be less than 15 (fifteen) feet in width.
3) Dwelling unit characteristics. Each dwelling unit shall contain, at a minimum, a separate bedroom, a separate bathroom and a kitchen which shall be located separate and apart from other rooms except that a combined living room and kitchen area shall be permitted. The mix of dwelling units shall be in conformance with this Chapter.
4) Dwelling unit size.
   a. Multifamily dwelling units shall have a minimum of 750 (seven hundred fifty) square feet of habitable area.
5) Dwelling unit storage. No dwelling unit shall contain less than 250 (two hundred fifty) cubic feet of storage space, which may be within garages, basements, cellars or a separate storage building, and which shall be in addition to bedroom closet space provided with the unit. If within garages, a rectangle of not less than 9 (nine) feet by 18 (eighteen) feet shall remain clear for parking vehicles.
6) Open space and recreation areas. The applicant shall provide a minimum of two (2) of the following recreational amenities:
   a. Open lawn play area(s) with a minimum combined square footage of 1,000 (one thousand) square feet.
   b. Picnic/barbecue area(s).
   c. Bicycle parking.
   d. A bocce court, community garden, or other related recreational amenities as approved by the Board.
7) Buffer and landscape areas.
   a. Buffer location.
      i. A minimum combined yard landscape buffer of fifteen (15) feet, with no less than five (5) feet on each side shall be permanently maintained along the side property lines.
      ii. A minimum twenty-five (25) foot buffer along the rear property line shall be maintained.
   b. Buffer areas shall consist of lawn area and/or massed evergreen and deciduous trees and shrubs planted and fencing designed and constructed in such a manner that will provide a continuous visual screen throughout the entire year within a period of two full growing seasons following the planting of the buffer. Evergreen coniferous trees shall have a minimum height of 6 (six) feet when planted. Deciduous trees shall have a minimum caliper of 2 ½ (two and a half) inches when planted. All plant material shall conform to the current American Standard for Nursery Stock sponsored by the American Association of Nurseryman, Inc. Any buffer area less than 15 (fifteen feet in depth shall also include a minimum 6 (six) foot high solid decorative fence,

Draft

except that said fence shall not exceed 4 (four feet) in height in any front yard or front yard setback.

c. Use of buffer, areas. Required buffers shall be used for no other purpose than as a buffer and as part of the required open space of the tract. The only structures which may be erected within a buffer area are fences as elsewhere regulated in Part 4, of the Land Use and Development Regulations retaining walls, stormwater basins, and walkways or driveways providing direct access onto adjacent property, unless otherwise permitted by the approving authority. Perimeter driveways/walkways or driveways/walkways accessing a collector or arterial road shall not be permitted within a required buffer area.

d. Wooded areas. Where an area required for a buffer is already wooded, it shall be left in its natural state to the maximum extent feasible, and the existing growth shall be supplemented with additional plant material where necessary as required by the approving authority.

e. The proposed tree clearing grading and landscape plan shall respect and complement the existing topographic feature of the site where practical.

f. All mechanical equipment, trash enclosures, and related accessory structures shall be screened from view.

G. Other regulations. Developments in the AH1-Atlantic Avenue Zone shall be subject to the following regulations, requirements and standards:

1) All utilities shall be installed underground by the developer.

2) All dwelling units shall be served by public water and sanitary sewer systems. The developer shall pay the cost of connection and transmission facilities necessary to connect to the sewer and water systems servicing the development

3) Garbage, refuse storage and recyclable collection areas suitable for containerized collection shall be provided. Such areas shall be screened from view and shall otherwise comply with section 140-164 and Article XXXV of the Land Use and Development Regulations except that outdoor storage areas for solid waste shall be permitted within a side yard and must be properly maintained.

4) Garbage, refuse, leaf and brush collection, removal of snow ice and other obstructions from internal roads and streets and lighting of roads and streets shall be provided and maintained by the body responsible for internal private streets and other common facilities. If the township provides garbage pickup, reimbursement to the owner shall be governed by the Qualified Private Communities Statute (N.J.S.A. 40:67-23.3).

5) Streets, roads, driveways, parking facilities, walkways, streetlights, fire hydrants, drainage facilities and other improvements required by this chapter or appropriate or necessary to the development shall be installed at the expense of the developer in accordance with the specifications of this chapter except as modified herein.

a. Drainage maintenance (§ 140-245) in privately maintained streets shall be the responsibility of the developer and his successors in title.

6) All streets and roads within the tract shall be private streets and shall be maintained by the body responsible for common areas. Rights of access and enforcement shall be formally granted to the Township upon written request by the body responsible for common areas and upon the adoption of a resolution of the Township Committee authorizing the enforcement of the provisions of Subtitle 1 of Title 39 on the subject property.

7) The New Jersey Residential Site Improvement Standards at NJAC 5:21 shall govern the pavement width of internal private roads.

8) Parking. The New Jersey Residential Site Improvement Standards at NJAC 5:21 shall govern parking requirements.

a. Parking shall be allowed in the front yard.

Draft

b. The minimum parking setback from the external overall tract boundary shall be 10 (ten) feet. Parking shall not be permitted in required buffer areas.

9) Common open space, recreational or other facilities shall be owned, operated and maintained as such by an association comprised of all the owners of the individual units.

10) All detention basin(s) and facilities located within the AH1-Atlantic Avenue Zone shall comply with all applicable regulations under the Flood Hazard Control Act, N.J.S.A. 58:16-A50, et. seq. and the New Jersey Stormwater Management Act, N.J.S.A. 7:8, et. seq. If any wetlands areas are utilized for stormwater management, the regulations of the New Jersey Department of Environmental Protection shall apply and any inconsistent provisions of the applicable Wall Township ordinances may be waived. Trees, shrubs and other vegetation may be planted on the slope or banks of detention basins or facilities constructed in fill, provided the landscaping is attractively maintained. All detention and retention basins with permanent dry-weather pools of water shall have a water depth to minimize propagation of mosquitoes and provided with the mechanical aeration for water quality.

11) All proposed restrictive covenants, articles of incorporation or other documents relate to the creation of a homeowners' association, trust documents or other deed or documents to provide for ownership, age restrictions for rental units, and maintenance of common property and facilities shall be submitted to the Township for review by the Planning Board and Township Attorney prior to final review of any subdivision or site plan.

12) In any case where the maintenance or repair of any wall, fence or other improvement by its owner or his or her agent would require entry upon the adjacent property, an appropriate easement or right-of-way shall be implied in favor of the owner who requires access. All such easements shall be detailed in specifications in the Homeowner's Association documents as to the required notice of any limitations upon the right of entry shall provide a specific means of arbitration in the event of disputes.

13) Soil removal. The provisions of §140-117 of this Chapter pertaining to the removal of soil shall apply to the developments in the AH1-Atlantic Avenue Zone.

14) Performance guarantee. In the AH1-Atlantic Avenue Zone, the provisions of § 140-92 with respect to performance guarantees shall apply.

15) Maintenance guarantee. In the AH1-Atlantic Avenue Zone, the provisions of § 140-93 with respect to maintenance guarantees shall apply.

16) Improvements required prior to issuance of certificate of occupancy. In the AH1-Atlantic Avenue Zone, the provisions of § 140-288 shall apply with respect to the issuance of certificates of occupancy.

a. No permanent certificate of occupancy shall be issued for any use or building until all required improvements are installed and approved by the Township Engineer or other appropriate authority.

b. No temporary certificate of occupancy shall be issued for any use or building unless the Township Engineer shall have, where applicable, certified to the following:

i. Utilities and drainage. All utilities, including, but not limited to, water, gas, storm drains, sanitary sewers, electric lines and telephone lines shall have been properly installed and service to the lot, building or use from such utilities shall be available.

ii. Street right-of-way. All street rights-of-way necessary to provide access to the lot, building or use in question shall have been completely graded and all slope-retaining devices or slope planting shall have been installed.

Draft

iii. Sidewalks: All sidewalks necessary to provide access to the lot, building or use in question shall have been properly installed.

iv. Streets: Curbing, and the bituminous base course of bituminous concrete streets necessary to provide access to the required number of parking spaces for the building or use in question shall have been properly installed.

v. Curbing and parking areas: Curbing and the bituminous base course of parking areas necessary to provide access to the required number of parking spaces for the building or use in question shall have been properly installed.

vi. Obstructions: All exposed obstructions in parking areas, access drives or streets such as manhole frames, water boxes, gas boxes and the like shall be protected by building the top of such exposures with bituminous concrete as directed by the Township Engineer.

vii. Screening, fences, and landscaping: All required screening, fencing and/or landscaping related to the lot, building or use in questions shall have been properly installed, unless the Township Engineer shall direct the developer to delay the planting of screening and landscaping until the next planting season in order to improve the chances of survival of such plantings.

viii. Site grading: All site grading necessary to permit property surface drainage and prevent erosion of soils shall have been completed in accordance with the approved soil disturbance plans.

ix. Public water supply: Where the proposed lot, building or use is served by a public water supply, said supply shall have been installed and tested and all required fire hydrants or fire connections shall have been installed and tested and approved. However, the public water supply shall not be used to supply outdoor sprinkler systems.

x. Lighting: The lighting plan shall comply with all applicable ordinance requirements, as well as the following standards:

a. All outdoor lighting shall be aimed, located, designed, fitted and maintained so as not to present a disabling glare hazard to drivers or nuisance to neighboring properties. Glare shall be controlled through the use of full cutoff fixtures, the appropriate application of mounting height, wattage, aiming, fixture placement, and fixture design, etc. and the addition of shields and baffles as necessary.

b. Applicant shall use fixtures to complement the building architecture. Pole mounted lights shall be a maximum of 20 (twenty) feet tall. Floodlights and spotlights shall not be permitted.

c. Lighting shall be controlled by automatic switching devices, such as timers, motion detectors, and/or photocells, to extinguish potentially offending, nonessential light sources overnight, to minimize glare and sky-lighting consequences.

d. LED lighting shall not exceed 3,500 degrees Kelvin.

xi. Street signs and traffic control devices: All street signs, paint lining and/or traffic control devices affecting the proposed lot, building, or use, and required under the terms of approval of a

Draft

subdivision or site plan or by federal, county, or municipal rules, regulations, or laws, shall have been installed.

xii. Performance guarantee: The Engineer shall have received a statement signed by the developer and any entity providing any performance guarantee, which contains language identical or similar to the following: "The issuance of any certificate of occupancy (temporary or permanent) shall not be a basis for any claimed reduction in any performance guarantee."

xiii. Other: any other conditions established for issuance of a certificate of occupancy by the Planning Board as a condition of final site plan or subdivision approval shall be complied with.

xiv. Temporary certificates of occupancy shall be issued for a specified period of time, not to exceed one year.

17) Inspection fees. The provisions of § 140-60 of this chapter pertaining to inspection fees shall be applicable to development within the AH1-Atlantic Avenue Zone.

H. Affordable housing requirements. The restrictions and standards applicable to inclusionary housing of low- and moderate-income persons and families are set forth in Article XLII of the Land Use and Development Regulations. The required affordable housing set-aside requirement shall be 20% with a minimum of ten (10) units and shall comply with all applicable provisions of the substantive and procedural rules and regulations as set forth by the New Jersey (Department of Community Affairs) Council on Affordable Housing at N.J.A.C. 5:93 and 5:97 et seq. In addition, affordable housing units in this district shall comply with the Uniform Affordability Controls ("UHAC") at N.J.A.C. 5:80-26.1 et seq., and the amended Fair Housing Act at P.L. 2008, c. 46, including but not limited to the provision of very-low-income units.

I. Design requirements. Development in the AH1-Atlantic Avenue Zone shall conform to the design guidelines in Part 5 of the Land Use and Development Regulations in addition to the following supplemental guidelines:

1) The site plan shall be required to depict and delineate the edge of all woodlands, and shall be required to map or survey only the trees onsite that are greater than 12 (twelve) inches in diameter.
2) The minimum lot green area space shall be 35% (thirty-five percent).
3) The front facade of any structure shall not continue on the same plane for a distance of more than the width of two horizontally adjacent units. Offsets between front facade planes shall not be less than 2 (two) feet for nor more than 20 (twenty) feet.
4) Building architecture. Development shall comply with Building Design Standards of 14 -252, as well as the following additional standards:

a. Primary elements of traditional architectural styles with pitched roofs with a minimum slope of 5/12 (five twelfths).

i. When buildings are greater than 9,000 (nine thousand) square feet, and where a fully pitched roof throughout would not be practical, a sloped perimeter roof with a slope of 5/12 (five twelfths) or greater shall be permitted in coordination with a flat roof, provided that the appearance is that of a full roof.

ii. The primary roofing materials shall be standing seam metal or dimensional shingles.

b. All buildings shall provide architectural elements such as wall articulations and roofline variations. Box-like building shapes that offer minimal articulation of the walls and roofline shall be prohibited.

c. All facades facing driveways, parking areas, or public right-of-ways shall be architecturally treated as front facades.

d. All accessory buildings and structures shall be treated architecturally to complement the residential buildings.

Draft

K. Waivers or modifications of standards and requirements. The approving authority may grant waivers or modifications of any improvement requirements or standards of this section or Part 4 of the Land Use and Development Regulations if appropriate and warranted by the facts and circumstances of each particular development, including but not limited to whether what is proposed conforms to RSIS. The resolution of approval shall specifically state the reasons for any such waivers or modifications.

Section 2. Zone Map The Official Zoning Map the Township of Wall dated July 14, 2011, be and the same is hereby amended to change the zoning designation of the following Block and Lot as indicated:

Block	Lots	July 14, 2011 Zoning Map	New Zoning Designation
819	13	OR-5	AH1 *
(Located at 1809 Atlantic Avenue)			
*If permitted by the Developer's Agreement.			

Section 3. All ordinances, or parts thereof, inconsistent with the provisions of this ordinance be and the same are hereby repealed to the extent of such inconsistency.

Section 4. Should any section, paragraph, clause of other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgement shall not affect or impair the remainder of this Ordinance.

Section 5. This Ordinance shall effect upon its passage and publication according to law, and upon filing of a certified copy thereof with the Monmouth County Planning Board.

Introduced: _____, 2020

Adopted: _____, 2020

Attest: _____
Roberta Lang, CRM, RMC
Township Clerk

Approve: _____
Carl Braun
Mayor

Draft

TOWNSHIP OF WALL

ORDINANCE NO. 8-2020

ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, CREATING THE AFFORDABLE HOUSING AH4-DUNROAMIN ROAD ZONE AND AMENDING THE ZONING MAP WITHIN CHAPTER 140 OF THE CODE OF THE TOWNSHIP OF WALL ENTITLED LAND USE AND DEVELOPMENT REGULATIONS TO REZONE BLOCK 942 PORTIONS OF LOTS 79 AND 132 FROM OR-10 TO AH4

WHEREAS, the Township of Wall recognizes its constitutional responsibility to provide for the development of affordable housing pursuant to the New Jersey Supreme Court's Mount Laurel decisions; and,

WHEREAS, in an effort to retain its immunity from builder development lawsuits and retain control over affordable housing development, the Township of Wall has recognized its current need to facilitate responsible development; and,

WHEREAS, the Township of Wall expects that in the next several months it will be ordered by the court to provide for a substantial number of affordable units to satisfy Wall Township's third round Mount Laurel obligation; and,

WHEREAS, the Township of Wall recognizes the benefits that will inure to the Township through this project will create not only affordable housing units but will result in a substantial contribution to the Wall Township Affordable Housing Trust Fund; and,

WHEREAS, the Township Committee on December 11, 2011, adopted an official Zoning Map of the Township; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wall that the Affordable Housing AH4-Dunroamin Road Zone be created and that the Wall Township Zone Map be amended as follows:

Section 1. 140-319 AH4-Dunroamin Road Inclusionary Zone

A. Purpose

The intent of the AH4-Zone is to establish a suitable location within the township for the development of low- and moderate-income housing uses in the form of an inclusionary development. This zoning district will provide realistic opportunities for the construction of low- and moderate-income housing to implement a mechanism included in the township's housing element and Third Round (1999-2025) fair share plan, which township's December 18, 2019 settlement agreement with Fair Share Housing Center to globally settle its declaratory judgment action (In the Matter of the Application of Wall Township, Monmouth County, Docket No. MON- L-5604-05) has been approved by the Superior Court, which action follows the directive of the Supreme Court's decision in the matter of In re Adoption of N.J.A.C. 5:96 & N.J.A.C. 5:97, 221 N.J. 1 (2015). The AH4-Zone shall be included as part of the township housing element and Third Round (1999-2025) Fair Share Plan, which Fair Share Plan shall be the subject of review and approval at a compliance hearing and memorialized as part of a judgment of repose entered by the Superior Court.

The residential gross density shall be guided by the area requirements and bulk standards contained herein, subject to the inclusion of a 20 percent set-aside of affordable homes, not to exceed a total of 105 homes for the overall development. There shall be a minimum of 20 affordable units. All aspects of the development shall further comply with the rules and regulations of the township affordable housing office

Draft

and the regulations, as applicable, of the COAH (N.J.A.C. 5:91, 5:92 and 5:93, et seq.) and the Uniform Housing Affordability Controls (UHAC) (N.J.A.C. 5:80-26.1, et seq.).

B. Applicability

The AH4-Zone shall be applied to a portion of Block 942, Lot 132 and a portion of Lot 79, which is shown on the Official Tax Map of the Township of Wall. The Official Zoning Map of the Township of Wall is hereby amended in accordance with the foregoing and is incorporated by reference. For the purpose of permitting the development of a multi-family inclusionary development, the provisions and requirements of the AH4-Zone shall supersede the provisions and restrictions of the underlying OR-10 (Office Research) Zone district. In the event of a conflict between the provisions of this section and other sections of the Township development regulations with respect to the development of market-rate townhouses and affordable housing, the provisions of this AH4-Zone shall govern. However, where the regulations and standards of the AH4 Zone are silent, the standards of Land Development Ordinance shall apply.

C. Permitted principal uses

1) The following uses are permitted in the AH4-Zone:
    a. Townhouse attached dwellings.
2) A "townhouse attached dwelling" shall be defined as a residential structure with common walls, without common ceilings or floors, consisting of three or more dwellings.

D. Permitted accessory uses and structures

The following accessory uses and structures are permitted in the AH4-Zone:

1) Signs, as regulated in this chapter.
2) Fences, as regulated in this chapter.
3) Patios and decks, as regulated by this chapter.
4) Outdoor refuse and/or general storage containment structures.
5) Common area parking.
6) Certain authorized improvements on common area property, as described in section F below.
7) Such other uses that are customary and incidental to the principal use.

E. Minimum tract size and open space requirements.

1) The minimum tract size for a development in the AH4-Zone shall be 15 acres.
2) A minimum of 25 percent of the property shall be set aside for open spaces purposes, which may include facilities such as stormwater basins and drainage swales.
3) The property owner shall provide for the establishment of an organization for the ownership and maintenance of any common property and such organization shall be established and regulated by all applicable statutory standards and conditions.
4) A perimeter tract buffer shall be required at a minimum width of 35 feet, except where adjacent to a residential zone district where the perimeter tract buffer shall be a minimum of 40 feet, within which no building improvements shall be permitted, except as provided for in section F(7) below. Existing vegetation shall be maintained to the greatest extent possible.

F. Area, yard, density and locational requirements for residential development.

1) For the purpose of determining gross residential density, the total tract of land shall be considered.
2) The gross residential density shall not exceed six (6) units per acre.
3) Impervious surfaces. The maximum total impervious surface shall not exceed 45% of the tract.
4) The maximum total building coverage shall be 25% of the tract.
5) Townhouse attached dwellings to be constructed and sold on fee-simple lots, based upon the following area and dimensional requirements.
    a. Minimum Lot Area 1,120 square feet

Draft

b. Minimum Lot Width 14 feet
c. Minimum Lot Depth 80 feet

6) Setback and additional requirements for residential use
   a. Minimum building separation:
      Front to Front 60 feet
      Rear to Rear 45 feet
      All other building to building 25 feet
   b. Minimum Building Setbacks:
      Front Yard from the street line 12 feet
      Side Yard 0 feet
      Rear yard 5 feet (to deck, individual storage sheds, individual air conditioning units and individual generators); 10 feet to building
      From a parking area 8 feet
   c. Maximum number of townhouse attached dwelling units per buildings: 8
7) Building lot lines may extend into the perimeter tract buffer area provided that no building improvements are located therein.
8) Common area property, including lands within the perimeter buffer, may contain certain improvements, such as underground utility lines, stormwater management features, retaining walls, landscaping, signage, walking paths and sidewalks.
9) No residential building or structure shall exceed 40 feet or 2 ½ stories in height, except as regulated by the height exception provisions of this chapter.
10) Outdoor refuse storage containment structures shall not be subject to minimum building setbacks as set forth in section (6)(b) above.

G. Other regulations. Developments in the AH4-Zone shall be subject to the following regulations, requirements and standards:

1) The installation of signs shall comply with regulations contained in Chapter 140, Part 4, Article XXIX, with the following exceptions:
   a. One temporary directional sign shall be permitted on Block 942, Lot 79, along its Route 34 frontage, provided that it does not exceed 36 s.f. in size and 6 feet in height. Said sign may be installed no closer than 20 feet to any street line.
   b. The temporary directional sign may remain in place until 90% of the residences have received a certificate of occupancy on the site.
   c. One permanent entry monument sign may be installed at the entrance to the community, as provided below:
      i. Sign, Monument: A sign in which the entire bottom is in contact with the ground, utilizing a base or structural frame of stone, brick, or other material that is harmonious in architectural style and material to the existing principal building(s) on site.
      ii. Maximum sign face area: 50 square feet.
      iii. Maximum sign height: 7 feet.
      iv. Minimum setback: 5 feet from the front, side, and rear property lines.
      v. Structural frame shall project perpendicular from a sign face by no more than six (6) inches and parallel by no more than eighteen (18) inches.
   d. Signs may only be externally illuminated by ground lights directed at the sign and in compliance with section 140-213 (Lighting).
   e. The entry monument sign shall comply with the Type 3 sign requirements set forth in § 140-227E(3).
2) All utilities shall be installed underground by the developer.

Draft

3) All dwelling units shall be served by public water and sanitary sewer systems. The developer shall pay the cost of connection and transmission facilities necessary to connect to the sewer and water systems servicing the development.
4) Garbage, refuse storage (in garages or enclosed containment structures) and recyclable collection areas suitable for containerized curb-side collection shall be provided. Garbage and refuse collection shall be provided by the Township's Public Works Department.
5) Streets, roads, driveways, parking facilities, walkways, drainage facilities and other improvements required by this chapter or appropriate or necessary to the development shall be installed at the expense of the developer in accordance with the specifications of this chapter except as modified herein.
6) All streets and roads within the tract shall be private streets and shall be maintained by the body responsible for common areas, however, for the purposes of street light installation, the streets shall be considered public roadways. Rights of access and enforcement shall be formally granted to the Township upon written request by the body responsible for common areas and upon the adoption of a resolution of the Township Committee authorizing the enforcement of the provisions of Subtitle 1 of Title 39 on the subject property.
7) All provisions of the Residential Site Improvement Standards (RSIS) shall be applicable within the AH4-Zone.
8) Common open space, recreational or other facilities shall be owned, operated and maintained as such by an association comprised of all the owners of the individual units.
9) All detention basins and facilities located within the AH4-Zone shall comply with all applicable regulations under the Flood Hazard Control Act, N.J.S.A. 58:16A-50 et seq. and the New Jersey Stormwater Management Act, N.J.S.A. 7:8 et seq. If any wetlands areas are utilized for stormwater management, the regulations of the New Jersey Department of Environmental Protection shall apply, and any inconsistent provisions of the applicable Wall Township ordinances may be waived. Trees, shrubs and other vegetation may be planted on the slopes or banks of detention basins or facilities constructed in fill, provided the landscaping is attractively maintained. All detention and retention basins with permanent dry-weather pools of water shall have a water depth to minimize propagation of mosquitoes and provided with mechanical aeration for water quality.
10) All proposed restrictive covenants, articles of incorporation or other documents related to the creation of a homeowners' association, trust documents or other deed or documents to provide for ownership and maintenance of common property and facilities shall be submitted to the Township for review by the Planning Board and Township Attorney prior to final review of any subdivision or site plan.
11) In any case where the maintenance or repair of any wall, fence or other improvement by its owner or his or her agent would require entry upon the adjacent property, an appropriate easement or right shall be created in favor of the subject owner. All such easements shall be detailed in specifications as to the required notice and any limitations upon the right of entry shall provide a specific means of arbitration in the event of disputes.
12) Notwithstanding any other standard to the contrary, the Land Use Officer may issue a permit for the import or removal of fill material to and from the site, provided that the estimated quantities of said import or removal is made part of the engineering testimony presented to the Planning Board at the time of approval.
13) Design requirements. Development in the AH4-Zone shall be subject to the following standards:
    a. The site plan shall be required to depict and delineate the edge of all woodlands but shall not be required to map or survey all trees on site.
    b. All improvements within 50 feet of the boundary of the site shall be shown on the site plan.

Draft

c. Townhomes shall contain no less than 125 cubic feet of storage space, exclusive of the required storage to be provided for at least two 96 gallon trash containers, which may be within garages, basements, cellars or separate refuse and/or general storage structures, and which shall be in addition to bedroom closet space provided with the unit. If within garages, a rectangle of not less than 9 feet by 18 feet shall remain clear for parking vehicles.

d. he development shall comply with all applicable Building Design Standards set forth in § 140-252, except that for the purposes of this section, the following Building Design Standard shall be amended to read as set forth below:

i. § 140-252.A(3)(b): Accessory buildings should be architecturally treated in a uniform, compatible and harmonious manner to principal buildings.

ii. § 140-252.A(3)(d): All basement walls greater than 24 inches above finished grade and must be treated to relate properly to the design of the building.

iii. § 140-252.B(1): Building facade length shall not exceed 160 feet. The front facade of any structure shall not continue the same plane for a distance of more than the width of two horizontally adjacent units. Offsets between front facade planes shall not be less than two feet.

14) All ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby superseded to the extent of such inconsistencies.

Section 2. Zone Map The Official Zoning Map the Township of Wall dated July 14, 2011, be and the same is hereby amended to change the zoning designation of the following Block and Lot as indicated:

Block	**Lots**	**July 14, 2011 Zoning Map**	**New Zoning Designation**
942	79 & 132 (portions)*	OR-10	AH4 **
(Located at 1770 and 4151 Dunroamin Road).			
*As illustrated on the attached map. **If permitted by the Developer's Agreement.			

Section 3. All ordinances, or parts thereof, inconsistent with the provisions of this ordinance be and the same are hereby repealed to the extent of such inconsistency.

Section 4. Should any section, paragraph, clause of other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgement shall not affect or impair the remainder of this Ordinance.

Section 5. This Ordinance shall effect upon its passage and publication according to law, and upon filing of a certified copy thereof with the Monmouth County Planning Board.

Introduced on: _____
Adopted: _____

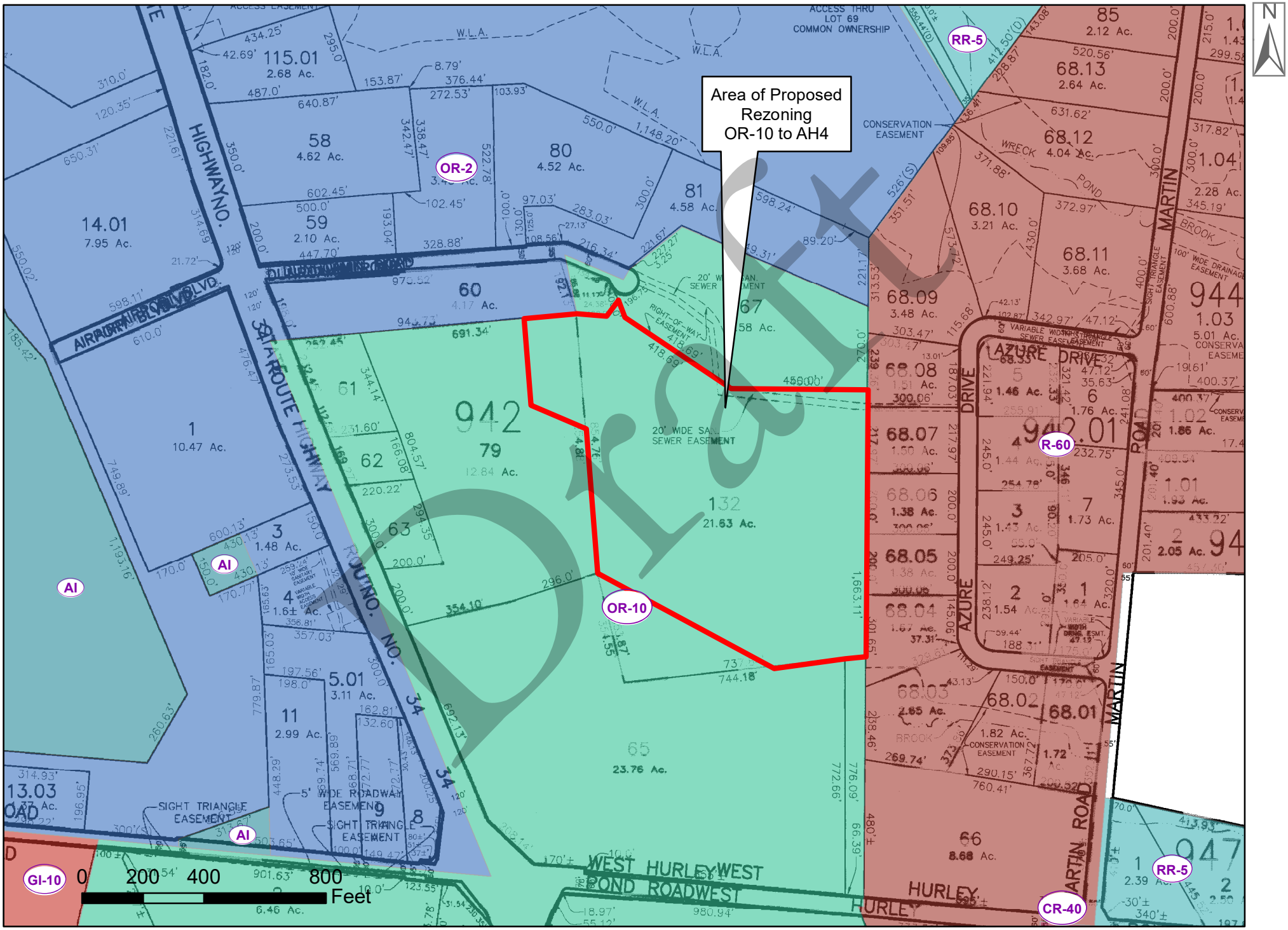
Attest: _____ **Approve**:_____

Roberta Lang, CMR, RMC — Carl Braun

Township Clerk — Mayor

Draft

Block 942 Portions of Lots 79 and 32



Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0807

CERTIFICATION OF TOWNSHIP FUNDS
AUGUST 13, 2020 THROUGH AUGUST 26, 2020 IN THE AMOUNT OF $8,459,589.59

We, the undersigned members of the Township Committee of the Townsnip 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.

_____
Carl Braun, Mayor

_____
Thomas M. Kingman, Deputy Mayor

_____
Timothy J. Farrell, Committeeman

_____
Kevin P. Orender, Committeeman

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0808

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:

UTILITY					
NAME	**ADDRESS**	**ACCOUNT**	**AMOUNT**	**REASON**	**CREDIT/ REFUND**
Sonetronics Inc	1718 Highway 71	4909166-1	$4981.18 $1,243.51	Service Valve Leak, under parking lot	1 X Credit

TAX					
NAME	**ADDRESS**	**BLOCK**	**LOT**	**AMOUNT**	**REASON**
Christine Minarchenko	4707 Belmar Boulevard	935	9	$1,725.21 – **2020**	Paid in err – Mtg to pay
Kristen & Joseph Kapcsos	1314 Evans Roadd	130	4	$830.03 – **2020**	Paid in err – Mtg paid

CLERK		
NAME	**AMOUNT**	**REASON**
Faegre Drinker Biddle & Reath LLP	$200.00	Liquor License – Incorrect Payment Amount

YOUTH CENTER		
NAME	**AMOUNT**	**REASON**
Tarin Rhoades	$75.00	April After School Program

RECREATION		
NAME	**AMOUNT**	**REASON**
Nicole Livingston	$875.00	Camp
Allison Dentice	$1,007.50	Camp, Tennis, Events
Carolyn Herbert	$125.00	Camp
Jamie Monahan	$350.00	Camp

EMS	
NAME	**AMOUNT**
AARP (G.G.)	$89.65
APWU (D.P.)	$82.67
Autino, Jessica	$435.83
Behringer, Fred	$25.00
Clerkin, Eileen	$26.67
Cromer, Evelyn	$150.00
Cunningham, John	$150.00
Dimitroulakos, Vera	$40.00
Ford, Joellen	$22.77
Gately, Paul	$8.63

Draft

Horizon BC BS of NJ (C.S.)	$950.00
Horizon BC BS of NJ (P.B.)	$81.16
Horizon Medigap (H.G.)	$518.47
Kappock, Patrick	$100.00
Kelly, James	$100.00
Madden, Lisa	$116.50
Plangere, Jules	$1,040.00
Starkey, Robert	$100.00
Trotta, Regina	$93.43
Tucker, Richard	$12.00
United Healthcare (J.G.)	$220.46

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 August 26, 2020.

Roberta M. Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0809

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

> R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars ($1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Committee of the Township of Wall, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I, Roberta M. Lang, Municipal Clerk of the Township of Wall, County of Monmouth, 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, County of Monmouth, State of New Jersey, at a meeting held August 26, 2020

_____

Roberta M. Lang, RMC
Municipal Clerk

Draft

STATE OF NEW JERSEY, COUNTY OF MONMOUTH, TOWNSHIP OF WALL

We, members of the governing body of the Township of Wall in the County of Monmouth, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the Committee of the Township of Wall in the County of Monmouth;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filled with the Clerk pursuant to N.J.S.A. 40A"5 -6 for the year 2018;
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

(L.S.)	(L.S.) Carl Braun, Mayor
(L.S.)	(L.S.) Thomas Kingman Deputy Mayor
(L.S.)	(L.S.) Timothy J. Farrell, Committeeman
(L.S.)	(L.S.) Kevin P. Orender, Committeeman

_____

Township Clerk

Sworn and subscribed to me before this

_____ Day of _____

_____

Notary Public of New Jersey

The Municipal Clerk shall set forth the reason for the absence of signature of any members of the Governing Body.

IMPORTANT: This certificate must be send to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625.

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0810

AUTHORIZATION TO RENEW ITS CONTRACT FOR AN AFFORDABLE HOUSING ADMINISTRATIVE AGENT

WHEREAS, the Council on Affordable Housing ("COAH") requires that all municipalities seeking COAH credit contract with an approved administrative agent; and

WHEREAS, the Uniform Housing Affordability Controls ("UHAC," N.J.A.C. 5:80-26.1) governs COAH housing units; and

WHEREAS, the Affordable Housing Alliance, Inc. ("AHA") is an approved affordable housing administrative agent, working with municipalities and developers of affordable housing to ensure that their affordable housing units are administered properly and effectively; and

WHEREAS, the Township desires to renew its contract with the Affordable Housing Alliance, Inc., originally entered into in 2013, for an additional two (2) years from 6/1/19 to 5/30/21; and

WHEREAS, the scope of services under the renewal contract includes, among other responsibilities, general COAH Administrative Services; tasks in Connection with Re-Sale of Affordable Units; initial Sales and rentals of COAH Units; tasks in Connection with Refinancing and Home Equity Transactions; Affirmative Marketing and Affordability Controls; and

WHEREAS, under the terms of the Agreement, AHA shall be paid $6,500.00 per year and be reimbursed for expenses, not to exceed the sum of $125.00, together with compensation related to specific events at the flat fee sums set forth in Section 8 of the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Wall, County of Monmouth, New Jersey that the Mayor or the Township Administrator is hereby authorized to sign the Agreement on behalf of the Township.

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 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 August 26, 2020.

_____

Roberta Lang, RMC
Municipal Clerk

Draft

Certification of Funds

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 to renew its contract with the Affordable Housing Alliance, Inc., at a cost not to exceed $6,500.00

Trust		
Account	**Description**	**Amount**
T-13-56-860-001-801	Affordable Housing Trust	$6,500.00

_____ Date

Thomas O'Hara, CFO

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0811

AUTHORIZATION TO APPROVE A CHANGE IN TITLE, TEXT OR AMOUNT OF APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-85

WHEREAS, N.J.S.A. 40A:4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the governing body of any county or municipality, make such correction of the title, text or amount of any appropriation appearing in the budget as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any county or municipality.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of N.J.S.A. 40A:4-85, the Township of Wall hereby requests the Director of the Division of Local Government Services to make the following correction in the 2020 budget:

Matching Funds for Grants	($890.85)
Municipal Alliance on Alcoholism and Drug Abuse – Matching Funds	$890.85

BE IT FURTHER RESOLVED that the foregoing correction is, in the opinion of the governing body, warranted and authorized by the statute referred to above, and is necessary for the orderly operation of the Township of Wall for the reasons set forth:

The allocation of funds set aside for matching funds for grants to a specific grant which was not anticipated at the time the budget was adopted.

I, Roberta 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 August 26, 2020.

_____

Roberta Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0812

AUTHORIZATION TO REQUEST APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION N.J.S.A. 40A:4-87 - MUNICIPAL ALLIANCE ON ALCOHOLISM AND DRUG ABUSE

WHEREAS, N.J.S.A, 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Committee of the Township of Wall, in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget year 2020 in the sum of $3,563.40, which is now available from the Municipal Alliance on Alcoholism and Drug Abuse in the amount of $3,563.40.

BE IT FURTHER RESOLVED that the like sum of $3,563.40 is hereby appropriated under the caption Municipal Alliance on Alcoholism and Drug Abuse; and

BE IT FURTHER RESOLVED that the above is the result of funds from the Municipal Alliance on Alcoholism and Drug Abuse in the amount of $3,563.40.

I, Roberta 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 August 26, 2020.

_____

Roberta Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0813

AUTHORIZATION TO CONTRACT WITH PHILADELPHIA INDEMNITY INSURANCE COMPANY FOR BLANKET ACCIDENT INSURANCE COVERAGE FOR THE RECREATION DEPARTMENT AT A PREMIUM COST OF $6,492.00 FOR THE PERIOD 9/22/2020 THROUGH 9/21/2021

WHEREAS, the Township of Wall is responsible for obtaining insurance coverage for various activities and operations undertaken by various Departments of the Township; and,

WHEREAS, the Township, through its insurance carrier, the Monmouth County Joint Insurance Fund (JIF), has determined that it is appropriate to obtain additional coverages for activities sponsored by the Wall Township Recreation Department; and,

WHEREAS, the Township wishes to contract with Philadelphia Insurance Companies for additional coverage for the period 9/22/2020 through 9/21/2021; and,

WHEREAS, the Township has been advised that the premium for that coverage will be $6,492.00 (six thousand four hundred ninety-two dollars) for the contract period; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Wall, County of Monmouth, New Jersey that the Township is authorized to contract with Philadelphia Insurance Companies and pay the premium of $6,492.00 (six thousand four hundred ninety-two dollars) for additional insurance coverage for activities undertaken by the Wall Township Recreation Department and that the Mayor, Administrator, and the Municipal Clerk, are hereby authorized and directed to take such actions as are necessary to effectuate the provisions of this Resolution.

I, Roberta M. Lang, Township 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 August 26, 2020

_____

Roberta M. Lang, RMC
Township Municipal Clerk

Draft

Certification

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 to pay the premium of $6,492.00 (six thousand four hundred ninety-two dollars) for additional insurance coverage for activities undertaken by the Wall Township Recreation Department with Philadelphia Insurance Companies

Trust		
Account	**Description**	**Amount**
T-17-56-860-001-323	Recreation Trust	$6,492.00

_____ Date:

Thomas O'Hara, CFO
Chief Financial Officer

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0814

AUTHORIZATION TO APPROVE NEW RECREATION RECREATION PROGRAMS AND FEES

WHEREAS, the Township believes that providing recreational programs is in the public good; and

WHEREAS, the Township of Wall ("Township") operates an extensive recreation program for the benefit of its residents; and

WHEREAS, the Township subsidizes those recreation programs; and

WHEREAS, the Township seeks to collect fees from the participants in the recreation programs in order to partially offset the cost of operating those programs; and

WHEREAS, the Director of Recreation prepared a list of charges for the Township's recreation program (list attached hereto as Exhibit A) which, based on reasonable analysis, is deemed to be fair; and

WHEREAS, the Township Committee concluded that the proposed charges to participants in the Township's recreation program are reasonable; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Wall, County of Monmouth and State of New Jersey hereby adopts the list of charges to participants in the recreation programs provided by the Township as set forth on the attached Exhibit A; 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 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 August 26, 2020.

_____

Roberta Lang, RMC
Municipal Clerk

Draft

Exhibit A		
Program	**Cost: Resident / Nonresident**	**Start Date**
Boys Lacrosse Clinic	$95.00/$105.00	August 3, 2020
Girls Lacrosse Clinic	$95.00/$105.00	July 13, 2020
Field Hockey	$95.00/$105.00	July 27, 2020
Hockey Clinic	$95.00/$105.00	August 10, 2020
Hockey League	$100.00-$200.00 per team	TBD
Jr. Chef- Grades: Pre-K-1 (virtual)	$75.00/$85.00	August 10, 2020
Jr. Chef – Grades: 2-5 (Virtual)	$85.00/$95.00	August 10, 2020
Scratch Lego Building (virtual)	$75.00/$85.00	July 17, 2020
Theme Camps • Animated Movements • Lego Mining and Crafting • Academy of Amazement • Soccer Camp • Ultimate Camp and Recess Games	$150.00	August 10, 2020 – August 21, 2020
Boys HS Outdoor Basketball League	$550.00 per team	September 14, 2020
Girls HS Outdoor Basketball League	$550.00 per team	September 14, 2020
Fun Fitness Games (afterschool)	$75.00/$85.00	Mid-September
Rec. League Outdoor Basketball	$85.00/$95.00	Mid-September
Boys HS Outdoor Hockey League	$550.00 per team	October
Itty Bitty Basketball Instruction	$85.00/$95.00	September / October
3 on 3 Basketball Tournament	$100.00	September / October
Box Lacrosse	$75.00/$85.00	September / October

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0815

AUTHORIZATION FOR THE PERSON-TO-PERSON TRANSFER OF A PLENARY RETAIL CONSUMPTION LICENSE NO. 1352-33-014-010 HELD BY GRAINMONGER LLC TO BROOK 35 LIQUOR INC.

WHEREAS, an application has been filed for the person-to-person transfer of the Township of Wall Plenary Retail Consumption License No. 1352-33-014-010 held by Grainmonger LLC which currently has no physical location; and

WHEREAS, said licensee has applied to the Township Committee for a person-to-person transfer of a Plenary Retail Consumption License to Brook 35 Liquor Inc.; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority has reviewed the source of all funds used in the purchase of the license.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Wall does hereby approve, effective, August 26, 2020 the person-to-person transfer of the aforesaid Plenary Retail Consumption License (License No. 1352-33-014-010) held by Grainmonger LLC to Brook 35 Liquor Inc. and does hereby direct the Township Clerk to endorse the license certificate as follows: "This license, subject to all its terms and conditions, is hereby transferred to Brook 35 Liquor, Inc. effective August 26, 2020."

BE IT FURTHER RESOLVED that the Mayor, or his designee, is hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

I, Roberta 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 August 26, 2020.

_____

Roberta M. Lang, RMC
Municipal Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0816

AUTHORIZATION TO UTILIZE THE SERVICES OF SONNENFELD + TROCCHIA ARCHITECTS, P.A. FOR PREPARATION OF CONSTRUCTION DOCUMENT SERVICES, BID SPECIFICATIONS FOR THE MUNICIPAL BUILDING AND LIBRARY ROOFS IN AN AMOUNT NOT TO EXCEED $12,500.00 AND AUTHORIZATION FOR THE MUNICIPAL CLERK TO ADVERTISE FOR PUBLIC BIDS

WHEREAS, Wall Township appointed Sonnenfeld + Trocchia Architects, P.A. as its consulting architect for the 2020 calendar year; and;

WHEREAS, Wall Township desires to utilize the professional services of Sonnenfeld + Trocchia Architects, P.A for construction document services, bid specifications and assisting in the public bidding process for the municipal building and library roofs; and

WHEREAS, the Superintendent of Public Work, Joseph Lentini, has reviewed the proposal submitted by Sonnenfeld + Trocchia Architects, P.A. and is of the opinion that the Township should authorize payment to that entity for construction document services, bid specifications and assisting in the public bidding process for the municipal building and library roofs in an amount not to exceed $12,500.00 (twelve thousand five hundred dollars); and

WHEREAS, a certification of funds from the Township's Chief Financial Officer is attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall that the Mayor on behalf of the Township of Wall is hereby authorized to execute an agreement, approved by the Township Attorney, with Sonnenfeld & Trocchia Architects, P.A. for the services referenced above.

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 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 August 26, 2020

_____

Roberta Lang, RMC
Municipal Clerk

Draft

Certification of Funds

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 Sonnenfeld + Trocchia Architects, P.A. and is of the opinion that the Township should authorize payment for construction document services, bid specifications and assisting in the public bidding process for the municipal building and library roofs in an amount not to exceed $12,500.00 (twelve thousand five hundred dollars);

Capital		
Account	**Description**	**Amount**
C-04-16-834-004-916	Ordinance #9-2016	$12,500.00

_____ Date: _____

Thomas O'Hara, CFO
Chief Financial Officer

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0817

AUTHORIZATION TO MAKE THE PAYMENT ASSOCIATED WITH 442.75 HOURS OF SICK PAY AT HALF RATE, .983 HOURS OF VACATION AND 80.017 HOURS OF COMPENSATORY TIME

WHEREAS, Anthony Lacher resigned from his position in the Police Department on 07/31/2020, and is entitled to 442.75 hours of sick pay at ½ rate, .983 hours of vacation pay and 80.017 hours of compensatory pay.

NOW, THEREFORE, BE IT RESOLVED that the appropriate Township Officials be and are hereby authorized to pay to Anthony Lacher the money associated with 442.75 hours of sick pay at half rate in the amount of $10,993.48 (ten thousand nine hundred ninety three dollars and forty eight cents), .983 hours of vacation pay in the amount of $48.81 (forty eight dollars and eighty one cents) and 80.017 hours of compensatory pay in the amount of $3,972.84 (three thousand nine hundred seventy two dollars and eighty four cents) pursuant to section 2 of the Personnel Ordinance.

I, Roberta M. Lang, Municipal Clerk of the Township of Wall, County of Monmouth, 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, County of Monmouth, State of New Jersey, at a meeting held August 26, 2020

_____

Roberta M. Lang, RMC
Municipal Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0818

AUTHORIZATION TO MAKE THE PAYMENT ASSOCIATED WITH 193.75 HOURS OF SICK PAY AT HALF RATE - CAPPED AT $7,500.00

WHEREAS, Brittney Mangan resigned from her position in the Tax Collections Department on 07/24/2020, and is entitled to 193.75 hours of sick pay at ½ rate, capped at $7,500.00.

NOW, THEREFORE, BE IT RESOLVED that the appropriate Township Officials be and are hereby authorized to pay to Brittney Mangan for 193.75 hours of sick pay at half rate, capped at $7,500, in the amount of $2,270.75 (two thousand two hundred seventy dollars and seventy five cents) pursuant to section 2 of the Personnel Ordinance.

I, Roberta M. Lang, Municipal Clerk of the Township of Wall, County of Monmouth, 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, County of Monmouth, State of New Jersey, at a meeting held August 26, 2020.

_____

Roberta M. Lang, RMC
Municipal Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0819

AUTHORIZATION TO APPROVE OF A TAX EXEMPTION FROM ALL TAXES AS A DISABLED VETERAN

WHEREAS, the Tax Collector sent a memorandum to the Township Committee of the Township of Wall in relation to a tax credit due to the below referenced disabled veteran; and

WHEREAS, the Tax Collector is precluded from collecting 2020 taxes from the individual referenced below, as he/she is a Disabled Veteran(s), as per N.J.S.A. 54:4-3.30a, and exempt from all taxes as of the effective date of the statute; and

WHEREAS, 2020 taxes based on the assessment listed on the 2020 tax roll are to be cancelled and any monies showing a credit should be immediately refunded to the property owner referenced below; and

WHEREAS, the Township Administrator has reviewed the circumstances surrounding this exemption and refund and has recommended to the Township Committee that the appropriate Township officials be authorized to acknowledge said exemption and to refund any tax payment made by the individual referenced below.

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 acknowledge the refund in accordance with the aforesaid memorandum submitted by the Tax Collector to the Township Administrator.

NAME	ADDRESS	BLOCK	LOT	EFFECTIVE DATE	CREDIT/ REFUND AMT	REASON
Barry Jay Hyman	3243 Rambling Hill Ct	826	101	4/13/20	Credit: $7,991.00 **Refund: $2,363.49**	Totally Disabled Vet

I, Roberta 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 August 26, 2020

Roberta M. Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0820

AUTHORIZATION TO APPLY FOR COUNTY OPEN SPACE TRUST FUNDS IN THE AMOUNT OF $250,000.00 TO FUND THE CONSTRUCTION OF THE COMMUNITY PARK SOUTH IMPROVEMENTS – PHASE II

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Governing Body of the Township of Wall desires to obtain County Open Space Trust Funds in the amount of $250,000 to fund the construction of Community Park South Improvements – Phase II located at 2700 Allaire Road, Wall Township, NJ – Block 272 Lot 1, 2, 3.

WHEREAS, the total cost of the project including all matching funds is not to exceed $530,615; and

WHEREAS, the Township of Wall is the owner of and controls the project site.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL THAT:

1. Kathleen Kohri, Assistant Administrator, is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the principal contact person and correspondent of the above named municipality; and
2. The Township of Wall is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Mayor Carl Braun, or his successor, is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. This resolution shall take effect immediately.

I, Roberta 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 August 26, 2020.

_____

Roberta M. Lang, RMC
Municipal Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0821

CHANGE IN CUSTODIAN OF PETTY CASH FUND

WHEREAS, Elizabeth Cellini was the custodian of the Recreation Petty Cash Fund; and

WHEREAS, in accordance with N.J.S.A. 40:5-21, the Township Committee of the Township of Wall has decided to change the custodian to Michael Thompson; and

WHEREAS, Michael Thompson has been bonded in the amount of $1,000.00 by virtue of a surety bond;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Wall, in the County of Monmouth, New Jersey, hereby authorizes such action and two copies of this resolution shall be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

I, Roberta 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 August 26, 2020.

_____

Roberta M. Lang, RMC
Municipal Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0822

AUTHORIZATION TO AWARD AN EMERGENCY CONTRACT TO FRANK LURCH DEMOLITION COMPANY LLC FOR THE REMOVAL OF TWO (2) LEAKING UNDERGROUND OIL STORAGE TANKS NOT TO EXCEED $24,468.80

WHEREAS, the Township of Wall ("Township") had engaged a contractor to demolish an old house on property owned by the Township; and

WHEREAS, during the demolition of that structure two (2) underground storage tanks were uncovered; and

WHEREAS, oil was leaking from those tanks causing a public health emergency and an environmental hazard; and

WHEREAS, upon being notified of that dangerous condition the Township contacted the New Jersey Department of Environmental Protection ("NJDEP"); and

WHEREAS, NJDEP advised the Township to immediately take all action necessary to remove the leaking tanks in order to end that public emergency; and

WHEREAS, in order to respond to that public emergency it was necessary to engage a qualified contractor who was available to quickly respond to that public emergency; and

WHEREAS, the Township was able to engage the services of Frank Lurch Demolition Company LLC to remove the tanks; and

WHEREAS, Frank Lurch Demolition Company LLC retained an LSRP to supervise removal of the tanks; and

WHEREAS, the tanks were removed and the area remediated in the manner required by NJDEP; and

WHEREAS, the New Jersey Public Contract Law (N.J.S.A. 40A:11-6) permits the execution of an emergency contract in accordance with certain circumstances and further identifies the process the Township must follow to approve such contracts; and

WHEREAS, the Township followed the procedures set forth in N.J.S.A. 40A:11-6.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee Members of the Township of Wall, County of Monmouth, New Jersey that the Township authorize payment to Frank Lurch Demolition Company LLC for the work and services associated with the removal of leaking tanks in an amount not to exceed $24,468.80.

This resolution is subject to the filing of a certification from the CFO as to the availability of funds per N.J.A.C. 5:30-5.3 (a)

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 August 26, 2020.

_____

Roberta M. Lang, RMC
Municipal Clerk

Draft

Certification

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 work and services provided by Frank Lurch Demolition Company LLC. to remove two (2) leaking underground oil storage tanks on an emergency basis at a cost not to exceed $24,468.80

Capital and Operating		
Account	**Description**	**Amount**
C-04-18-000-002-004	Ordinance #9-2018	$11,060.00
0-01-26-291-000-299	DPW Special Projects	$13,408.80

_____ Date: _____

Thomas O'Hara, CFO
Chief Financial Officer

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0823

AUTHORIZATION TO EXECUTE CHANGE ORDER NUMBER ONE WITH MECO, INC. FOR 2019 REPAVING OF VARIOUS ROADS

WHEREAS, the Township of Wall and MECO, Inc. are parties to a contract for repaving of various roads located within the Township of Wall in an original amount of $1,344,804.00 (one million three hundred forty-four thousand eight hundred four dollars and zero cents); and

WHEREAS, MECO, Inc. submitted Change Order No. 1 - in the amount of $25,015.00 (twenty-five thousand fifteen dollars and zero cents) which addressed the changes to the proposed scope of work, making the total contract price $1,369,819.00 (one million three hundred sixty-nine thousand eight hundred nineteen dollars and zero cents) after Change Order No. 1 is executed; and

WHEREAS, the Township's Engineer, Matthew Zahorsky has reviewed the project and Change Order No. 1 and recommends that the Township execute Change Order No. 1 in an amount of $25,015.00 (twenty-five thousand fifteen dollars and zero cents); and

WHEREAS, the total new contract price shall be $1,369,819.00 (one million three hundred sixty-nine thousand eight hundred nineteen dollars and zero cents) after Change Order No. 1 has been accepted and executed by the Township; and

WHEREAS, the certification of the Township Chief Financial Officer is attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Wall, County of Monmouth, New Jersey that Change Order No. 1 - in an amount of $25,015.00 (twenty-five thousand fifteen dollars and zero cents)for the contract between the Township of Wall and MECO, Inc. be executed thereby increasing the new total contract price for the project to $1,369,819.00 (one million three hundred sixty-nine thousand eight hundred nineteen dollars and zero cents)

BE IT FURTHER RESOLVED that all Township officials including, but not limited to, the Mayor, Township Administrator, Township Director of Engineering and Planning, 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, 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 August 26, 2020.

_____

Roberta M. Lang, RMC
Municipal Clerk

Draft

Certification of Funds

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 Change Order No. 1 - in the amount of $25,015.00 (twenty-five thousand fifteen dollars and zero cents) to accommodate changes to the proposed scope of work for the MECO, Inc. contract.

Operating		
Account	**Description**	**Amount**
0-01-26-291-000-299	0-01-26-291-000-299	$25,015.00 (twenty-five thousand fifteen dollars and zero cents)

_____ Date:

Thomas O'Hara, CFO
Chief Financial Officer

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0824

AUTHORIZING CERTAIN PERSONNEL ACTIONS

WHEREAS, the Chief of Police has recommended the appointment of the following individual(s); and

WHEREAS, the Township Administrator concurs with the findings of the Chief of Police and hereby recommends to the Township Committee that the following appointment be made.

NAME	DEPARTMENT/POSITION	SALARY	EFFECTIVE DATE
Roseann Ferguson	Police/ Crossing Guard	$16.06/hour	8/27/2020
Sarah Kutz	Police/ Crossing Guard	$15.10/hour	8/27/2020
Jennifer Lasko	Police/ Crossing Guard	$15.75/hour	8/27/2020
William Lewcyk	Police/ Crossing Guard	$15.75/hour	8/27/2020
Catherine Mirault	Police/ Crossing Guard	$16.06/hour	8/27/2020
Erin Mitchell	Police/ Crossing Guard	$16.06/hour	8/27/2020
Susan Novak	Police/ Crossing Guard	$16.06/hour	8/27/2020
Kimberly Potter	Police/ Crossing Guard	$15.75/hour	8/27/2020
Sherry Winemiller	Police/ Crossing Guard	$16.06/hour	8/27/2020
Erin Wolter	Police/ Crossing Guard	$16.06/hour	8/27/2020

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 August 26, 2020.

_____

Roberta M. Lang, RMC
Township Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0825

AUTHORIZATION TO ACCEPT A PERFORMANCE GUARANTEE POSTED BY 1902 ROUTE 35 WALL, LLC IN CONNECTION WITH APPLICATION PB #16-2019, KNOWN AS "1902 ROUTE 35 WALL, LLC", BLOCK 151, LOT 36.01

WHEREAS, a performance guarantee has been posted with the Township of Wall ("Township") by 1902 Route 35 Wall, LLC in the form of cash in the amount of $43,369.20 and check number #1195, dated August 14, 2020 issued by 1902 Route 35 Wall, LLC in the amount of $43,369.20 in connection with PB #16–2019 Block 151, Lot 36.01 and;

WHEREAS, 1902 Route 35 Wall, LLC also delivered a check in the amount of $5,000.00 as the guarantee for safety and stabilization; and

WHEREAS, the Township Engineer and the Township Attorney, recommend acceptance of the Performance Guarantee and the Safety and Stabilization Guarantee.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall, County of Monmouth and State of New Jersey on this 26th day of August 2020, to hereby accept the Performance Guarantee posted by 1902 Route 35 Wall, LLC , in the form of cash in the amount of $43,369.20 and the safety and stabilization bond in the amount of $5,000.00 in cash.

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 Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on August 26, 2020.

_____

Roberta M. Lang, RMC
Municipal Clerk

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0826

AUTHORIZATION TO EXECUTE A CONTRACT WITH ATLANTIC TACTICAL FOR THE PURCHASE OF 44 AVON C50 GAS MASKS WITH FILTERS THROUGH STATE CONTRACT AT A PRICE NOT TO EXCEED $22,136.07

WHEREAS, the Township Committee is desirous of purchasing 44 Avon C50 Gas Masks with filters from Atlantic Tactical through State Contract; and

WHEREAS, the 44 Avon C50 Gas Masks with filters being purchased are through State Contract from Atlantic Tactical at a price not to exceed $22,136.07 (twenty-two thousand one hundred thirty-six dollars and seven cents); and

WHEREAS, Kenneth Brown, Chief of Police, recommends that the Township Committee purchase the 44 Avon C50 Gas Masks with filters through State Contract; and

WHEREAS, the Township Administrator concurs with the recommendation to purchase the 44 Avon C50 Gas Masks with filters from Atlantic Tactical through the State Contract at a price not to exceed $22,136.07 (twenty-two thousand one hundred thirty-six dollars and seven cents); and

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 Kenneth Brown, Chief of Police, to authorize the purchase of the following: 44 Avon C50 Gas Masks with filters through State Contract at a price not to exceed $22,136.07 (twenty-two thousand one hundred thirty-six dollars and seven cents)
2. This resolution is subject to the filing of a certification from the CFO as to the availability of funds per N.J.A.C.5:30-5.3 (a).
3. The Mayor, Municipal Clerk and any other appropriate Township officers or employees are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the terms 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 on August 26, 2020

_____

Roberta M. Lang, RMC
Township Clerk

Draft

Certification of Funds

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 44 Avon C50 Gas Masks with filters through State Contract at a price not to exceed $22,136.07 (twenty-two thousand one hundred thirty-six dollars and seven cents)

Operating		
Account	**Description**	**Amount**
0-01-25-240-240-155	Police Department – Emergency Management	$22,136.07

_____ Date:

Thomas O'Hara, CFO
Chief Financial Officer

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 20-0827

AUTHORIZATION TO EXECUTE A DEVELOPER'S AGREEMENT WITH AMERICAN PROPERTIES AT WALL, LLC FOR THE DEVELOPMENT OF AN AFFORDABLE HOUSING PROJECT IN ACCORDANCE WITH THE TOWNSHIP'S DECEMBER 18, 2019 SETTLEMENT AGREEMENT WITH THE FAIR SHARE HOUSING CENTER, BLOCK 912, LOTS 2 & 4.02

WHEREAS, the Township filed a Lawsuit encaptioned In the Matter of the Township of Wall, County of Monmouth, in the Superior Court, Law Division, Monmouth County under Docket No. MON-L-5604-05 (the "Lawsuit"); and

WHEREAS, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), the Township filed the Lawsuit on July 2, 2015 seeking, among other things, a judicial declaration that its Housing Element and Fair Share Plan ("Fair Share Plan"), as may be further amended in accordance with the terms of the settlement, 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 an Order protecting the Township from all exclusionary zoning lawsuits while it pursues approval of its Fair Share Plan; and

WHEREAS, the Township of Wall ("Township") entered into an Amended Settlement Agreement with Fair Share Housing Center ("FSHC"), dated December 18, 2019; and

WHEREAS, the Amended Settlement Agreement replaced the July 2019 Settlement Agreement in its entirety; and

WHEREAS, pursuant to the Amended Settlement Agreement, the Township and FSHC agreed to settle the Lawsuit; and

WHEREAS, the Settlement Agreement refers to properties that will be developed as part of the settlement with FSHC; and

WHEREAS, American Properties at Wall, LLC ("Developer") is one of the entities that will develop one of the sites identified in the Amended Settlement Agreement; and

WHEREAS, that property is identified as Block 912, Lots 2 & 4.02 as shown on the tax map of the Township (the "Property"); and

WHEREAS, the Township and the Developer negotiated the terms that have been set forth in the Developer's Agreement;

WHEREAS, the Developer is prepared to sign the Developer's Agreement; and

WHEREAS, in order to cause the Developer's Agreement to be binding on the Developer, it must be signed by a duly authorized representative of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Wall, County of Monmouth, New Jersey that the Mayor, on behalf of the

Draft

Township, is hereby authorized to sign the Developer's Agreement for the Property owned by American Properties at Wall, LLC known as Block 912, Lots 2 & 4.02.

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 August 26, 2020.

_____

Roberta M. Lang, RMC
Township Clerk

Draft