



TOWNSHIP OF WALL
REGULAR MEETING AGENDA
MARCH 23, 2022

7:00 PM
CONFERENCE ROOM A

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

Agenda Review:

1. Sunshine Statement

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

2. Roll Call

3. Review of the Public Business Meeting Agenda

4. **Resolution No. 22-0308** - Authorization to discuss matters in private session
Motion - Second – Roll Call Vote

MAIN MEETING ROOM

Public Business Portion:

5. Salute to the Flag and a Moment of Silence

6. Sunshine Statement

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

7. Roll Call

8. Proclamation Honoring Frank Kuhl and Ray Boulard, coaches of the Wall Knights Wrestling Club for their fundraising efforts for the Emmanuel Cancer Foundation

9. Proclamation Honoring Child Abuse Prevention Month

10. INTRODUCTION OF **ORDINANCE 13-2022** AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH STATE OF NEW JERSEY AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMIT AND ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) FOR CALENDAR YEAR 2022

Re: CAP Bank 2022

Motion that **ORDINANCE NO. 13-2022** be adopted as to its first reading and advertised for second reading and public hearing on **April 27, 2022**, at 7:00 pm. Pursuant to law.

Motion - Seconded - Roll-Call Vote

11. INTRODUCTION OF **ORDINANCE 14-2022** AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL COUNTY OF MONMOUTH TO FIX THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF WALL FOR THE YEARS 2021 THROUGH 2025

Re: Salary

Motion that **ORDINANCE NO. 14-2022** be adopted as to its first reading and advertised for second reading and public hearing on **April 27, 2022**, at 7:00 pm. Pursuant to law.

Motion - Seconded - Roll-Call Vote

13. 2022 Budget Presentation

14. INTRODUCTION OF **BUDGET RESOLUTION NO. 22-0309** – INTRODUCING THE 2022 MUNICIPAL BUDGET

Motion that **BUDGET RESOLUTION NO. 22-0309** be adopted as to its first reading and advertised for second reading and public hearing on **April 27, 2022**, at 7:00 pm. Pursuant to law.

Motion - Second - Roll-Call Vote

15. SECOND READING AND PUBLIC HEARING OF **ORDINANCE 12-2022** AN ORDINANCE OF THE TOWNSHIP OF WALL, COUNTY OF MONMOUTH, STATE OF NEW JERSEY REPEALING ORDINANCE NO. 17-2020 TO REINSTATE THE FORMER ZONING OF R-30 TO BLOCK 909 LOT(S) 1 AND 6 - 5006 MARSHALL ROAD

Re: Repeal Ordinance 17-2020

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. 12-2022** as to its second and final reading and advertise it pursuant to law

Motion - Seconded - Roll-Call Vote

16. **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:**

o 2/23/2022

B. **Resolution No. 22-0310** - Approval of vouchers for March 10, 2022, through March 23, 2022, in the amount of \$2,491,880.55

C. **Resolution No. 22-0311** - Authorization to execute a contract with Feigus office furniture for the purchase of office furniture and file cabinets for the Construction and Land Use Department through State Contract #A81713 at a price not to exceed \$2,492.80

D. **Resolution No. 22-0312** - Authorization to execute a contract with Feigus office furniture for the purchase of office furniture and file cabinets for the Construction and Land Use Department through State Contract #A81713 at a price not to exceed \$9,540.72

E. **Resolution No. 22-0313** - Authorization to execute a contract with Feigus office furniture for the purchase of office furniture and file cabinets for the Construction and Land Use Department through the Educational Services Commission of New Jersey Cooperative Purchasing Program (ESCNJ) at a price not to exceed \$6,800.72

F. **Resolution No. 22-0314** - Authorization to execute a contract with Tony Sanchez Ltd. for the purchase of a GLED Hill snowplow through State Contract #T-0085 at a price not to exceed \$14,297.00

G. **Resolution No. 22-0315** - Authorization to execute a contract with Tony Sanchez Ltd. for plow parts through State Contract #T-0085 at a price not to exceed \$12,286.83

H. **Resolution No. 22-0316** - Authorization to execute a contract with Trius Inc. for the purchase of Western plows and parts through the Educational Services Commission of New Jersey Cooperative Purchasing Program (ESCNJ) at a price not to exceed \$10,284.79

I. **Resolution No. 22-0317** - Authorization to amend and extend the Township's authorization to allow temporary outdoor dining and outdoor sale of goods until November 30, 2022

J. **Resolution No. 22-0318** - Authorization for the settlement of the matter Township of Wall v. Stockland Farms, Inc., et al. pending before superior court

K. **Resolution No. 22-0319** - Authorization to appoint Jason C. Sena of the law firm Archer & Greiner, P.C. as special counsel -litigation to provide legal services in connection with Wall Township legal matters

L. **Resolution No. 22-0320** - Authorization to approve certain Township refund(s):

o Construction

o Utility

M. **Resolution No. 22-0321** - Authorization to approve the release of premium monies

N. **Resolution No. 22-0322** - Authorization to approve certain personnel matter(s):

NAME	DEPARTMENT/POSITION	SALARY	EFFECTIVE DATE
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- O. **Resolution No. 22-0323** - Authorization for the Township of Wall to renew the shared services with the Borough of Sea Girt for joint municipal court
- P. **Resolution No. 22-0324** - Authorization to execute a contract with French and Parrello Associates for engineering and design services for the Hurley Pond Dam Preliminary Evaluation in an amount not to exceed \$37,800.00
- Q. **Resolution No. 22-0325** - Authorization for Wall Township's participation with the County of Monmouth for an engineering study on the Hurley Pond Dam along Wreck Pond Brook in the Township of Wall and to execute a cost sharing agreement in an amount not to exceed \$37,800.00
- R. **Resolution No. 22-0326** - Authorization to approve the compensation of the Municipal Court Personnel

End of Consent Agenda:

Motion - Second - Roll Call Vote

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

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

18. **Close Public Comment:**

Motion - Second – Roll Call Vote

19. **Closing Comments:**

20. **Motion to Adjourn:**

Motion - Second - Voice Vote - All in Favor

TOWNSHIP OF WALL

ORDINANCE NO. 13-2022

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH STATE OF NEW JERSEY AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMIT AND ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) FOR CALENDAR YEAR 2022

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

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

WHEREAS, the Township Committee of the Township of Wall in the County of Monmouth finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, fiscal responsibility, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 1.0% increase in the budget for said year, amounting to \$349,411.15 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Wall, in the County of County of Monmouth, with a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Township of Wall shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$1,222,939.03 and that the CY 2022 municipal budget for the Township of Wall be approved and adopted in accordance with this ordinance; and,

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

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

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

BE IT FURTHER ORDAINED This Ordinance shall take effect upon its passage and publication according to law.

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

Introduced: **March 23, 2022**

Adopted: **April 27, 2022**

Attest: _____

Roberta Lang, RMC
Township Clerk

Approve: _____

Kevin P. Orender
Mayor

Draft

SUMMARY AND NOTICE

TOWNSHIP OF WALL

ORDINANCE NO. 13-2022

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH STATE OF NEW JERSEY AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMIT AND ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) FOR CALENDAR YEAR 2022

The purpose of this Ordinance is to authorize that the final appropriations of the Township of Wall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, which shall be increased by 1.0%, amounting to \$349,411.15 (for a total increase of 3.5%, \$1,222,939.03) and that the CY 2022 municipal budget for the Township of Wall be approved and adopted in accordance with this ordinance and to establish a CAP Bank.

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on **March 23, 2022** and will be further considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey on **April 27, 2022** at 7:30 o'clock P.M., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to, and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall Town Hall to the members of the general public who shall request the same or on Wall Township's website www.wallnj.com.

Roberta M. Lang, RMC
Township Clerk

TOWNSHIP OF WALL

ORDINANCE NO. 12-2022

**AN ORDINANCE OF THE TOWNSHIP OF WALL, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY REPEALING ORDINANCE NO. 17-2020 TO
REINSTATE THE FORMER ZONING OF R-30 TO BLOCK 909 LOT(S) 1 AND 6 -
5006 MARSHALL ROAD**

WHEREAS, the Township Committee adopted Ordinance No. 17-2020 to rezone certain property designated as Block 909, Lots 1 and 6 in the Township of Wall tax maps for Affordable Housing Residential Health Care Facility, also known as AH6; and

WHEREAS, Ordinance No. 17-2020 will only take effect upon execution of a developer's agreement for the respective lots; and

WHEREAS, the anticipated developer for the subject property has abandoned the construction of the proposed affordable housing residential health care facility; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, the Township Committee and Mayor deems it in the public interest to repeal Ordinance No. 17-2020;

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

Section 1. Ordinance No. 17-2020 is hereby repealed and shall be of no force and effect whatsoever.

Section 2. All sections of the Township Code not amended hereunder shall remain in full force and effect.

Section 3. In the event any section, part or provision of this Ordinance shall be held unconstitutional or invalid by any Court, such holding shall not affect the validity of this Ordinance or any remaining part of this Ordinance other than the part held unconstitutional or invalid.

Section 4. All ordinances or parts thereof which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of their inconsistencies.

Section 5. This Ordinance shall take effect immediately upon its final passage and publication as required by law.

Introduced: February 23, 2022

Adopted: March 23, 2022

Attest: _____
Roberta Lang, RMC
Township Clerk

Approve: _____
Kevin P. Orender
Mayor

Draft

SUMMARY AND NOTICE

TOWNSHIP OF WALL

ORDINANCE NO. 12-2022

**AN ORDINANCE OF THE TOWNSHIP OF WALL, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY REPEALING ORDINANCE NO. 17-2020 TO
REINSTATE THE FORMER ZONING OF R-30 TO BLOCK 909 LOT(S) 1 AND 6 -
5006 MARSHALL ROAD**

Adoption of this ordinance will repeal Ordinance 17-2020

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on **February 23, 2022** and will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on **March 23, 2022** at 7:00 p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to the members of the general public who shall request the same or may be viewed on our website at www.wallnj.com.

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

TOWNSHIP OF WALL

RESOLUTION NO. 22-0310

**CERTIFICATION OF TOWNSHIP FUNDS
MARCH 10, 2022 THROUGH MARCH 23, 2022 IN THE AMOUNT OF \$2,491,880.55**

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

Kevin P. Orender, Mayor

Daniel Becht, Deputy Mayor

Timothy J. Farrell, Committeeman

Thomas M. Kingman, Committeeman

Erin M. Mangan, Committeewoman

TOWNSHIP OF WALL

RESOLUTION NO. 22-0311

**AUTHORIZATION TO EXECUTE A CONTRACT WITH FEIGUS OFFICE
FURNITURE FOR THE PURCHASE OF OFFICE FURNITURE AND FILING
CABINETS FOR THE CONSTRUCTION AND LAND USE DEPARTMENT
THROUGH STATE CONTRACT #A81713 AT A PRICE NOT TO EXCEED
\$2,492.80**

WHEREAS, the Township Committee is desirous of purchasing office furniture and filing cabinets for the Construction and Land Use Departments within the Municipal Building; and,

WHEREAS, the Construction and Land Use Department received a proposal from Feigus Furniture through State Contact #A81713, and recommends that the Township Committee authorize the purchase of office furniture and filing cabinets in the total amount of \$2,492.80 (two thousand four hundred ninety-two dollars and eighty cents); and,

WHEREAS, the Township Administrator has reviewed the requests for furniture for the Construction and Land Use Departments and approves the request; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Wall, County of Monmouth, New Jersey that the Township award the contract for the purchase of furniture and filing cabinets in the total amount of \$2,492.80 (two thousand four hundred ninety-two dollars and eighty cents) through State Contact #A81713, and,

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

I, Roberta M. Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on March 23, 2022

Roberta M. Lang, RMC
Municipal Clerk

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 Feigus Office Furniture for the purchase of furniture and filing cabinets for the Construction and Land Use in the total amount of \$2,492.80 (two thousand four hundred ninety- two dollars and eighty cents) through State Contact #A81713.

Capital		
Account	Description	Amount
C-04-20-000-002-006	Ordinance #11-2020	\$2,492.80

Thomas O'Hara, CFO
Chief Financial Officer

Date: _____

TOWNSHIP OF WALL

RESOLUTION NO. 22-0312

AUTHORIZATION TO EXECUTE A CONTRACT WITH FEIGUS OFFICE FURNITURE FOR THE PURCHASE OF OFFICE FURNITURE AND FILE CABINETS FOR THE CONSTRUCTION AND LAND USE THROUGH STATE CONTRACT #A81713 AT A PRICE NOT TO EXCEED \$9,540.72

WHEREAS, the Township Committee is desirous of purchasing office furniture and filing cabinets for the Construction and Land Use Departments within the Municipal Building; and,

WHEREAS, the Construction and Land Use Department received a proposal from Feigus Furniture through State Contact #A81713, and recommends that the Township Committee authorize the purchase of office furniture and file cabinets in the total amount of \$9,540.72 (nine thousand five hundred forty dollars and seventy-two cents); and,

WHEREAS, the Township Administrator has reviewed the requests for furniture and filing cabinets and approves the request; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Wall, County of Monmouth, New Jersey that the Township award the contract for the purchase of furniture in the total amount of \$9,540.72 (nine thousand five hundred forty dollars and seventy-two cents) through State Contact #A81713; and,

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

I, Roberta M. Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on March 23, 2022

Roberta M. Lang, RMC
Municipal Clerk

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 Feigus Office Furniture for furniture and filing cabinets for the Construction and Land Use Department in the total amount of \$9,540.72 (nine thousand five hundred forty dollars and seventy-two cents) through State Contact #A81713.

Capital		
Account	Description	Amount
C-04-20-000-002-006	Ordinance #11-2020	\$9,540.72

Date: _____

Thomas O'Hara, CFO
Chief Financial Officer

DRAFT

TOWNSHIP OF WALL

RESOLUTION NO. 22-0313

AUTHORIZATION TO EXECUTE A CONTRACT WITH FEIGUS OFFICE FURNITURE FOR THE PURCHASE OF OFFICE FURNITURE AND FILE CABINETS FOR THE CONSTRUCTION AND LAND USE DEPARTMENTS THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) AT A PRICE NOT TO EXCEED \$6,800.72

WHEREAS, the Township Committee is desirous of purchasing office furniture and filing cabinets for the Construction and Land Use Departments from Feigus Office Furniture through the Educational Services Commission of New Jersey; and

WHEREAS, the office furniture and filing cabinets being recommended for purchase are under the Educational Services Commission of New Jersey from Feigus Office Furniture, at a price not to exceed \$6,800.72 (six thousand eight hundred dollars and seventy-two cents); and

WHEREAS, the Township Administrator concurs with the recommendation to purchase the office furniture and filing cabinets through the Educational Services Commission of New Jersey at a price not to exceed \$6,800.72 (six thousand eight hundred dollars and seventy-two cents); and

WHEREAS, the Township of Wall entered into the Educational Services Commission of New Jersey on March 12, 2014.

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

1. The Township Committee hereby concurs with the recommendation and the Township Administrator, to authorize the purchase of the following: office furniture and filing cabinets for the Construction and Land Use Departments within the Municipal Building under the Educational Services Commission of New Jersey from Feigus Office Furniture, at a price not to 6,800.72 (six thousand eight hundred dollars and seventy-two cents).
2. This resolution is subject to the filing of 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 applicable Township officers or employees are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the terms of this resolution.

I, Roberta M. Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on March 23, 2022

Roberta M. Lang, RMC
Township Clerk

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 Feigus Office Furniture for furniture and filing cabinets for the Construction and Land Use in the total amount of \$6,800.72 (six thousand eight hundred dollars and seventy-two cents).

Capital		
Account	Description	Amount
C-04-20-000-002-003	Ordinance #11-2020	\$6,800.72

Thomas O'Hara, CFO
Chief Financial Officer

Date: _____

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 22-0314

**AUTHORIZATION TO EXECUTE A CONTRACT WITH TONY SANCHEZ LTD.
TO PURCHASE A GLED HILL SNOWPLOW THROUGH STATE CONTRACT
NO. T-0085 AT A PRICE NOT TO EXCEED \$14,297.00**

WHEREAS, the Township Committee is desirous of contracting with Tony Sanchez Ltd. to purchase a GLED Hill Snowplow for the Department of Public Works through State Contract No. T-0085; and

WHEREAS, John Spinapont, Superintendent of the Department of Public Works, recommends that the Township Committee purchase the GLED Hill Snowplow through State Contract from Tony Sanchez Ltd. a price not to exceed \$14,297.00 (fourteen thousand two hundred ninety-seven dollars and zero cents); and

WHEREAS, the Township Administrator concurs with the recommendation to purchase the GLED Hill Snowplow from Tony Sanchez Ltd. at a price not to exceed \$14,297.00 (fourteen thousand two hundred ninety-seven dollars and zero 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 John Spinapont, Superintendent of the Department of Public Works and the Township Administrator, to authorize the purchase of a GLED Hill Snowplow from Tony Sanchez Ltd. at a price not to exceed \$14,297.00 (fourteen thousand two hundred ninety-seven dollars and zero cents) through State Contract No. T-0085.
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, Township Administrator and any other appropriate Township officers or employees are hereby authorized and directed to sign the contract and to take such ministerial actions as are necessary to effectuate the terms 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 March 23, 2022

Roberta M. Lang, RMC
Township Clerk

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 purchase of a GLED Hill Snowplow from Tony Sanchez Ltd. at a price not to exceed \$14,297.00 (fourteen thousand two hundred ninety-seven dollars and zero cents) through State Contract No. T-0085.

Capital		
Account	Description	Amount
C-04-21-000-003-001	Ordinance #16-2021	\$14,297.00

Thomas O'Hara, CFO
Chief Financial Officer

Date:

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 22-0315

**AUTHORIZATION TO EXECUTE A CONTRACT WITH TONY SANCHEZ LTD.
TO PURCHASE A PLOW PARTS THROUGH STATE CONTRACT NO. T-0085 AT
A PRICE NOT TO EXCEED \$12,286.83**

WHEREAS, the Township Committee is desirous of contracting with Tony Sanchez Ltd. to purchase a plow parts for the Department of Public Works through State Contract No. T-0085; and

WHEREAS, John Spinapont, Superintendent of the Department of Public Works, recommends that the Township Committee purchase the plow parts through State Contract No. T-0085 from Tony Sanchez Ltd. a price not to exceed \$12,286.83 (twelve thousand two hundred eighty-six dollars and eighty-three cents); and

WHEREAS, the Township Administrator concurs with the recommendation to purchase the plow parts from Tony Sanchez Ltd. at a price not to exceed \$12,286.83 (twelve thousand two hundred eighty-six dollars and eighty-three 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 John Spinapont, Superintendent of the Department of Public Works and the Township Administrator, to authorize the purchase of a plow parts from Tony Sanchez Ltd. at a price not to exceed \$12,286.83 (twelve thousand two hundred eighty-six dollars and eighty-three cents) through State Contract No. T-0085.
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, Township Administrator and any other appropriate Township officers or employees are hereby authorized and directed to sign the contract and to take such ministerial actions as are necessary to effectuate the terms 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 March 23, 2022

Roberta M. Lang, RMC
Township Clerk

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 purchase of a Plow parts from Tony Sanchez Ltd. at a price not to exceed \$12,286.83 (twelve thousand two hundred eighty-six dollars and eighty-three cents) through State Contract No. T-0085.

Capital		
Account	Description	Amount
C-04-21-000-003-001	Ordinance #16-2021	\$12,286.83

Thomas O'Hara, CFO
Chief Financial Officer

Date:

Draft

TOWNSHIP OF WALL

RESOLUTION NO. 22-0316

AUTHORIZATION TO EXECUTE A CONTRACT WITH TRIUS INC. FOR THE PURCHASE OF WESTERN PLOWS AND PARTS THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) AT A PRICE NOT TO EXCEED \$10,284.79

WHEREAS, the Township Committee is desirous of purchasing western plows and parts from Trius Inc. through the Educational Services Commission of New Jersey (ESCNJ); and

WHEREAS, John Spinapont, Superintendent of Public Works, recommends that the Township Committee purchase western plows and parts from Trius Inc. through the Educational Services Commission of New Jersey (ESCNJ) at a price not to exceed \$10,284.79 (ten thousand two hundred eighty-four dollars and seventy-nine cents); and

WHEREAS, the Township Administrator concurs with the recommendation to purchase western plows and parts through the Educational Services Commission of New Jersey at a price not to exceed \$10,284.79 (ten thousand two hundred eighty-four dollars and seventy-nine cents); and

WHEREAS, the Township of Wall entered into the Educational Services Commission of New Jersey on March 12, 2014; 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 John Spinapont, Superintendent of Public Works and the Township Administrator, and authorizes the purchase of western plows and parts through the Educational Services Commission of New Jersey State Contract ESCNJ from Trius Inc. at a price not to exceed \$10,284.79 (ten thousand two hundred eighty-four dollars and seventy-nine 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 applicable Township officers or employees are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the terms of this resolution.

I, Roberta M. Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on March 23, 2022

Roberta M. Lang, RMC
Municipal Clerk

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 western plows and parts through the Educational Services Commission of New Jersey State Contract ESCNJ from Trius Inc. at a price not to exceed \$10,284.79 (ten thousand two hundred eighty-four dollars and seventy-nine cents).

Capital		
Account	Description	Amount
C-04-21-000-003-001	Ordinance No. 16-2021	\$10,284.79

Thomas O'Hara, CFO
Chief Financial Officer

Date:

DRAFT

TOWNSHIP OF WALL

RESOLUTION NO. 22-0317

**AUTHORIZATION TO AMEND AND EXTEND THE TOWNSHIP'S
AUTHORIZATION TO ALLOW TEMPORARY OUTDOOR DINING AND
OUTDOOR SALE OF GOODS THROUGH AND UNTIL NOVEMBER 30, 2022**

WHEREAS, a worldwide pandemic has occurred involving the coronavirus more commonly known as COVID-19; and

WHEREAS, on March 9, 2020, pursuant to Executive Order No. 103, the Governor of the State of New Jersey declared a State of Emergency pursuant to N.J.S.A. App. A.:9-33 et seq. and a Public Health Emergency pursuant to N.J.S.A. 26:13-1 et seq. due to COVID-19; and

WHEREAS, on March 16, 2020, pursuant to Executive Order No. 104, the Governor of the State of New Jersey set forth numerous restrictions encouraging the practice of social distancing so as to help minimize and slow the spread of COVID-19; and

WHEREAS, on March 21, 2020, pursuant to Executive Order No. 107, the Governor of the State of New Jersey, among other things, ordered the closure of non-essential businesses and encouraged businesses remaining open to establish rules permitting employees to work from home; and

WHEREAS, on February 2, 2021, Governor Murphy signed Bill S3340, which sets forth a framework for municipalities to allow restaurants, bars, distilleries and breweries to utilize outdoor spaces or public sidewalks as extensions of their business premises through November 30, 2022, or the date at which indoor dining returns to full capacity at restaurants, whichever is later.

WHEREAS, this pandemic has presented unprecedented conditions that have caused countries throughout the world to shut down their economies, resulting in the worst economic contraction in nearly a century; and

WHEREAS, the economy in Wall has been similarly impacted, and it has caused great hardship and uncertainty to the businesses of Wall; and

WHEREAS, in consideration of the above, the Township Committee of the Township of Wall has determined it in the best interests of Wall, its businesses, residents and visitors to implement thoughtful and meaningful policies and programs to assist the business community in Wall; and

WHEREAS, helping local businesses to begin to recover from the adverse effects of COVID-19 at this difficult time supports the Township Committee's long-standing goal of fostering a robust and growing economy that enables entrepreneurship, employment opportunities, offers valuable products and services, maintains a healthy taxable base, and sustains property values; and

WHEREAS, the provisions set forth in Chapter 140-164(A)(3) pertaining to nonresidential outdoor displays and sales, is sufficient and proper in a typical business atmosphere, but present a potential impediment to recovery efforts from the effects of COVID-19 on the economy and the community at large; and

WHEREAS, granting the Land Use Officer the authority to grant temporary permits superseding certain provisions of the Ordinances without formal site plan review can help assist business recovery; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Wall, in the County of Monmouth, in the State of New Jersey, as follows:

1. The Land Use Officer is hereby authorized to issue temporary permits, pursuant to the regulations set forth in Bill S3340, to applicants seeking to operate Temporary Outdoor Dining Areas and Temporary Outdoor Retail Areas as defined below:

Temporary Outdoor Dining Area (TODA)

A designated area on the premises of an approved and legally operating retail food establishment or restaurant, but outside the principal building, where patrons may sit at tables while consuming food and beverages.

Temporary Outdoor Retail Area (TORA)

A designated area on the premises of an approved and legally operating retail establishment, but outside the principal building, where patrons may purchase goods normally sold inside the establishment.

2. Any TODA shall comply with the following:
 - a. No TODA shall be permitted within a required setback or buffer area.
 - b. No TODA shall be permitted within 100 feet of a residential zone or use, unless there is an intervening non-residential development separating the TODA from the residential zone or use. An intervening non-residential development shall be an existing permanent building or an existing established buffer area on the property occupied by the TODA which was previously granted through site plan approval.
 - c. No structure requiring building or plumbing permits shall be permitted within a TODA or TODA access area.
 - d. No raw bars, bars serving alcoholic beverages, games, or outdoor cooking shall be permitted.
 - e. No drive aisles, handicapped parking spaces, or fire lanes shall be obstructed.
 - f. A minimum three-foot wide unobstructed pedestrian passage to a height of eight feet above the ground shall be maintained for any TODA occupying a pedestrian sidewalk
 - g. Every TODA and its access shall be completely protected on all sides by vehicle safety bollards spaced at a minimum distance of three feet and a maximum distance of five feet. All bollards shall be located on the premises and shall not adversely impact vehicular or pedestrian traffic.
 - h. TODAs within parking spaces shall be prohibited in parking lots shared with any other business or use.
 - i. The parking space to table ratio that exists during normal operation shall be maintained.
 - ii. No outdoor entertainment or sound amplification system shall be permitted.
 - i. Alcohol shall only be permitted as granted by the New Jersey Division of Alcohol and Beverage Control and if permitted within a TODA must be served only with a meal to seated patrons at tables only.
 - j. Current Township standards for lighting shall be enforced.
 - k. No additional dumpsters shall be permitted.
 - l. Hours of operation for TODAs shall be in compliance with Bill S3340. An additional half an hour for cleanup shall be permitted after the foregoing hours of operation.

- m. Written approval must be granted by the Bureau of Fire Prevention, Wall Township Police Department, and Freehold Area Health Department prior to the issuance of any zoning permit.
3. No TODA or TORA shall be considered impervious coverage.
 4. Any TORA shall comply with section 140-164(A)(3) except that there shall be no limit on the number or frequency of temporary sales, and the hours of operation for TODAs shall be in compliance with Bill S3340. An additional half an hour for cleanup shall be permitted after the foregoing hours of operation.
 5. All applicants for a TODA or TORA shall submit a completed zoning permit application on a form prepared by the Land Use Officer.
 6. The fee for a TODA or TORA zoning permit shall be \$40.
 7. Any TODA or TORA shall comply with all local ordinances not superseded by this resolution

BE IT FURTHER RESOLVED, that this resolution shall not supersede any State or Federal law.

BE IT FURTHER RESOLVED, that this resolution shall expire on November 30, 2022 and all TODA or TORAs and all associated site work must be removed by said date unless otherwise determined by the Township Committee of Wall.

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 March 23, 2022.

Roberta M. Lang, RMC
Municipal Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 22-0318

**AUTHORIZATION FOR THE SETTLEMENT OF THE MATTER
TOWNSHIP OF WALL V. STOCKLAND FARMS, INC., ET AL. PENDING
BEFORE SUPERIOR COURT**

WHEREAS, on August 18, 2021, Township of Wall filed a complaint, Docket No. MON-C-133-21, against Stockland Farms, Inc., Tara Stock, Daydream for Life, Inc., Recover Revolution, APON LLC, and ABC Companies to obtain preliminary and permanent injunctive relief and restraints against the named defendants to prevent the unlawful events, specifically live-concerts and musical entertainment occurring on Daydream Farm located at 2840 Allaire Road, also known as Block 804, Lot 8.01 in the tax maps of Wall Township; and,

WHEREAS, the Township of Wall finds that it is in its best interests to settle and resolve the legal proceeding bearing Docket No. MON-C-133-21 upon the following terms and conditions:

1. All named defendants shall permanently cease hosting and/or conducting live musical concerts and events;
2. Defendants Stockland Farms, Inc. and Tara Stock shall pay one thousand dollars (\$1,000.00) for the fines and fees associated with the lawsuit;
3. Defendant Stockland Farms, Inc., doing business as Daydream Farms, shall continue to use and operate the farm under the permitted uses provided in the Deed of Conveyance of Development Rights and Declaration of Covenants and Restrictions (hereinafter "Deed"), recorded in the Monmouth County Clerk's Office as Instrument No. 199631969 in Deed Book 5558, Page 977; and,
4. Township shall dismiss the pending municipal violations as it relates to the nonconforming uses and noise violations.

NOW, THEREFORE, BE IT RESOLVED, the Wall Township Mayor and Committee hereby authorize and execute a settlement of the litigation bearing Docket No. MON-C-133-21; 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 Council of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on March 23, 2022.

Roberta Lang, RMC
Municipal Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 22-0319

**AUTHORIZATION TO APPOINT JASON C. SENA OF THE LAW FIRM
ARCHER & GREINER, P.C. AS SPECIAL COUNSEL LITIGATION TO
PROVIDE LEGAL SERVICES IN CONNECTION WITH WALL TOWNSHIP
LEGAL MATTERS**

WHEREAS, pursuant to Wall Township Municipal Code, Chapter 2-3 E, the Wall Township Mayor and Township Committee may appoint attorneys to serve as special counsel; and,

WHEREAS, pursuant to N.J.S.A. 40A:11-5 the Township of Wall is authorized to award contracts for legal services given that these services are considered professional in nature.

NOW, THEREFORE, BE IT RESOLVED, the Wall Township Mayor and Township Committee hereby appoint Jason C. Sena, Esquire, of Archer & Greiner, P.C., as Special Counsel - Litigation to provide legal services in connection with Wall Township legal matters at a rate not to exceed \$160.00 an hour; and,

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

I, Roberta M. Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on March 23, 2022.

Roberta M. Lang, RMC
Municipal Clerk

TOWNSHIP OF WALL
RESOLUTION NO. 22-0320

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 following refunds in accordance with the memorandum from the respective Department Head(s) to the Chief Financial Officer:

UTILITY					
<u>NAME</u>	<u>ADDRESS</u>	<u>ACCOUNT NUMBER</u>	<u>AMOUNT</u>	<u>REASON</u>	<u>CREDIT/ REFUND</u>
Cathy M Andricsak	1312 Willow Dr	4903534-0	\$657.27-Water \$813.17- Sewer	overpayment	Refund: \$1,470.44
Cheryl Scheideler	2150 Allenwood Rd	4912702-0	\$135.42 -Water \$220.96 - Sewer	Direct withdrawal not removed at closing	Refund: \$356.38
CONSTRUCTION					
<u>NAME</u>		<u>REASON</u>		<u>AMOUNT</u>	
Sun Cycle Renewable Energy		Work was not completed		\$1,026.40	

I, Roberta M. Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on March 23, 2022.

Roberta M. Lang, RMC
Township Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 22-0321

AUTHORIZATION TO APPROVE RELEASE OF PREMIUM MONIES

WHEREAS, the Tax Collector has recently been informed that tax sale certificate 12-00051, from the October 15, 2012 tax sale has been paid in full through the Bankruptcy court; and,

WHEREAS, the Tax Collector, has forwarded the Premium monies to the Chief Financial Officer December 31, 2017, check #1526 for Miscellaneous Revenue not Anticipated per 54:5-33, and the Bankruptcy law allows for an extension of the Premium monies based on the timeframe of the bankruptcy; and,

WHEREAS, the bankruptcy was filed June 22, 2015 and terminated November 23, 2020, extending the timeframe for redemption and return of premium monies 5 years, 5 months and 1 day; to March 16, 2023,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wall that the Chief Financial Officer hereby authorized to issue the Premium Monies to the Lienholder at the cancelation of the afore mentioned certificate.

<u>Lien Holder</u>	<u>Address (B/L) of Lien</u>	<u>Certificate #</u>	<u>AMOUNT</u>
MTAG cst for Ebury Fund 2 NJ LLC (<i>assignee</i>)	2153 Evergreen Ave (718/10)	12-00051	\$12,500

I, Roberta M. Lang, Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at a Regular Meeting held on March 23, 2022.

Roberta M. Lang, RMC
Township Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 22-0322

AUTHORIZATION TO APPROVE CERTAIN PERSONNEL ACTIONS

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

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

NAME	DEPARTMENT/POSITION	SALARY	EFFECTIVE DATE
Hunter Manning	Police/ SLEO II	\$20.00 hour	3/24/2022

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

I, Roberta M. Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on March 23, 2022.

Roberta M. Lang, RMC
Township Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 22-0323

AUTHORIZATION FOR THE TOWNSHIP OF WALL TO RENEW SHARED SERVICES WITH THE BOROUGH OF SEA GIRT FOR JOINT MUNICIPAL COURT

WHEREAS, the Township of Wall previously entered into a shared services agreement with the Borough of Sea Girt, entitled Shared Services Agreement Between the Borough of Sea Girt and the Township of Wall (hereinafter “Shared Services Agreement”) on April 26, 2017, to establish a joint municipal court system, which includes the sharing of facilities, personnel and resources; and

WHEREAS, municipalities are permitted to enter into such agreements pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. and N.J.S.A. 2B:12-1(c); and

WHEREAS, the Shared Services Agreement previously authorized by the Township of Wall Committee under Resolution No. 17-0314 expires on April 26, 2022; and

WHEREAS, Township of Wall and Borough of Sea Girt may renew the Shared Services Agreement by resolution from both governing bodies for an additional term of five (5) years; and

WHEREAS, the Township of Wall desires to renew the Shared Services Agreement for the joint municipal court between the Township of Wall and the Borough of Sea Girt under the same terms and conditions provided in the Shared Services Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Wall, County of Monmouth, New Jersey that the Mayor and Clerk are hereby authorized to renew the Shared Services Agreement between the Township of Wall and the Borough of Sea Girt to provide for a joint municipal court system.

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 March 23, 2022

Roberta M. Lang, RMC
Township Clerk

TOWNSHIP OF WALL

RESOLUTION NO. 22-0324

**AUTHORIZATION TO UTILIZE THE ENGINEERING SERVICES OF FRENCH
& PARRELLO ASSOCIATES FOR PREPARATION OF A PRELIMINARY
EVALUATION OF THE HURLEY POND DAM**

WHEREAS, the Division of Dam Safety and Flood Engineering of the New Jersey Department of Environmental Protection (NJDEP) has determined that Monmouth County (County) and Wall Township (Township) are the co-owners of the Hurley Pond Dam (#29-065), along with adjacent individual private property owners, at Bridge W-18 on Allenwood Road over Wreck Pond Brook in the Township of Wall; and,

WHEREAS, NJDEP has mandated that certain improvements be made to bring the Hurley Pond Dam (#29-065) into compliance with the New Jersey Dam Safety Standards; and,

WHEREAS, there has been an on-going discussion between the two (2) governmental agencies, the Township and the County, identified by the NJDEP as co-owners of Hurley Pond Dam; and,

WHEREAS, as a result of these discussion between the County and Township, it was agreed that the public interest requires the advancement of a joint County/Township engineering study for the Hurley Pond Dam, necessary to evaluate and assess the alternatives associated with bringing the Hurley Pond Dam into compliance with the Dam Safety Standards (hereinafter designated as the "Evaluation"); and

WHEREAS, Wall Township appointed French & Parrello Associates as consulting engineers for the 2022 calendar year; and;

WHEREAS, Wall Township desires to utilize the engineering services of French & Parrello Associates for the preparation of a preliminary Evaluation of the Hurley Pond Dam; and

WHEREAS, the Wall Township Engineer, Matthew Zahorsky, has reviewed the proposal submitted by French & Parrello Associates and is of the opinion that the Township should authorize payment for the preparation of a preliminary Evaluation of the Hurley Pond Dam to assess alternatives for dam rehabilitation and dam removal in an amount not to exceed \$37,800.00 (thirty-seven thousand eight hundred dollars and zero cents); and

WHEREAS, Wall Township and the County of Monmouth have entered into a Cost Sharing Agreement wherein the County will reimburse the Township in the amount of \$18,900.00, representing half of the authorized payment to French & Parrello Associates for the preparation of the preliminary Evaluation.

NOW, THEREFORE, BE IT RESOLVED, the Wall Township Mayor is hereby authorized to execute an agreement, approved by the Township Attorney, with French & Parrello Associates on behalf of Wall Township; 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 March 23, 2022

Roberta Lang, RMC
Municipal Clerk

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 French & Parrello Associates for the preparation of a preliminary Evaluation of the Hurley Pond Dam to assess alternatives for dam rehabilitation and dam removal in an amount not to exceed \$37,800.00 (thirty-seven thousand eight hundred dollars and zero cents);

Operating		
Account	Description	Amount
2-01-26-291-000-299	DPW Special Projects	\$37,800.00

Date: _____

Thomas O'Hara, CFO
Chief Financial Officer

DRAFT

TOWNSHIP OF WALL

RESOLUTION NO. 22-0325

AUTHORIZATION FOR WALL TOWNSHIP'S PARTICIPATION WITH THE COUNTY OF MONMOUTH FOR AN ENGINEERING STUDY ON THE HURLEY POND DAM ALONG WRECK POND BROOK IN THE TOWNSHIP OF WALL AND TO EXECUTE A COST SHARING AGREEMENT

WHEREAS, the Division of Dam Safety and Flood Engineering of the New Jersey Department of Environmental Protection (NJDEP) has determined that Monmouth County (County) and Wall Township (Township) are the co-owners of the Hurley Pond Dam (#29-065), along with adjacent individual private property owners, at Bridge W-18 on Allenwood Road over Wreck Pond Brook in the Township of Wall; and,

WHEREAS, NJDEP has mandated that certain improvements be made to bring the Hurley Pond Dam (#29-065) into compliance with the New Jersey Dam Safety Standards; and,

WHEREAS, there has been an on-going discussion between the two (2) governmental agencies, the Township and the County, identified by the NJDEP as co-owners of Hurley Pond Dam; and,

WHEREAS, as a result of these discussion between the County and Township, it was agreed that the public interest requires the advancement of a joint County/Township engineering study for the Hurley Pond Dam, necessary to evaluate and assess the alternatives associated with bringing the Hurley Pond Dam into compliance with the Dam Safety Standards (hereinafter designated as the "Evaluation"); and

WHEREAS, the Township of Wall has prepared a Cost Sharing Agreement which defines the responsibilities and costs of each party regarding the Evaluation; and

WHEREAS, the County and Township have agreed to share equally in the cost associated with Evaluation; and

WHEREAS, the Township has agreed to act as the lead agency in advancing the Evaluation; and

WHEREAS, the Township has retained the professional engineering services of French & Parrello Associates, PA to perform the Evaluation in an amount not to exceed \$37,800.00; and,

WHEREAS, pursuant to the Cost Sharing Agreement, the County and Township have agreed to share the \$37,800.00 cost as follows:

Township	50%	\$18,900.00
County	50%	\$18,900.00

WHEREAS, the Cost Sharing Agreement is contingent upon the Chief Financial Officer certifying that funds are available to pay for the Township's \$18,900.00 share of funds; and,

WHEREAS, the Township Engineer has reviewed said Agreement and has recommended that the Township enter into same with the County, subject to final approval from Township Counsel as to form; and,

WHEREAS, the Township Committee has considered this matter and relying substantially on the recommendation of the Township Engineer, is of the opinion that the Township should participate with the County in the advancement of the Evaluation.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee with the recommendation and the Township Engineer, to authorize the execution of the Cost Sharing Agreement with the County of Monmouth to advance the Evaluation.

BE IT FURTHER RESOLVED, that the Township Committee of Wall Township that the Mayor, Municipal Clerk and any other applicable Township officers or employees are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the terms of this resolution. concurs

I, Roberta M. Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on March 23, 2022

Roberta M. Lang, RMC
Township Clerk