



TOWNSHIP OF WALL
EXECUTIVE MEETING MINUTES
APRIL 22, 2020

7:00 PM
REMOTE MEETING

		Attorney Wolf	Present
Deputy Mayor Braun	Present	Administrator Bertrand	Present
Committeeman Farrell	Present	Assistant Administrator Kohri	Present
Committeeman Orender	Present	Clerk Lang	Present
Committeeman Kingman	Present		

Please be advised while Townhall is closed to the public, the Township Committee will be conducting the following regular business meeting by remote access in accordance with the stipulations made by the State of New Jersey. The meeting will be accessible via phone or by computer for information please click here for instructions:

<http://wallnj.com/DocumentCenter/View/5743/TC-Remote-Access-Meeting-Directions-32520>

Sunshine Statement

Clerk Lang took Roll Call

Administrator Bertrand summarized the Agenda and reviewed the rules of engagement for the remote meeting.

Update on COVID-19 virus

INTRODUCTION OF **ORDINANCE NO. 5-2020** AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMIT AND ESTABLISH A CAP BANK (N.J.S.A. 40A: 1-45.14) FOR CALENDAR YEAR 2020

Re: CAP Bank 2020

Motion that **ORDINANCE NO. 5-2019** be adopted as to its first reading and advertised for second reading and public hearing on **May 27, 2020**, at 7:30 pm. Pursuant to law.

Motion - Second - Roll-Call Vote

SECOND READING 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"

Re: Tax Exemptions and Abatement

Upon completion of the Public Hearing followed by public comment, if any, a motion is made to close the Public Hearing and to adopt **ORDINANCE NO. 3-2020** as to its second and final reading and advertise it pursuant to law.

Motion - Seconded - Roll-Call Vote

Administrator Bertrand:

- o Administrator Bertrand discussed some of the public response to Ordinance 3-2020 and Ordinance 4-2020 and noted that the Committee would need a motion, second and roll call vote to table the Ordinances.

SECOND READING 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

Re: Indemnification

Upon completion of the Public Hearing followed by public comment, if any, a motion is made to close the Public Hearing and to adopt **ORDINANCE NO. 4-2020** as to its second and final reading and advertise it pursuant to law.

Motion - Seconded - Roll-Call Vote

2020 Budget Presentation

INTRODUCTION OF **BUDGET RESOLUTION NO. 20-0408** – INTRODUCING THE 2020 MUNICIPAL BUDGET

Motion that **BUDGET RESOLUTION NO. 20-0408** be adopted as to its first reading and advertised for second reading and public hearing on **May 27, 2020** at 7:30 pm. Pursuant to law.

Motion - Second - Roll-Call Vote

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**

Approval of Minutes:

- o 3/11/2020
- o 3/25/2020

Resolution No. 20-0409 - Approval of vouchers for April 9, 2020 ,through April 22, 2020 in the amount of \$2,043,624.29

Resolution No. 20-0410 – Authorization to read the 2020 Municipal Budget by title only

Resolution No. 20-0411 – Authorization to declare eligibility to participate in a self-examination of the annual budget

Resolution No. 20-0412 – Acknowledging that members of the Wall Township Governing Body have familiarized themselves with the contents of the United State Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964”

Resolution No. 20-0413 - Authorization to execute fiscal year 2021-2023 agreement with Monmouth County for cooperative participation in the Community Development Block Grant Program pursuant to the Interlocal

Services Act

Resolution No. 20-0414 – Authorization to approve certain township refund(s)

- Clerk/ Special Event Food License
- Youth Center/ Meatball Gala Sponsorship Package
- Collections/ Tax

Resolution No. 20-0328 – Authorization to approve personnel actions:

<u>NAME</u>	<u>DEPARTMENT/POSITION</u>	<u>SALARY</u>	<u>EFFECTIVE DATE</u>
Nicholas Havens	Police/ PT EMT	\$20.00/hour	4/23/2020
Michael Sulewski	Police/ PT EMT	\$20.00/hour	4/23/2020
William King	Police/ PT EMT	\$20.00/hour	4/23/2020
Kieran King	Police/ PT EMT	\$20.00/hour	4/23/2020

End of Consent Agenda

Motion - Second - Roll Call Vote



TOWNSHIP OF WALL
REGULAR MEETING MINUTES
APRIL 22, 2020

7:30 PM
REMOTE MEETING

		Attorney Wolf	Present
Deputy Mayor Braun	Present	Administrator Bertrand	Present
Committeeman Farrell	Present	Assistant Administrator Kohri	Present
Committeeman Orender	Present	Clerk Lang	Present
Committeeman Kingman	Present		

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Salute to the Flag and a Moment of Silence

Sunshine Statement

Roll Call

Deputy Mayor Braun:

- Deputy Mayor Braun announced the resignation of Mayor Newberry.

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

Chief Brown

- Chief Brown provided the below update:
 - The Emergency Operation Center remains open, operating Monday through Friday and on weekends when needed.
 - The Department continues to receive good guidance from the State and County on current executive orders.
 - The Department is reviewing models and projections for the spread of COVID-19. He noted that it appears that the curve has flattened.
- Chief Brown reported the following numbers:
 - State cases: 95,865
 - State deaths: 5,063
 - Monmouth County cases: 5,086 cases
 - Wall Township cases: 182
- He thanked residents for participating in social distancing.
- He noted that the Township is hiring four new part-time EMTs to help supplement some of the recent vacancies.

- Chief Brown reported that the department is conducting regular inventories of PPE and tracking how much is used daily. He further noted that none of their responders have been without PPE.
- He said that long-term care facilities have been given strict guidance from the State Department of Health.
- He announced that the state has a COVID-19 task force.
- He noted that there have been no issues of non-compliance.
- He reported that volunteer fire and EMS in the Township are continuing to answer calls.
- Chief Brown reported that the department is recording and tracking their costs associated with the virus for possible FEMA reimbursement.
- He explained that the department is working on a modified schedule and remotely. He noted that many services can be done online.
- Chief Brown noted some of the damages and power outages from the previous day's storm.
- He thanked the first responders and those on the frontline as well as the cooperation from the community.

INTRODUCTION OF ORDINANCE NO. 5-2020 AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMIT AND ESTABLISH A CAP BANK (N.J.S.A. 40A: 1-45.14) FOR CALENDAR YEAR 2020

Re: CAP Bank 2020

Motion that **ORDINANCE NO. 5-2019**, be adopted as to its first reading and advertised for second reading and public hearing on **May 27, 2020** at 7:30 pm. Pursuant to law.

Motion to adopt and advertise- Committeeman Farrell

Second- Committeeman Kingman

Roll Call: Ordinance 5-2020 Introduction

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

Yea	Nay	Recuse	Absent
4	0	0	0

Administrator Bertrand:

- Administrator Bertrand explained that the following two ordinances, Ordinance 3-2020 and Ordinance 4-2020 would be tabled until a later date. He noted the public's concerns and said that the Committee would seek to pass them at a time when the meeting could be conducted traditionally.

~~SECOND READING 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" TABLED~~

~~**Re:** Tax Exemptions and Abatement~~

~~Upon completion of the Public Hearing followed by public comment, if any, a motion is made to close the Public Hearing and to adopt **ORDINANCE NO. 3-2020** as to its second and final reading and advertise it pursuant to law.~~

~~**Motion to table** – Committeeman Kingman~~

~~**Second-** Committeeman Farrell~~

Roll Call: Ordinance 3-2020 TABLE

Committeeman Farrell	Yea
Committeeman Kingman	Yea

Committeeman Orender

Yea

Deputy Mayor Braun

Yea

Yea

Nay

Recuse

Absent

4

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~~SECOND READING 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 TABLED~~

Re: Indemnification

~~Upon completion of the Public Hearing followed by public comment, if any, a motion is made to close the Public Hearing and to adopt ORDINANCE NO. 4-2020 as to its second and final reading and advertise it pursuant to law.~~

Motion to table – Committeeman Orender

Second- Committeeman Kingman

Roll Call: Ordinance 4-2020 TABLE

Committeeman Farrell

Yea

Committeeman Kingman

Yea

Committeeman Orender

Yea

Deputy Mayor Braun

Yea

Yea

Nay

Recuse

Absent

4

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2020 Budget Presentation

Administrator Bertrand:

- o Administrator Bertrand summarized the proposed 2020 Budget with a PowerPoint presentation attached hereto as Exhibit A. He highlighted the following:
 - 2020 Budget Goals- to minimize the current tax year increase without a reduction in services, prioritize spending reductions to minimize the impact on current services, achieve fiscal stability by considering both the short and long-term financial impact of this year's budget decisions, address infrastructure needs while reducing dependency on borrowing, address changes in staff duties and needs, meet state guidelines on spending cap and the levy cap and respond to the current economic pressure resulting from the COVID-19 epidemic.
 - State Budget Mandates- 2% cap on the increase in municipal property taxes and a 2% cap on appropriations
 - 2020 Budget Actions- individual meetings with all Township Committee chairs, meetings with department directors with a full baseline review of all departments, operational costs, past, present, and future costs, analyze all revenue items to minimize the dependency on taxation, leverage all funding sources to reduce the need to borrow, add revenue to the operational budget, and utilize earmark reserves to eliminate the projected tax rate increase.
 - Comparison of Non-Tax Revenue vs 5-&10 Year Averages.
 - Comparison of Reliance upon Local Taxation – no increase in the tax rate, the tax levy is increasing due to additional ratables in town, the average taxes are \$2,220.00.
 - 2020 Budget Appropriations- public safety is the most expensive area, followed by public works. Composition of Total Taxes- 2020 cannot be added because the tax rate has not been established so the comparison is from 2015-2019, the proposed budget is \$43 million.

Committeeman Farrell

Michael Sulewski	Police/ PT EMT	\$20.00/hour	4/23/2020
William King	Police/ PT EMT	\$20.00/hour	4/23/2020
Kieran King	Police/ PT EMT	\$20.00/hour	4/23/2020

End of Consent Agenda

A motion **Committeeman Farrell** was made by and seconded by **Committeeman Orender** to approve the items of the consent agenda.

Roll Call – Consent Agenda

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

<u>Yea</u>	<u>Nay</u>	<u>Recuse</u>	<u>Absent</u>
4	0	0	0

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.

Sean and Joanne Burney- 1923 Baileys Corner Road - Allaire Community Farms:

- o Mr. & Mrs. Burney thanked the Township Committee, Township staff, and Police Department for their efforts during the crisis.
- o They discussed a meeting they had with the Township regarding purchasing the development rights of their farm and inquired into the status.

Robert Sosnowski- 1342 Bennett Lane:

- o He asked what the impacts of former Mayor Newberry’s resignation would be and his reason for resigning.
- o He asked that the Committee include language in Ordinance 3-2020 regarding its exclusivity to the West Belmar Redevelopment zone when it is re-introduced.
- o He also asked that language be included in Ordinance 4-2020 that speaks to OPRA when it is re-introduced.
- o He thanked the healthcare workers and first responders for their commitment to the community during these trying times.

Elizabeth Cross – 2043 New Bedford Road

- o Ms. Cross noted her discontent with having to provide her home address.
- o She echoed Mr. Sosnowski’s sentiments regarding Ordinance 3-2020 and Ordinance 4-2020.
- o She inquired into Mr. Newberry’s resignation.
- o She opined about the budget and asked that Administrator Bertrand clarify the estimates for lawsuits in 2020. She further opined that Township employees should not receive raises.
- o She asked that the budget presentation include actual numbers.
- o Ms. Cross asked Administrator Bertrand for a formal apology.
- o She discussed the trailers at Central School and asked who from the school asked for the Township to place dumpsters in November of 2019.

- She noted her disappointment in Administrator Bertrand's job performance and asked that contracts for municipal employees be placed on the website.
- She asked for an update on Jack Morris and 18th Avenue property

Joe B:

- Joe B reiterated what Mr. Sosnowski said regarding Ordinance 3-2020 and 4-2020, adding that the intention of the virtual meetings is for the continuation of operations of government which relate to applicable emergency declarations.

Kathleen Doran - 1509 Dubac Road:

- She agreed with the other members of the public regarding the inappropriateness of Ordinance 3-2020 and 4-2020. She went on to note that she questions the entire premise of Ordinance 3-2020.
- Ms. Doran opined that the budget should show actual expenses.
- She further noted that raises should not be included in the 2020 budget as many people are facing unemployment and furloughs.

Maria DeBruin – 1345 Bennet Lane:

- Ms. DeBruin thanked the Township for hosting the meeting but noted that at the last meeting she was unable to make a public comment because she called on the telephone as opposed to the computer or device.
- She inquired into Mr. Newberry's resignation.
- She asked for language to clarify Ordinance 3-2020 when it is re-introduced to identify its specific purpose in the Township.

Jo Schloeder 5005 West Hurley Pond Road

- Ms. Schloeder maintained her support of Allaire Community Farms. She inquired about the appraisal and how much money is in the farmland preservation fund, and how it is funded.

Rickie Clayton

- Mr. Clayton reiterated the questions and comments regarding Mr. Newberry, Ordinance 3-2020 and Ordinance 4-2020
- He questioned the intention of the elected officials, specifically noting that their priorities seem to be focused on developers.

Closing Comments from the Township Committee:

Deputy Mayor Braun:

- Deputy Mayor Braun explained that Ordinance 3-2020 and Ordinance 4-2020 would be tabled until the Committee could conduct the meeting in person. He explained that Mr. Newberry's health is good.

Administrator Bertrand

- Administrator Bertrand explained that the farmland preservation fund was originally funded through a bond ordinance and not through an open space tax, which is common. He noted that the Township has received requests from Allaire Community Farms for open space preservation. He said that the Township did an appraisal to determine the value of the property. He noted that this issue would be part of the discussion in private session later in the meeting.
- He explained that the Township's budgets are active for two years; costs that were incurred last year can still be charged. He further explained that the 2019 actual numbers would not be completed until the end of this year which is why it is not included in his presentation.
- He noted that 2021 might require some layoffs and furloughs. He maintained that the budget would be extremely tight in the upcoming year and that the Governing Body may have to deal with some uncomfortable issues when developing next year's budget.
- He said that he cannot attest as to why the ordinances were tabled but believes it was due to resident concerns.
- Administrator Bertrand spoke to the concerns regarding Ordinance 3-2020, specifically the title and language being added to make it exclusively related to the West Belmar Gateway.
- He noted that the indemnification ordinance that was tabled was never proposed to cover willful wrongdoing.
- He contended that he did not receive the email from the school regarding the dumpster request until days later. He further defended that he cares for the residents deeply, so much so that he put his health at risk when checking on the concern of a resident the day prior.
- He noted that there was \$2.8 million in the budget for capital improvements and the Township intends to

spend \$1.6 million in 2020 for capital improvements. He further noted the new cost of recycling.

- He defended the raise given to the Human Resource Officer.
- He noted that he did not intend to say something that was not true about Ms. Cross, but noted that he did not appreciate being compared to someone who was incarcerated.
- He said that Mr. Morris objected to the Townships affordable housing plan.

Attorney Wolf

- Attorney Wolf explained the expected conduct of a public meeting. He noted that individuals should not continue to interrupt and speak over each other.

Deputy Mayor Braun:

- Deputy Mayor Braun noted that they failed to close public comment and asked for the appropriate motions to do so:

Close Public Comment

Motion - Second – Roll Call Vote

Motion to Close Public Comment- **Committeeman Farrell**

Seconded-**Committeeman Kingman**

Roll Call – Close Public Comment

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

<u>Yea</u>	<u>Nay</u>	<u>Recuse</u>	<u>Absent</u>
4	0	0	0

Committeeman Kingman

- Committeeman Kingman thanked everyone for their hard work and gave his regards to Mr. Newberry.

Committeeman Orender

- Committeeman Orender wished everyone well and thanked Mr. Newberry for his dedication to the Township.

Committeeman Farrell

- Committeeman Farrell echoed Committeeman Orender’s sentiments regarding former Mayor Newberry.
- He thanked the residents for adhering to all of the guidance provided by the State and the Township. He also thanked all of the first responders.
- He noted his support to act on the open space preservation of Allaire Community Farms.
- He expressed the need for a contingency plan to deal with the economic impact of the virus.
- In closing, he thanked the employees, the Police Department, EMTs, and first responders.

Deputy Mayor Braun

- Deputy Mayor Braun agreed that the times were unprecedented, and the future is unknown. He concurred that a contingency plan should be established.
- He thanked the healthcare workers, Township employees, and wished everyone well.

Resolution No. 20-0415- Authorizing a discussion of matters in private session

Motion - Second – Roll Call Vote

Motion to adopt – Committeeman Farrell

Second- Committeeman Kingman

Roll Call – 20-0415 Private Session

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

<u>Yea</u>	<u>Nay</u>	<u>Recuse</u>	<u>Absent</u>
4	0	0	0

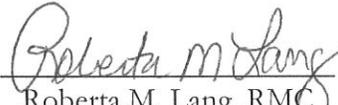
Return to Public Session and a Motion to Adjourn

Motion - Second - Voice Vote - All in Favor

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

Meeting adjourned at 10:05 pm.

Respectfully submitted,


 Roberta M. Lang, RMC
 Township Clerk