



TOWNSHIP OF WALL
EXECUTIVE MEETING MINUTES
APRIL 8, 2020

7:00 P.M.

REMOTE MEETING

Mayor Newberry	Present	Administrator Bertrand	Present
Deputy Mayor Braun	Present	Asst. Administrator Kohri	Present
Committeeman Farrell	Present	Attorney Wolf	Present
Committeeman Orender	Present	Township Clerk Lang	Present
Committeeman Kingman	Present		

Salute to the Flag and a Moment of Silence.

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.

Roll Call

Administrator Bertrand reviewed the rules of engagement for the remote meeting.

COVID-19 Update

Administrator Bertrand

- Administrator Bertrand discussed the closure of Municipal parks and facilities.

Chief Brown

- Chief Brown provided the below update:
 - The Emergency Operation Center remains open, monitoring information and events around the County and State
 - The Department is participating in daily conference calls with the New Jersey State Police and Regional Operation Intelligence Center
 - The Department is reviewing models for the peak and plateau of the virus.
- He noted the importance of social distancing and flattening the curve.
- He said that the Governor continues to issue Executive Orders and directive on enforcing the orders.
- Chief Brown reported the following numbers:
 - State cases: 47,437
 - State deaths: 1,504
 - Monmouth County cases: 3,038 cases

- Monmouth County deaths: 86
- Wall Township cases: 96
- He reported that the Police Department is reviewing applications for EMS.
- He noted that the department has a sufficient amount of PPE and are using reusable equipment when possible.
- Chief Brown reported that the Office of Emergency Management is in contact with the long-term care centers in the Township. He highlighted some of the guidance from the Health Department.
- He noted that the Police Department is in constant contact with the Health Department and that the PNC Art Center testing facility remains open.
- He noted that the department is tracking expenses related to the pandemic for possible FEMA reimbursement.
- He reiterated that patrol is working on a modified schedule or remotely, when possible. He asked that the public call or email headquarters for copies of reports.
- He noted that they are responding to emergencies as normal and that the lobby remains open for emergent matters.

For Action / Consent Agenda

Administrator Bertrand Summarized the Consent Agenda

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 on the Township's website at wallnj.com 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**

Resolution No. 20-0401 – Approval of vouchers for March 26, 2020 through April 8, 2020 in the amount of \$10,529,796.87

Resolution No. 20-0402 – Authorization to execute a contract with Kroll/ Feigus Office Furniture for the purchase of court office workstations in conjunction with internal renovations through State Contract #A81629 at a price not to exceed \$17,724.40

Resolution No. 20-0403 – Authorization to approve temporary appropriations

Resolution No. 20-0404 – Authorization to execute a contract with TENTANDTABLE.COM for vinyl top tents and hardware at a price not to exceed \$16,268.20

Resolution No. 20-0405 – Authorization to execute a contract with Solitude Lake Management for the treatment of Osborn's Pond at a price not to exceed \$5,844.00

Resolution No. 20-0406 – Authorization to approve personnel action(s):

<u>NAME</u>	<u>DEPARTMENT/POSITION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
Tyler Lokerson	Police/ Seasonal Part-time EMT	\$20.00/hour	03/30/2020

End of Consent Agenda

Motion - Second - Roll Call Vote

Motion to adopt – Deputy Mayor Braun
Second – Committeeman Farrell

Roll Call Vote: Consent Agenda

Committeeman Kingman	Yea
Committeeman Orender	Yea
Committeeman Farrell	Yea
Deputy Mayor Braun	Yea
Mayor Newberry	Yea

Yea	Nay	Recuse	Absent
5	0	0	0

Committee Reports:

Committeeman Kingman: Recreation

Committee Chair's Reports:

Committeeman Kingman:

- Committeeman Kingman commended Elizabeth Cellini and Mike Thompson for keeping a positive spirit and providing various activities for children and parents to do remotely from their homes.
- He thanked the first responders, Chief Brown and everyone on the front lines.

Items for Discussion:

Administrator Bertrand:

- Administrator Bertrand announced that there has been a temporary suspension of grant funding for the Alliance. He explained that the Alliance works on mental health counseling, drug and alcohol abuse programs and much more for the Township. He maintained that it is the Township's policy to continue the program, unfortunately, at the risk of not receiving the grant funding. He noted that the Township would take it on a week by week basis.

Committeeman Kevin Orender: Public Works, Economic Development, Veteran's Services

Committee Chair's Reports:

Committeeman Orender:

- Committeeman Orender announced that trash and recycling pickup will continue as scheduled, but bulk pickup has been suspended until further notice
- He noted that economic development is slow but is hopeful that when things return to normal the Township can assist in some promotions to help local business.
- He said that Veteran activities have been suspended and that the Police Department is contacting the Veterans in town to ensure they are okay.
- He thanked the first responders and supermarket employees for their dedication during this pandemic.
- In closing, he reminded the public to dispose of their rubber gloves in receptacles.

Items for Discussion:

Administrator Bertrand:

- Administrator Bertrand noted that all items are ongoing.

Committeeman Farrell: Education, Environmental

Mayor Newberry:

- Mayor Newberry announced that he and his colleagues would like to pass a nearly flat or zero increase budget. He noted that doing so would cause financial difficulty in upcoming budgets but maintained that this is an unprecedented time in history.

Committee Chair's Report:

Committeeman Farrell:

- Committeeman Farrell noted that he had suggested a zero-increase budget to Administrator Bertrand and Chief Financial Officer O'Hara a few weeks ago in anticipation of the economic havoc from the pandemic. He maintained his support to review the budget again to achieve this goal.
- He reported that he is under the impression that there will be a graduation for the seniors, but it will be postponed.
- He announced that the Environmental Advisory Committee would be hosting their first virtual meeting.
- He thanked the first responders and employees in the supermarkets.

Items for Discussion:

Administrator Bertrand:

- Administrator Bertrand reiterated that Committeeman Farrell and Committeeman Orender are the Chair and Vice-Chair of the Administration and Finance Committee. He mentioned some of the challenges that the Township faced in developing a budget. He announced that the budget introduction and presentation would be at the April 22, 2020 meeting with adoption scheduled for the second meeting in May.
- Administrator Bertrand reminded the public and Committee of the second reading and public hearing of ORDINANCE NO. 3-2020 AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF WALL SPECIFICALLY CHAPTER 203 "TAX EXEMPTIONS AND ABATEMENT"
 - He explained the genesis of this ordinance, highlighting the need to make amendments to the West Belmar Gateway Redevelopment Area. He noted that the former ordinance was out of date and the Attorney brought it to the Governing Body's attention. He explained that abatement is a tool to encourage development in that area. He confirmed that this ordinance is not a mechanism for the Township to assist other areas in need of redevelopment and that it is specific to the Gateway.
- Administrator Bertrand reminded the public and Committee of the second reading and public hearing of ORDINANCE NO. 4-2020 AN ORDINANCE AUTHORIZING THE TOWNSHIP OF WALL ("TOWNSHIP") TO PROVIDE LEGAL COUNSEL AND INDEMNIFICATION FOR OFFICIALS, EMPLOYEES AND APPOINTEES OF THE TOWNSHIP IN CERTAIN ACTIONS BROUGHT AGAINST SAID OFFICIALS, EMPLOYEES AND APPOINTEES
 - He explained the genesis of this ordinance. He noted that Mayor Newberry attended a seminar which addressed indemnification and asked the Attorney to draft an ordinance accordingly.
- Administrator Bertrand advised that the Township would be seeking authorization to execute the fiscal year 2021-2023 agreement with Monmouth County for cooperative participation in the Community Development Program pursuant to the Interlocal Services Act
- Administrator Bertrand noted the Affordable Housing Settlement Agreement has been moved to May 27, 2020.

Deputy Mayor Braun: Department of Land Use and Development

Committee Chair's Reports:

Deputy Mayor Braun

- Deputy Mayor Braun reported that the Planning Board will hold a virtual meeting on Monday, April 20, 2020. He noted the importance of conducting regular business amongst the Planning Board and Board of Adjustment.
- He thanked first responders and healthcare workers and reminded the public to heed the advice of the State.

Items for Discussion:

Administrator Bertrand:

- Administrator Bertrand highlighted some deadline extensions while waiting for Committeeman Farrell to reconnect to the meeting.
- He further noted that the Township is waiting for guidance from the State regarding extending the tax deadline.

Mayor Newberry: Public Safety, West Belmar Gateway, Board of Health

Committee Chair's Reports:

Mayor Newberry:

- Mayor Newberry noted that he is in constant contact with Chief Brown. He noted that concerns with EMS have stabilized. He asked Chief Brown about the Executive Order that addressed the requirement to wear masks.
 - Chief Brown confirmed that the Executive Order mandates that people wear facial masks when entering a public space, like the supermarket.
- Mayor Newberry announced that leaf pickup was on schedule for next month but reminded residents bulk pickup has been suspended until further notice.
- He maintained the need for Ordinance 3-2020 (Gateway) as it is the renewal of a 2003 ordinance that has since expired.
- He noted his appreciation of the Health Department and the Township's shared service with Freehold.

Items for Discussion:

Administrator Bertrand:

- Administrator Bertrand noted that all items were ongoing

Administrator Bertrand reviewed the rules of engagement for the remote meeting

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 NJSA 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.

Robert Sosnowski – 1342 Bennett Lane

- Mr. Sosnowski noted his discontent with the introduction of Ordinance 3-2020 and Ordinance 4-2020. He asked that Ordinance 3-2020 be modified to note specifically that it pertains to the Gateway. He also questioned whether Ordinance 4-2020 would indemnify Committeeman Braun for neglect or act of omission. He went on to ask if Ordinance 4-2020 would be modified to exclude OPRA.

Betsy Cross -2043 New Bedford Road

- Ms. Cross noted her discontent with Ordinance 3-2020 and the transparency of the Township.
- She questioned how the Attorney discovered the expired ordinance and echoed Mr. Sosnowski’s sentiments regarding language to specifically include the Gateway.
- Ms. Cross voiced her concerns regarding a memo from Clerk Lang to Administrator Bertrand that discussed the destruction of public records by Committeeman Braun. She further opined that Ordinance 4-2020 is in response to that memo. Ms. Cross asked Administrator Bertrand to answer some questions about the memo.
- Ms. Cross inquired about the Central School Trailers and the dumpster delivered on November 5, 2019.
- In closing, she discussed her displeasure with the Township’s timing of the posting of the agenda and Administrator Bertrand’s current contract with salary information.

Close Public Comment

Motion – Second - Roll Call Vote

Motion to close – Deputy Mayor Braun

Second- Committeeman Farrell

Roll Call Vote: Close Public Comment

Committeeman Kingman	Yea
Committeeman Orender	Yea
Committeeman Farrell	Yea
Deputy Mayor Braun	Yea
Mayor Newberry	Yea

Yea	Nay	Recuse	Absent
5	0	0	0

Closing Comments from the Township Administrator:

- Administrator Bertrand answered the questions about Ordinance 3-2020 and Ordinance 4-2020. He maintained that Ordinance 4-2020 was not in response to OPRA. He also explained that the ordinance that required updates from 2003 did not specifically mention the Gateway because it was the only area deemed in need of redevelopment.
- He noted that the agenda was posted in compliance with statutory guidelines and the ordinances were relocated to their usual place on the website.
- He responded to Ms. Cross’s questions about the memo from Clerk Lang. He purported that he reports to the Governing Body and that the Governing Body does not report to him. He said no additional discussions regarding the destruction of records occurred.
- Administrator Bertrand reiterated to Ms. Cross that no one directed him to deliver the dumpster to Central School because he does not work for the Board of Education. He noted that a phone call to public works was likely made.

- He stated that his contract is readily available if someone sends a public record request for it. He briefly explained his job description and noted that his salary is available on Data Universe.
- He noted the differences between this pandemic and Hurricane Sandy and some of the challenges that the Township faces. He also explained some of the cost-saving measures he implemented for the Township after Sandy.

Closing Comments from the Township Attorney:

- Attorney Wolf explained that his firm discovered the expiration of the tax abatement ordinance when working on a developer’s agreement for a coffee shop in the Gateway.

Closing Comments from the Township Committee:

Mayor Newberry

- Mayor Newberry noted as a result of the comments from the meeting, that he and Attorney Wolf would review Ordinance 3-2020 (Gateway).
- He detailed some of the challenges associated with addressing old legislation and technological advancements. He commended Attorney Wolf’s office for their diligence.
- He maintained that Ordinance 4-2020 was a result of a seminar he attended at the League of Municipalities. He further noted that the Ordinance protects not only elected officials but volunteers and employees.
- He discussed the difficult times we are facing as a nation and a community. He noted that the hotel industry is suffering which should ease some of the concerns about the development of Peddler’s Village.
- He wished everyone well and urged them to continue social distancing.

Resolution No. 20-0407- Authorizing a discussion of matters in private session
Motion - Second – Roll Call Vote

Administrator Bertrand noted that no action would be taken and the subject matter to be discussed:

- Contract negotiations
- Potential and current litigation

Motion to adopt – Deputy Mayor Braun

Second- Committeeman Orender

Roll Call Vote: 20-0407 Private Session

Committeeman Kingman				Yea
Committeeman Orender				Yea
Committeeman Farrell				Yea
Deputy Mayor Braun				Yea
Mayor Newberry				Yea
Yea	Nay	Recuse	Absent	
5	0	0	0	

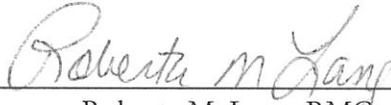
Return to Public Session and a Motion to Adjourn

Motion - Second - Voice Vote - All in Favor

Motion to Adjourn by **Committeeman Farrell** and seconded by **Deputy Mayor Braun**

Meeting adjourned at **9:25 pm.**

Respectfully submitted,

A handwritten signature in cursive script that reads "Roberta M. Lang". The signature is written in dark ink and is positioned above a horizontal line.

Roberta M. Lang, RMC
Township Clerk