



TOWNSHIP OF WALL
EXECUTIVE MEETING AGENDA
OCTOBER 12, 2022

7:00 P.M.

MAIN MEETING ROOM

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.

1. Salute to the Flag and a Moment of Silence
2. Sunshine Statement
In compliance with the "Open Public Meetings Act," Chapter 231, P.L. 1975, adequate notice of this meeting has been provided in the following manner: the annual notice was forwarded to the official Township newspapers and was posted in the Wall Township Municipal Building. All notices are on file with the Township Clerk.
3. Roll Call
4. Proclamation recognizing Red Ribbon Week October 24, 2022 – October 28, 2022
5. Proclamation honoring Kristin Coman
6. INTRODUCTION OF **ORDINANCE NO. 20-2022** AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL CREATING NEW SINGLE-FAMILY SCATTERED SITE ZONES AND AMENDING THE ZONING MAP WITHIN CHAPTER 140 OF THE CODE OF THE TOWNSHIP OF WALL ENTITLED, "LAND USE AND DEVELOPMENT REGULATIONS" TO REZONE PROPERTY INTO THE SCATTERED SITE SINGLE-FAMILY RESIDENTIAL ZONES
Re: Single Family Scattered Site Zones
Motion that **ORDINANCE NO. 20-2022** be adopted as to its first reading and advertised for second reading and public hearing on **November 9, 2022**, at 7:00 pm. Pursuant to law.
Motion - Seconded - Roll-Call Vote
7. INTRODUCTION OF **ORDINANCE NO. 21-2022** AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE SALE OF 1738 OLD MILL ROAD – BLOCK 80 LOT 8 IN THE TOWNSHIP OF WALL TO BE SOLD AT PRIVATE SALE IN ACCORDANCE WITH N.J.S.A. 40A:12-13(B)(5)
Re: Sale of 1738 Old Mill Road - Block 80 Lot 8
Motion that **ORDINANCE NO. 21-2022** be adopted as to its first reading and advertised for second reading and public hearing on **November 9, 2022**, at 7:00 pm. Pursuant to law.
Motion - Seconded - Roll-Call Vote
8. INTRODUCTION OF **ORDINANCE NO. 22-2022** AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ESTABLISHING CHAPTER 224, A VACANT PROPERTY AND/OR FORECLOSURE REGISTRATION ORDINANCE PURSUANT TO P.L. 2021 C.444
Re: Abandoned Properties
Motion that **ORDINANCE NO. 22-2022** be adopted as to its first reading and advertised for second reading and public hearing on **November 9, 2022**, at 7:00 pm. Pursuant to law.
Motion - Seconded - Roll-Call Vote
9. INTRODUCTION OF **ORDINANCE NO. 23-2022** A BOND ORDINANCE PROVIDING FOR VARIOUS 2022 GENERAL CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$4,866,200 THEREFOR (INCLUDING A GRANT IN THE AMOUNT OF \$271,200) AND AUTHORIZING THE ISSUANCE OF \$4,094,700 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF
Re: Bond Ordinance
Motion that **ORDINANCE NO. 23-2022** be adopted as to its first reading and advertised for second reading and public hearing on **November 9, 2022**, at 7:00 pm. Pursuant to law.
Motion - Seconded - Roll-Call Vote

10. **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 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.

- A. **Approval of Minutes:**
 - o 9/14/2022
- B. **Resolution No. 22-1001** - Approval of vouchers for September 29, 2022, through October 12, 2022, in the amount of \$7,516,602.62
- C. **Resolution No. 22-1002** - Authorization to close various Township Street(s) for the purpose of a block party
 - o Wildwood Ave. between Newark Ave. and Philadelphia Ave. – Friday, October 28, 2022
 - o Stanley Drive at the entrance to cul-de-sac – Saturday, October 22, 2022
- D. **Resolution No. 22-1003** - Authorization to award a contract to Meco., Inc. for the New Jersey Department of Transportation (NJDOT) Municipal Aid Road Program - improvements to Ocean Road in the amount of \$358,103.50
- E. **Resolution No. 22-1004** - Authorization of the acquisition of an easement for the construction of ground water storage tank and related infrastructure required for inclusionary residential development located in Block 930, Lots 6 and 18 – Megill Road and Highway, 34 on the Wall Township tax maps

End of Consent Agenda

Motion - Second - Roll Call Vote

11. **Committee Reports:**

- A. **Committeewoman Mangan: Recreation, Monmouth County Library, Wall Community Alliance, Senior Citizen Advisory**
 - a. Committee Chair Report:
 - b. Items for Discussion:
- B. **Committeeman Kingman: Administration, Finance, Personnel, Board of Education, Economic Development**
 - a. Committee Chair Report:
 - b. Items for Discussion:
 - c. Reminders
 - i. Reminder of the second reading and public hearing of **ORDINANCE NO. 18-2022 AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL COUNTY OF MONMOUTH TO AMEND ABSENCES AND SEPARATION OF EMPLOYEES** scheduled for October 26, 2022
- C. **Committeeman Farrell: Department of Land Use and Development, West Belmar Gateway, InfoAge, Environmental Advisory Committee**
 - a. Committee Chair's Report:
 - b. Items for Discussion:
 - c. Reminders
 - i. Reminder of the second reading and public hearing of **ORDINANCE NO. 19-2022 AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING AND SUPPLEMENTING CHAPTER 215-52 OF THE TOWNSHIP CODE ESTABLISHING MID-BLOCK CROSSWALKS IN THE TOWNSHIP AND GRANTING TITLE 39 JURISDICTION TO THE TOWNSHIP OF WALL FOR A PROPOSED MID-BLOCK CROSSWALK ALONG BAILEYS CORNER ROAD BEGINNING AT A POINT 960 FEET NORTH OF THE NORTHERLY CURB LINE OF ALLAIRE ROAD AND EXTENDING TO A POINT 30 FEET NORTHERLY THEREFROM, BEING MORE SPECIFICALLY, 20 FEET SOUTH OF UTILITY POLE BT 4048 AND EXTENDING TO A POINT 30 FEET SOUTH THEREFROM** scheduled for October 26, 2022
- D. **Deputy Mayor Becht: Public Safety, Municipal Court, Board of Health**
 - a. Committee Chair Report:
 - b. Items for Discussion:
 - i. Authorization for the public auction sale of various surplus items deemed unnecessary for municipal operation, opening on November 5, 2022, closing November 10, 2022

E. **Mayor Orender: Public Works, Veteran Service's**

- a. Committee Chair Report:
- b. Items for Discussion:
 - i. Discussion of Shared Service Agreement with Neptune Township
 - ii. Authorization to submit the 2022 Tonnage Grant to the State of New Jersey
 - iii. Authorization to execute Change Order No. 1 in connection with Jesco Inc. for the purchase of John Deere loader parts and labor for an increase in the amount of \$5,869.38
 - iv. Authorization to execute an agreement with Trane for the purchase of condenser water pumps through US Communities Cooperative Pricing Program in an amount not to exceed \$11,902.00

12. **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.

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

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

15. **Resolution No. 22-1005** - Authorization to discuss matters in private session
Motion - Second – Roll Call Vote

16. **Return to Public Session and a Motion to Adjourn**
Motion - Second - Voice Vote - All in Favor

TOWNSHIP OF WALL
ORDINANCE NO. 20-2022

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL CREATING NEW SINGLE-FAMILY SCATTERED SITE ZONES AND AMENDING THE ZONING MAP WITHIN CHAPTER 140 OF THE CODE OF THE TOWNSHIP OF WALL ENTITLED, “LAND USE AND DEVELOPMENT REGULATIONS” TO REZONE PROPERTY INTO THE SCATTERED SITE SINGLE-FAMILY RESIDENTIAL ZONES

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

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

WHEREAS, the Township has identified nineteen (19) municipally owned sites that are set forth within the Township’s Third Round Housing Element and Fair Share Plan, dated March 2001, as amended, and Settlement Agreement with Fair Share Housing Center dated July 26, 2019, as amended; and,

WHEREAS, two (2) of those sites have received approval for the development of a single-family home on each lot; and,

WHEREAS, the remaining seventeen (17) lots are undersized in either, lot size and/or lot dimension (width, depth, or frontage); and,

WHEREAS, the Township is desirous of simplifying the development of the remaining scattered sites in order to continue to meet their affordable housing obligations; and

WHEREAS, to achieve this, the Township wishes to rezone the 17 remaining sites to allow them to be developed each with one single-family dwelling in compliance with the zoning requirements for their existing zoning designation with the exception of lot size and/or lot dimension (width, depth, or frontage); and,

WHEREAS, the Township of Wall regulates land use and development within the Township of Wall, by and through Chapter 140 of the Code of the Township of Wall; and,

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

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

Section 1. Chapter 140, “Land Use and Development” Section 133, “Enumeration of Districts,” be and the same is hereby amended as follows (additions underscored, deletions struck-through):

140-133 Enumeration of districts.

[Amended 8-12-1998 by Ord. No. 19-1998; 1-27-1999 by Ord. No. 4-1999]

The Township of Wall is hereby divided into zone districts as follows:

R-5	Single-Family Residential
R-7.5	Single-Family Residential
<u>R-7.5 SS</u>	<u>Single-Family Residential Scattered Site</u>
R-10	Single-Family Residential
<u>R-10 SS</u>	<u>Single-Family Residential Scattered Site</u>
R-15	Single-Family Residential
<u>R-15 SS</u>	<u>Single-Family Residential Scattered Site</u>
R-20	Single-Family Residential
R-25	Single-Family Residential
R-30	Single-Family Residential
<u>R-30 SS</u>	<u>Single-Family Residential Scattered Site</u>
R-40	Single-Family Residential
R-60	Single-Family Residential
RR	Rural Residential
RR-5	Rural Residential Five-Acre (minimum lot size five acres)
RR-6	Rural Residential (minimum lot size six acres)
HD-8	Multifamily Residential
HD-12	Multifamily Residential
MH	Manufactured Housing
MHP	Mobile Home Park
ML-25	Moderate/Low Income — 25
ML-3	Mount Laurel — 3
ML-6	Moderate/Low Income — Multifamily 6
ML-7	Moderate/Low Income — Multifamily 7
ML-8B	Senior Citizen and Townhouse (eight DU/Acre)
MLC-3	Multifamily (three DU/acre)
MLC-7	Multifamily (seven DU/acre)
MLC-8	Multifamily (eight DU/acre)
MLC-8A	Mount Laurel Compliance — Multifamily
ML-8A	Multifamily (eight DU/acre)
ML-12	Moderate Low Income Multifamily (12 DU/acre)
ML-12A	Mount Laurel Contribution
MLCC	Mount Laurel Congregate Care (14 DU/acre)
MLC-RAC	Mount Laurel Compliance Residential Adult Community
MLC-RAC-2	Mount Laurel Compliance Residential Adult Community — 2
MLC-3.4	Mount Laurel Compliance
NB	Neighborhood Business
HB-20	Highway Business
HB-40	Highway Business
HB-80	Highway Business
HB-120	Highway Business

HB-200	Highway Business
CR-10	Commercial Recreation
CR-40	Commercial Recreation
OR-2	Office Research
OR-5	Office Research
OR-10	Office Research
OP-2	Office Park
OP-10	Office Park
GI-2	General Industrial
GI-5	General Industrial
GI-10	General Industrial
AI	Airport Industrial
POS	Public Open Space
OB-20	Office Business
OB-40	Office Business
OB-120	Office Business

Section 2. Chapter 140, “Land Use and Development” Section 140 Attachment 1:1 be and the same is hereby amended as follows (additions underscored, deletions struck-through):

LAND USE AND DEVELOPMENT REGULATIONS

140 Attachment 1

Township of Wall
Schedule of Zone Requirements
January 2004

[Amended 5-12-2004 by Ord. No. 11-2004]

Zone	Maximum Gross	Minimum Lot Dimensions				Maximum Lot Coverage		Minimum Yard Depths Principal Buildings			Maximum Height	
	Density for Major Subdivisions (dwelling units/acres)	Minimum Lot Area (square feet)	Minimum Lot Width (feet)	Minimum Lot Frontage (feet)	Minimum Lot Depth (feet)	All Buildings (percentage)	All Impervious Surfaces (percentage)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Stories	Feet
Residential												
RR-6	0.16	6 Ac	400	275	400	5	6	75	50	75	2.5	35
RR-5	0.2	5 Ac	400	275	400	6	7	75	50	75	2.5	35
R-R	0.5	2 Ac	300	165	200	9	15	50	30	50	2.5	35
R-60	0.6	60,000	200	145	200	10	20	50	20	50	2.5	35
R-40	0.9	40,000	150	125	150	12	20	40	20	30	2.5	35
R-30	1.2	30,000	125	100	150	14	25	40	20	25	2.5	35
<u>R-30 SS</u>	<u>1.2</u>	-	-	-	-	<u>14</u>	<u>25</u>	<u>40</u>	<u>20</u>	<u>25</u>	<u>2.5</u>	<u>35</u>
R-25	1.5	25,000	125	80	150	15	30	35	20	25	2.5	35
R-20	1.7	20,000	100	80	150	17	30	30	15	15	2.5	35
R-15	2.9	15,000	75	75	150	19	35	30	10	15	2.5	35
R-15 corner lot	2.9	18,000	75	75	150	19	35	30	10	15	2.5	35
<u>R-15 SS</u>	<u>2.9</u>	-	-	-	-	<u>19</u>	<u>35</u>	<u>30</u>	<u>10</u>	<u>15</u>	<u>2.5</u>	<u>35</u>
R-10	4.4	10,000	75	75	100	22	40	30	10	15	2.5	35
R-10 corner lot	4.4	12,000	75	75	100	22	40	30	10	15	2.5	35
<u>R-10 SS</u>	<u>4.4</u>	-	-	-	-	<u>22</u>	<u>40</u>	<u>30</u>	<u>10</u>	<u>15</u>	<u>2.5</u>	<u>35</u>
R-7.5	5.8	7,500	65	65	100	25	40	25	7.5	15	2.5	35
R-7.5 corner lot	5.8	9,000	65	65	100	25	40	25	7.5	15	2.5	35
<u>R-7.5 SS</u>	<u>5.8</u>	-	-	-	-	<u>25</u>	<u>40</u>	<u>25</u>	<u>7.5</u>	<u>15</u>	<u>2.5</u>	<u>35</u>
Residential Multifamily												
MH/MHP	7	10 Ac	400	300	500	30	50	50	40	40	1	15
HD-8	8 ³	10 Ac	400	300	500	30	50	100	50	50	2	30
HD-12	12 ³	10 Ac	400	300	500	30	60	75	50	50	2	30
Highway Business												
HB-200		200,000	350	350	350	20	60	125	50	75	2	40
HB-120		120,000	250	250	250	20	65	75	30	50	2	35
HB-80		80,000	200	150	200	20	65	50	20	25	2	35
HB-40		40,000	150	150	150	20	65	50	20	25	2	30
HB-20		20,000	100	100	100	20	65	50	20	25	2	30

NOTES:

- ¹ Individual site plans shall comply with GI-2 requirements, except sites fronting Route 34 or Hurley Pond Road shall have a one-hundred-foot front setback.
- ² Hangers and airport towers may have a height of 50 feet.
- ³ The maximum gross density for townhouses shall be six units per acre.
- ⁴ See § 140-192.1.
- ⁵ See § 140-197I.

Section 3. Chapter 140, “Land Use and Development” Section 140 Attachment 2:1 be and the same is hereby amended as follows (additions underscored, deletions struck-through):

Draft

LAND USE AND DEVELOPMENT REGULATIONS

140 Attachment 2

Township of Wall

Schedule of Permitted and Conditional Uses for Residential Zone Districts^{1,2}

January 2004

[Amended 5-9-2007 by Ord. No. 8-2007; 2-27-2013 by Ord. No. 2-2013; 12-28-2016 by Ord. No. 14-2016]

NAICS Code ³	Use	Single-Family Residential													Multifamily Residential		
		RR-6	RR-5	R-R	R-60	R-40	R-30 <i>R-30 SS¹¹</i>	R-25	R-20	R-15 <i>R-15 SS¹¹</i>	R-10 <i>R-10 SS¹¹</i>	R-7.5 <i>R-7.5 SS¹¹</i>	R-5	MH/ MHP	HD-12	HD-8	
	Residential⁴																
	Single-family attached dwellings																
	Single-family detached dwellings	P	P	P	P	P	P	P	P	P	P	P	P				
	Home professional offices	C	C	C	C	C	C	C	C	C	C	C	C				
	Multifamily dwellings															P	P
	Townhouses																P
	Quadplexes																
	Manufactured homes													P			
	Agriculture, forestry and finishing⁵																
111	Agricultural production – crops	P	P	P	P	P	P	P									
11211	Beef cattle	P	P	P	P	P	P										
1124	Sheep and goats	P	P	P	P	P											
11299	General livestock	P	P	P	P	P											
11212	Dairy farms	P	P	P	P	P											
11293	Fur-bearing animals	P	P	P	P	P											
11292	Horses and other equines	P	P	P	P	P											
113	Forestry	P	P	P	P	P											
115112	Crop planting; cultivating	P	P	P	P	P											
115113	Crop harvesting	P	P	P	P	P											
	Services																
22112	Electric utilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
221210	Gas utilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
513	Communications (except 513322)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
623312	Assisted living facilities																
	Group homes ⁴	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
71391	Public golf courses	C	C	C	C	C	C	C	C								
71391	Private golf courses and country clubs	C	C	C	C	C	C	C	C								
81311	Religious organizations ⁶	C	C	C	C	C	C	C	C	C	C	C	C				

NOTES:

- ¹ P = permitted use. C = conditional use. Specific NAICS codes listed for a zone indicate the only permitted use within the applicable NAICS classification.
- ² Air Hazard Zone supersedes uses in the underlying zones. (See § 140-163.)
- ³ NAICS code refers to the North American Industry Classification System Manual, prepared by the Executive Office of the President, Office of Management and Budget, 1997 Edition.
- ⁴ Uses not classified by NAICS code.
- ⁵ Agricultural uses are permitted only on lots larger than five acres, as per § 140-164B.

- ⁶ Churches and other places of worship must have a minimum lot size of five acres, as per § 140-156.
- ⁷ Solar system contractors only.
- ⁸ Except solar system contractors.
- ⁹ Except NAICS 72241 Drinking places with entertainment.
- ¹⁰ Gross floor area of a building or any part thereof is limited to a maximum of 55,000 square feet.
- ¹¹ Single-family detached dwellings and Group Homes shall be the only permitted uses within the R-30 SS, R-15 SS, R-10 SS, and R-7.5 SS Zone Districts.

Section 4. The Official Zoning Map the Township of Wall dated July 14, 2011, be and the same is hereby amended to change the zoning designation of the following Blocks and Lots as indicated:

Block	Lot	Address	July 14, 2011, Zone Map	New Zoning Designation*
227	2	2914 GARFIELD ST	R-10	R-10 SS
178	3	2706 FILMORE ST	R-10	R-10 SS
52	4	1113 18TH AVE	R-7.5	R-7.5 SS
254	7	3005 WILSON ST	R-10	R-10 SS
243	10	3006 HARDING ST	R-7.5	R-7.5 SS
266	14	1898 CLEVELAND AVE	R-10	R-10 SS
243	15	3005 COOLIDGE ST	R-10	R-10 SS
262	20	2407 BELMAR BLVD	R-15	R-15 SS
266	22	2605 JOHNSON ST	R-10	R-10 SS
336	28	1109 MANITO RD	R-7.5	R-7.5 SS
876	44.01	2505 RAMSHORN DR	R-30	R-30 SS
334	47	2511 LENAPE TR	R-7.5	R-7.5 SS
51	69	1110 FIRST ST	R-7.5	R-7.5 SS
30	462	2010 WORLD ST	POS	R-7.5 SS
240	17	1415 EVANS ST	R-7.5	R-7.5 SS
340	13	1211 TECUMSEH PL	R-10	R-10 SS
71	42	1818 SOUTH N ST	R-10	R-10 SS
* If approved by Developer's Agreement				

Section 5. Should any section, paragraph, clause, or any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 6. This Ordinance shall take effect upon final passage and publication as provided by law; however, subsequent to first reading, this Ordinance shall be referred to the municipal Planning Board for review, which shall be based on whether the proposal is consistent with or designed to effectuate the Master Plan. The Planning Board has a period of thirty-five (35) days after referral to report on the proposed Ordinance

Section 7. Pursuant to the Municipal Land Use Law, the Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the County Planning Board pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this Ordinance after public hearing thereon, the Municipal Clerk is further directed to publish notice of the passage thereof and to file a copy of this Ordinance with the County Planning Board as required by N.J.S.A. 40:55D-16.

Section 8. This Ordinance shall effect upon its passage and publication according to law, and upon filing of a certified copy thereof with the Monmouth County Planning Board.

Introduced: October 12, 2022

Adopted: November 9, 2022

Attest: _____
Roberta Lang, RMC
Township Clerk

Approve: _____
Kevin Orender
Mayor

Draft

**SUMMARY AND NOTICE
TOWNSHIP OF WALL
ORDINANCE NO. 20-2022**

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL CREATING NEW SINGLE-FAMILY SCATTERED SITE ZONES AND AMENDING THE ZONING MAP WITHIN CHAPTER 140 OF THE CODE OF THE TOWNSHIP OF WALL ENTITLED LAND USE AND DEVELOPMENT REGULATIONS TO REZONE PROPERTY INTO THE SCATTERED SITE SINGLE-FAMILY RESIDENTIAL ZONES

Adoption of this ordinance will create new zoning districts for the following properties to allow for the construction of one single-family home on each property and amend the zoning map as follows:

Block	Lot	Address	July 14, 2011, Zone Map	New Zoning Designation*
227	2	2914 Garfield St	R-10	R-10 SS
178	3	2706 Filmore St	R-10	R-10 SS
52	4	1113 18th Ave	R-7.5	R-7.5 SS
254	7	3005 Wilson St	R-10	R-10 SS
243	10	3006 Harding St	R-7.5	R-7.5 SS
266	14	1898 Cleveland Ave	R-10	R-10 SS
243	15	3005 Coolidge St	R-10	R-10 SS
262	20	2407 Belmar Blvd	R-15	R-15 SS
266	22	2605 Johnson St	R-10	R-10 SS
336	28	1109 Manito Rd	R-7.5	R-7.5 SS
876	44.01	2505 Ramshorn Dr	R-30	R-30 SS
334	47	2511 Lenape Tr	R-7.5	R-7.5 SS
51	69	1110 First St	R-7.5	R-7.5 SS
30	462	2010 World St	POS	R-7.5 SS
240	17	1415 Evans St	R-7.5	R-7.5 SS
340	13	1211 Tecumseh Pl	R-10	R-10 SS
71	42	1818 South N St	R-10	R-10 SS
* If approved by Developer's Agreement				

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 **October 12, 2022** and will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on **November 9, 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, RMC
Municipal Clerk**

TOWNSHIP OF WALL

ORDINANCE NO. 21-2022

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE SALE OF 1738 OLD MILL ROAD – BLOCK 80 LOT 8 IN THE TOWNSHIP OF WALL TO BE SOLD AT PRIVATE SALE IN ACCORDANCE WITH N.J.S.A. 40A:12-13(B)(5)

WHEREAS, the Township Committee has determined that certain municipally owned land located at 1738 Old Mill Road and designated at Block 80, Lot 8 in the official tax maps for Township of Wall, consisting of undersized lot, is no longer necessary for municipal purposes and as such shall be sold at private sale in accordance with N.J.S.A. 40A:12-13(b)(5), and

WHEREAS N.J.S.A. 40A:12-13(b)(5) authorizes the Township to sell municipally owned real property at a private sale to an owner of real property contiguous thereto where the Township owned Property is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) further provides that where there is more than one (1) owner of real property contiguous thereto, the municipal property shall be sold to the highest bidder from among all such contiguous owners and that the sale shall be for not less than the fair market value of the said real property; and

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. The Township of Wall in the County of Monmouth is the owner of property located at 1738 Old Mill Road and designated at Block 80, Lot 8 in the official tax maps for Township of Wall (hereinafter referred to as the “Property”).

Section 2. The Township Committee has determined it to be in the public interest to sell said Property at private sale to an owner of real property contiguous thereto to the highest bidder in accordance with N.J.S.A. 40A: 12-13(b)(5).

Section 3. N.J.S.A. 40A:12-13(b)(5) further provides that where there is more than one owner of real property contiguous thereto, the municipal property shall be sold to the highest bidder from among all such contiguous owners and that the sale shall be for not less than the fair market value of said real property

Section 4. The Township Committee declares the Property to be surplus and not needed for public use.

Section 5. The following conditions for the sale of the Property apply:

- a) The minimum bid for the Property shall be \$4,200.00.
- b) The highest bidder will be the purchaser.

- c) The Township will only accept bids calling for an all cash purchase of the Property. Full payment of the purchase price must be received within 30 days of the date of the acceptance of the bid. The successful bidder will be required to pay, by either cash, wire transfer or bank check, a deposit equal to ten (10%) percent of minimum price of the bid at the close of bidding, with the balance to be paid by either cash, wire transfer or bank check at closing. Pending closing of title, this deposit will be held by the Township of Wall in a non-interest bearing escrow account, with the total deposit to be credited to the purchase price at closing.
- d) The sale of the Property is being made subject to the terms, conditions, restrictions and limitations of a Contract of Sale, which is on file with the Municipal Clerk, including but not limited to the following terms and conditions:
- 1) The Property is being sold in an "AS IS" WHERE-IS" condition. The successful bidder is responsible for conducting any and all inspections and testing of the Property at its own cost and expense.
 - 2) The successful bidder shall pay prorated real estate taxes for the balance of the current year as of the date of closing of title.
 - 3) The closing of title to the Property is "TIME OF THE ESSENCE" and must take place on a date as described above, and the failure of the successful bidder to close title as agreed shall result in the successful bidder's forfeiture of any and all money deposited with the Township.
 - 4) The successful bidder shall consolidate the Property purchased with other contiguous lot or lots so as to be part of a reconfigured lot in conformance with the zoning requirements.
 - 5) No variances shall be requested and/or permitted for either Property and there shall be no further subdivision of the Property until it is consolidated with a contiguous parcel.
 - 6) The deed must be recorded within thirty (30) days of closing or title to the Property shall automatically revert back to the Township of Wall without the necessity of entry or reentry.
 - 7) In the event that the successful bidder fails to close title to the Property, the bidder shall forfeit all deposit monies made to the Township. No refunds whatsoever will be made by the Township of Wall in the event that the successful bidder fails to complete the purchase of the Property within thirty (30) days from the acceptance of the bid.
 - 8) The purchaser(s) shall pay the cost of recording fees.
 - 9) The purchaser(s) shall pay any and all realty transfer and "mansion" taxes assessed in connection with the sale of the Property.
 - 10) With respect to the sale of the Property herein, NO real estate commission is owed.
 - 11) The Property is being sold "AS IS" "WHERE IS." The Property is sold subject to existing encumbrances, liens, easements, zoning ordinances, other restrictions of record, such facts as an accurate survey would reveal and any present or future assessments for the construction of improvements benefiting the Property. A survey of the Property may be conducted by any prospective bidder, at its discretion, as part of its due diligence.
 - 12) No representation is made by the Township as to the utility, usability or environmental condition of the Property.

- 13) The purchaser will pay at the time of closing a fee per lot of \$155 to change the tax map.
- e) All bids must satisfy any requirements and meet any terms and conditions of the Contract of Sale. The successful bidder will execute the Contract upon completion of bidding and its payment of the required deposit. To execute the Contract, the bidder shall properly execute the Contract in the signature spaces at the end. Failure to execute the Contract properly shall not affect the obligation of the successful bidder or the validity of the sale. The deed given by Wall Township for the Property will be a Quit Claim Deed. No title contingencies or conditions are permitted.
 - f) The sale shall be subject to adjournment or cancellation by the Township Committee.
 - g) The Township reserves the right to accept the highest responsive bid if equal to or greater than the minimum bid price, or to reject all and not to award to the highest bidder. The Township reserves the right to waive any and all defects and informalities in any proposal, and to accept or reject the highest responsible and responsive bid deemed to be in the best interest of the Township.
 - h) It is suggested and recommended that potential bidders perform title searches and/or last owner and lien searches on the properties that they are interested in bidding upon prior to the date of bid submission in order that the potential bidder may be adequately apprised of any encumbrances or restrictions of record affecting the use and enjoyment of the Property. It is further suggested and recommended that potential bidders exercise due diligence with respect to every state of facts including open permits, local fines, penalties, taxes, assessments, etc., which may not be of record but which may nonetheless affect the use and enjoyment of the Property. The Township of Wall shall not be responsible for the costs associated with such searches in the event that the Township of Wall is unable to convey title and/or if a bid is rejected.

Section 6. That notice of the Township's intention to sell the Property and the minimum bid price therefore shall be sent by certified mail, return receipt requested, to all property owners listed on the municipal tax records who own properties contiguous to the Property.

Section 7. That said notice and a certified copy of this Ordinance shall be posted on the bulletin board or other conspicuous place in the municipal building.

Section 8. That any offer(s) for the Property may thereafter be made to the Township Administrator for a period of twenty (20) days following the newspaper advertisement, for not less than the minimum price provided herein.

Section 9. That if more than one bid is received, the Township Administrator may hold such bids without opening, advise the Township Committee of such multiple bids, and said Township Committee shall decide whether to invite said bidders to a public meeting for purposes of an open auction between the original submitting bidders, or to open said original bids.

Section 10. That, if sold, the Property shall be awarded to the highest bidder in

excess of the minimum bid price for the Property.

Section 11. That the Township Committee of the Township of Wall may reconsider its decision to sell the subject Property within thirty (30) days after the enactment of this Ordinance and either offer the Property for sale at a public sale pursuant to N.J.S.A. 40A:12-13 (a) or reject any or all bids and retain any or all of the Property for Township use.

Section 12. That all Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 13. If any section, subsection, paragraph, sentence or any part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance not directly involved in the controversy in which such judgment shall have been rendered.

Section 14. This Ordinance shall take effect upon final passage and publication in accordance with law.

Introduced: October 12, 2022

Adopted: November 9, 2022

Attest: _____
Roberta Lang, RMC
Township Clerk

Approve: _____
Kevin P. Orender
Mayor

**SUMMARY AND NOTICE
TOWNSHIP OF WALL**

ORDINANCE NO 21-2022

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
WALL AUTHORIZING THE SALE OF 1738 OLD MILL ROAD – BLOCK 80 LOT
8 IN THE TOWNSHIP OF WALL TO BE SOLD AT PRIVATE SALE IN
ACCORDANCE WITH N.J.S.A. 40A:12-13(B)(5)**

Adoption of this ordinance will authorize the sale of certain municipally owned land located at 1738 Old Mill Road and designated at Block 80, Lot 8 in the official tax maps for Township of Wall, consisting of undersized lot, is no longer necessary for municipal purposes and as such shall be sold at private sale in accordance with N.J.S.A. 40A:12--13(b)(5)

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 **October 12, 2022** and will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on **November 9, 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

ORDINANCE NO. 22-2022

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ESTABLISHING CHAPTER 224, A VACANT PROPERTY AND/OR FORECLOSURE REGISTRATION ORDINANCE PURSUANT TO P.L. 2021 C.444

WHEREAS, In January 2022, Governor Murphy signed Assembly Bill A2877 into law as P.L. 2021 c.444 which required all municipalities to revise and/or establish a Vacant/Abandoned Property Ordinances and Fee Schedules; and,

WHEREAS, the Township Committee recognizes that the Township of Wall contains structures that are vacant and/or abandoned in whole or in large part; and,

WHEREAS, in many cases the owners or other responsible parties of these vacant and/or abandoned structures are neglectful of them, and are failing to maintain them or secure them to adequate standards, or restore them to productive use; and,

WHEREAS, many of these structures are in violation of state and local housing and property maintenance codes; and,

WHEREAS, it has been established that vacant and abandoned structures cause severe harm to the health, safety, and general welfare of the community, including diminution of neighboring property values, loss of property tax revenues, accumulations of debris, increased risk of fire, and potential increases in criminal activity and public health risk; and,

WHEREAS, the Township of Wall incurs disproportionate costs in order to deal with the problems of vacant and abandoned structures, including but not limited to, police and fire calls, and property inspections; and,

WHEREAS, the Township Committee determined it is in the public interest for the Township of Wall to establish minimum standards of accountability on the owners or other responsible parties of vacant and abandoned structures in order to protect the health, safety, and general welfare of the residents of the Township of Wall; and,

WHEREAS, the Township Committee determined it is in the public interest for the Township of Wall to impose a fee in conjunction with a registration ordinance for vacant and abandoned structures in light of the disproportionate costs imposed on the Township by the presence of these structures.

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

CHAPTER 224 – VACANT PROPERTY REGISTRATION

§ 224-1 Findings.

Pursuant to P.L. 2021 c.444 all municipalities are required to revise and/or establish a Vacant/Abandoned Property Ordinances and Fee Schedules. Further, the Township Committee determined that it is in the public interest for the Township of Wall to establish minimum standards of accountability, including an applicable fee schedule, on the owners or other responsible parties of vacant and abandoned structures in order to protect the health, safety, and general welfare of the residents of the Township of Wall.

§ 224-2 Definitions

As used in this article, the following terms have the meanings set forth:

OWNER

The title holder; any agent of the title holder having authority to act with respect to a vacant property; any foreclosing entity subject to the provisions of N.J.S.A. 46:10B-51, and any amendments or supplements thereto; or any other entity determined by the Township of Toms River to have authority with respect to the property.

VACANT PROPERTY

Any building or structure to be used as a residence or commercial or industrial facility which is not legally occupied or at which substantially all lawful construction operations or residential occupancy has ceased, and which is in such condition that it cannot be legally reoccupied without repair or rehabilitation, including but not limited to any property that constitutes abandoned property pursuant to N.J.S.A. 55:19-80 et seq.; provided, however, that any property where all building systems are in working order, where the building and grounds are maintained in good order, or where the building is in habitable condition, and where the building is being actively marketed by its owner for sale or rental, shall not be deemed a vacant property.

§ 224-3 Registration Requirements.

- A. The owner of any vacant property, or his or her authorized agent, shall file a registration statement for that property with the Division of Code Enforcement on forms promulgated by the Division of this purpose.
- B. The registration statement must be filed no later than 30 days after the property becomes vacant, or the assumption of ownership of vacant property, whichever is later; or no later than 10 days after receiving written notice from the Township. Failure to receive notice from the Township does not constitute grounds for failure to register.
- C. Each vacant property having a separate block and lot number as designated in official records of the Township must be separately registered.
- D. The registration statement must include the following information:
 - (1) Name, street address, telephone number, and e-mail address (if applicable) of a person 21 years of age or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement action.
 - (2) Name, street address, telephone number, and e-mail address (if applicable) of the entity, and the names of the individual principals thereof, if any, responsible for managing and maintaining the property.
- E. The registration is effective for the calendar year in which issued and must be renewed annually on or before January 31.
- F. The owner, or his or her authorized agent, must file an amended registration statement on forms provided for this purpose no later than 30 days following any change of information.
- G. The owner or authorized agent must certify to the truth of all information provided on the registration statement. False or misleading information on the registration statement constitutes a violation of this article.

§ 224-4 Access to Vacant Properties.

The owner, or authorized agent thereof, of vacant property registered under this article must provide the Township with access thereto for the purpose of conducting interior and exterior inspections to determine compliance with all applicable laws, regulations, codes, and ordinances. The Township shall provide the owner or authorized agent with reasonable notice of such inspections, which will be carried out during regular business hours, or at such other times as circumstances warrant or as agreed to by the parties.

§ 224-5 Responsible Owner or Agent.

- A. The owner must appoint an authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement action. The owner may serve in this capacity, or may designate a third party to do so.
- B. By designating an authorized agent as provided hereunder, the owner consents to receive, by service of process on the authorized agent, any and all notices of code violations, and service of process in any court proceeding or administrative enforcement action, concerning the registered vacant property.
- C. The authorized agent designated pursuant to this subsection and identified on the registration statement pursuant to § 224-3D(1) & (2) is hereby deemed to continue in that capacity until the filing of an amended registration statement designating a replacement.
- D. Owners who fail to register vacant properties pursuant to this article are hereby deemed to have consented to receive any and all notices of code violations and process in any court proceeding or administrative enforcement actions served in the following manner: 1) by plain-view posting on the structure; and 2) by service of notice, via regular and certified mail, at the owners' last known address on record with the Township.
- E. Out-of-state creditors must include the full name and contact information of the in-state representative or agent, and any other person or entity retained by the creditor or representative of the creditor in the notice provided pursuant to N.J.S.A. 46:10B-51.
- F. Any creditor serving a summons and complaint in an action to foreclose on a mortgage on commercial property within the Township shall, within 10-days of serving the summons and complaint, notify the Township Clerk and the Code Enforcement Officer that at a summons and complaint in an action to foreclose on a mortgage has been filed against the subject property.

§ 224-6 Fee Schedule.

- A. Registration of vacant properties under this section is subject to the following fees:
 - 1. Initial registration: \$1,000.
 - 2. First renewal: \$2,000.
 - 3. Second renewal: \$3,000.
 - 4. Third and subsequent renewals: \$5,000
- B. At least twenty (20%) percent of all income resulting from the application of this chapter shall be used for the sole purpose of carrying out municipal activities with respect to vacant and distressed properties, including but not limited to code enforcement, abatement of nuisance conditions, stabilization, rehabilitation, and other activities designed to minimize blight and further productive reuse of properties.

§ 224-7 Standards for Maintenance.

The owner, or authorized agent thereof, and any person or entity maintaining, operating, or collecting rent for any structure that has become vacant as defined in this article, must, within thirty (30) days thereof, undertake all of the following measures:

- A. Enclose and secure the structure as provided by the applicable sections of the Township of Wall Property Maintenance Code, Chapter 171, et seq., of the Township of Wall or as set forth in rules and regulations adopted by the municipal officer to implement those codes.
- B. Ensure that the grounds of the structure, including yards, fences, sidewalks, walks, and driveways, are well-maintained and kept free from trash or debris.
- C. Post a sign affixed to the structure with the name, address, and telephone number of the owner and the owner's authorized agent for the purpose of service of process; and the name, address, and telephone number of the entity responsible for maintenance of the property, which may be the same as the owner or authorized agent. If the structure is set back from the street, the sign may be posted on a well-secured post or stake in the front yard of the property. The sign shall be at least eighteen (18) inches by twenty-four (24) inches in dimension, shall include the following language: "To report a problem

with this building, call (contact information for owner or agent)" and shall be placed in a location where it is clearly visible and legible from the nearest public street or sidewalk, whichever is nearer; and

- D. Maintain the structure in a secure and closed condition, keep the grounds in a clean and well-maintained condition, and ensure that the sign is visible and intact until the building is again occupied or demolished, or until repair or rehabilitation of the building is complete.
- E. Fines and penalties imposed under this article for failing to properly register are recoverable from the owner and, if not paid, will be enforced and recorded as a judgment against the property. To the extent the Township must perform work to maintain and secure a registered property, such costs shall be imposed as a lien against the property.

§ 224-8 **Enforcement.**

- A. The Division of Code Enforcement is hereby charged with the enforcement of this article, with the assistance, as circumstances warrant, of other Township agencies within their respective jurisdictions.
- B. Any person or entity violating this article shall be subject to the maximum fines and penalties established under N.J.S.A. 40:49-5 and N.J.S.A. 40:69A-29, and any subsequent amendments to those statutes, or as otherwise prescribed by law.
- C. Each day that a violation continues constitutes a separate and distinct offense.
- D. Fines and penalties imposed under this article are recoverable from the owner and, if not paid, may be imposed as a lien against the property.
- E. No less than 20% of any money collected by the Township pursuant to this article shall be earmarked for code enforcement purposes.
- F. For purposes of this section, failure to file a registration statement within thirty (30) calendar days after a building becomes vacant property or within thirty (30) calendar days after assuming ownership of a vacant property, whichever is later, or within ten (10) calendar days of receipt of notice by the municipality, and failure to provide correct information on the registration statement, or failure to comply with the provisions of such provisions contained herein shall be deemed to be violations of this section.

Introduced: October 12, 2022

Adopted: November 9, 2022

Attest: _____
Roberta Lang, RMC
Township Clerk

Approve: _____
Kevin Orender
Mayor

**SUMMARY AND NOTICE
TOWNSHIP OF WALL
ORDINANCE NO. 22-2022**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY,
ESTABLISHING CHAPTER 224, A VACANT PROPERTY AND/OR
FORECLOSURE REGISTRATION ORDINANCE PURSUANT TO P.L. 2021 C.444**

Adoption of this ordinance will establish Chapter 224 for vacant property and/or a foreclosure registration ordinance, pursuant to P.L. 2021 C. 444

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 **October 12, 2022** and will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on **November 9, 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

ORDINANCE NUMBER 23-2022

BOND ORDINANCE PROVIDING FOR VARIOUS 2022 GENERAL CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$4,866,200 THEREFOR (INCLUDING A GRANT IN THE AMOUNT OF \$271,200) AND AUTHORIZING THE ISSUANCE OF \$4,094,700 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Wall, in the County of Monmouth, State of New Jersey (the "Township") as general capital improvements. For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$4,866,200, which is inclusive of a grant from the New Jersey Department of Transportation in the amount of \$271,200, allocable to Baileys Corner Road, Phase II Improvements (the "Grant"), and \$500,300 as the amount of down payment for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.* (the "Local Bond Law"). Said down payment is now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$4,866,200 appropriation not provided for by application hereunder of said Grant and down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$4,094,700 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$4,094,700 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued include, but are not limited to, as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) Roads – Various Roadway And Drainage Improvements Throughout The Township Including, But Not Limited To, Baileys Corner Road, Phase II, Such Improvements To Include, But Not Be Limited To, As Applicable, Excavation, Milling, Paving, Reconstruction And Boxing Out	\$1,971,200 (Inclusive of the Grant)	\$1,500,000	\$200,000	20 years

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
And Resurfacing Or Full Depth Pavement Replacement Using Flexible Pavement As Defined Under The Local Bond Law, And Where Necessary, The Repairing And/Or Installation Of Curbs, Sidewalks And Driveway Aprons, Installation Of Curb Ramps, Resetting Utility Castings, Drainage Work And Improvements, Roadway Painting, Landscaping And Aesthetic Improvements; And				
(ii) <u>Township Facilities</u> – Improvements To Various Township Facilities Including, But Not Limited To, Radio System Replacement, Phase II, And Security Camera System Replacement For The Police Department; Construction Of Pickleball Courts; And Construction Of A Vehicle Wash Bay System;	\$1,099,000	\$999,000	\$100,000	9.28 years
(iii) <u>Vehicles And Equipment</u> - Acquisition And Installation, As Applicable, Of Various Non-Passenger Vehicles And Equipment, Including, But Not Limited To, Two (2) Automated Sanitation Trucks, A Front Loading Sanitation Truck, An Ambulance Remount, A Hook Lift Truck And A Dump Truck.	\$1,796,000	\$1,595,700	\$200,300	5 years
TOTALS	<u>\$4,866,200</u>	<u>\$4,094,700</u>	<u>\$500,300</u>	

(b) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$4,094,700.

(d) The estimated cost of said improvement or purpose is \$4,866,200, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor, is comprised of the Grant in the aggregate amount of \$271,200, and the down payment in the amount of \$500,300 for said improvement or purpose.

SECTION 4. Except for the Grant, in the event the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity make a contribution or grant in aid to the Borough, for the improvement and purpose authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity, shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such time as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Capital Fund of the Township is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Fund capital budget and capital programs as approved by the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs will be on file in the Office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Township may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 11.53 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$4,094,700 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$973,240 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. Unless paid from other sources, the full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township hereby declares the intent of the Township to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The Township Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Township Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission⁴ (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

[Remainder of Page Intentionally Left Blank.]

SECTION 12. This bond ordinance shall take effect twenty (20) days after final adoption as provided by the Local Bond Law.

ADOPTED ON FIRST READING

DATED: October 12, 2022

Attest: _____

Roberta Lang, RMC
Township Clerk

ADOPTED ON SECOND READING

DATED: November 9, 2022

Attest: _____

Roberta Lang, RMC
Township Clerk

Approve: _____

Kevin Orender
Mayor

**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL
PUBLIC NOTICE**

NOTICE OF PENDING BOND ORDINANCE NO 23-2022 AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a regular meeting of the governing body of the Township of Wall, in the County of Monmouth, State of New Jersey on **October 12, 2022**. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Township Municipal Complex, 2700 Allaire Road, Wall, in said County on **November 9, 2022**, at 7:00 p.m. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR VARIOUS 2022 GENERAL CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$4,866,200 THEREFOR (INCLUDING A GRANT IN THE AMOUNT OF \$271,200) AND AUTHORIZING THE ISSUANCE OF \$4,094,700 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

Purpose(s): Various 2022 General Capital Improvements Including, But Not Limited To, Roadway and Drainage Improvements, Various Facility Improvements for The Police Department and Recreational Areas; and Acquisition of Various Non-Passenger Vehicles and Equipment

Appropriation: \$4,866,200

Bonds/Notes \$4,094,700

Authorized:

Grant(s) \$271,200 New Jersey Department of Transportation Grant

Appropriated:

Section 20 Costs: \$973,240

Useful Life: 11.53 years

ROBERTA LANG, RMC
Clerk of the Township of Wall

TOWNSHIP OF WALL

RESOLUTION NO. 22-1001

**CERTIFICATION OF TOWNSHIP FUNDS
SEPTEMBER 29, 2022 THROUGH OCTOBER 12, 2022 IN THE AMOUNT OF
\$7,516,602.62**

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. 22-1002

AUTHORIZATION TO CLOSE VARIOUS TOWNSHIP STREET(S) FOR A BLOCK PARTY

WHEREAS, the appropriate Department Head(s) has notified the Township Administrator that it is receipt of proposal(s) that certain Township Streets are appropriate to be closed for purposes of a block party; and,

WHEREAS, the aforesaid proposal has been reviewed and approved by the Traffic Bureau of the Police Department; and,

WHEREAS, the Mayor of the Township of Wall is authorized by Section 215-20 of the Code of the Township of Wall to order the closing of any street to motor vehicle traffic.

NOW THEREFORE, I, Kevin Orender, Mayor of the Township of Wall, do hereby authorize the street closure(s) listed below to all but emergency vehicles:

<u>STREET CLOSURE(S)</u>					
<u>REQUESTOR</u>	<u>INTERSECTION</u>	<u>DATE</u>	<u>TIME</u>	<u>RAIN DATE</u>	<u>RAIN DATE TIME</u>
Adam Schoch	Wildwood Avenue Between Newark Avenue and Philadelphia Avenue	Friday, October 28, 2022	6:00 P.M. and 11:00 P.M	Sunday, October 30, 2022	6:00 P.M and 11:00 P.M.
Kathleen Fumando	Stanley Drive at the entrance to cul-de-sac	Saturday, October 22, 2022	5:00 P.M. and 11:00 P.M.	N/A	N/A

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 October 12, 2022.

Roberta M. Lang, RMC
Township Clerk

**TOWNSHIP OF WALL
RESOLUTION NO. 22-1003**

AUTHORIZATION TO AWARD A CONTRACT TO MECO, INC. FOR THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT) MUNICIPAL AID ROAD PROGRAM - IMPROVEMENTS TO OCEAN ROAD IN THE AMOUNT OF \$358,103.50

WHEREAS, pursuant to N.J.S.A. 40A:11-5 et seq., the Local Public Contract Law, the Township Committee previously authorized the advertisement for the receipt of bids for the (NJDOT) – Improvements to Ocean Road; and,

WHEREAS, on September 8, 2022, the Township received six (6) bid proposal, which are identified as follows:

Meco, Inc.	\$385,103.50 (three hundred eighty-five thousand one hundred three dollars and fifty cents)
Earle Asphalt Company	\$387,513.13 (three hundred eighty-seven thousand five hundred thirteen dollars and thirteen cents)
C.J. Hesse, Inc.	\$394,019.62 (three hundred ninety-four thousand nineteen dollars and sixty-two cents)
Black Rock Enterprises, LLC	\$423,997.74 (four hundred twenty-three thousand nine hundred ninety-seven dollars and seventy-four cents)
Fiore Paving Co., Inc.	\$436,479.04 (four hundred thirty-six thousand four hundred seventy-nine dollars and four cents)
L&L Paving Company, Inc.	\$552,803.15 (five hundred fifty-two thousand eight hundred three dollars and fifteen cents)

WHEREAS, the Township Attorney reviewed the bids received for legal sufficiency and Township Engineer Zahorsky recommended that the contract be awarded to Meco, Inc.; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Wall, County of Monmouth, New Jersey that the Township authorizes the execution of the contract for the (NJDOT) – Improvements to Ocean Road with Meco, Inc. in the total amount of \$385,103.50 (three hundred eighty-five thousand one hundred three dollars and fifty cents) contingent upon the approval of the NJDOT.

Certifications		
Township Clerk		
I, Roberta M. Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on September 28, 2022		
Roberta M. Lang, RMC Township Clerk		
Chief Financial Officer		
I, Thomas O’Hara, Chief Financial Officer of the Township of Wall, do hereby certify to the Township Committee of the Township of Wall that funds are available for the New Jersey Department of Transportation (NJDOT) – Improvements to Ocean Road.		
Thomas O’Hara, CFO Chief Financial Officer		
Capital		
Account	Description	Amount
C-04-21-000-001-001	Ordinance No.16-2021	\$123,103.50
C-04-21-000-001-002	Ordinance No16-2021	\$235,000.00

TOWNSHIP OF WALL

RESOLUTION NO. 22-1004

AUTHORIZATION OF THE ACQUISITION OF AN EASEMENT FOR THE CONSTRUCTION OF GROUND WATER STORAGE TANK AND RELATED INFRASTRUCTURE REQUIRED FOR INCLUSIONARY RESIDENTIAL DEVELOPMENT LOCATED IN BLOCK 930, LOTS 6 AND 18 – MEGILL ROAD AND HIGHWAY 34, ON THE WALL TOWNSHIP TAX MAPS

WHEREAS, the Township of Wall has entered into a Developer’s Agreement with Wall 34 Realty L.L.C. (“Developer”), authorized in Resolution No. 21-0711; and

WHEREAS, the Developer proposes to construct an inclusionary residential development consisting of a maximum of 340 dwelling units, 68 of which shall be made affordable to low and moderate income households (the “Project”); and

WHEREAS, the Developer’s Agreement requires the Township to construct a water tower to reserve capacity for the Project, which will create a new pressure zone in the northwest portion of Wall Township, including the installation of a new 2-million gallon ground storage tank, a new triplex booster pump station with ability for future expansion, electrical and motor upgrades to an existing pump station, four (4) new pressure reducing valves in vaults, and approximately 4,200 feet of new 16-inch transmission water main on Block 930, Lots 6 and 18 in the Wall Township tax maps; and

WHEREAS, in order to construct the water tower, the Township will require the acquisition of certain access easement to and across 1401 Schoolhouse Road, designated as Block 930, Lot 1 in the Wall Township tax maps; and

WHEREAS, the Estate of Fred McDowell Jr., Deceased, is the record owner of the property located at 1401 Schoolhouse Road, designated as Block 930, Lot 1 in the Wall Township tax maps; and

WHEREAS, the Chief Financial Officer has certified that funds are available for title searches and appraisal and just compensation to effectuate the acquisition:

Appraisal	\$5,000.00
Title Search	\$400.00
Compensation	\$10,000.00

WHEREAS, the Township of Wall desires to retain the services of Sockler Realty Services Group, Inc. to conduct appraisal services in connection with the aforementioned property at an amount not to exceed \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Township Committee of the Township of Wall, County of Monmouth, New Jersey that the Township of Wall is authorized and directed to proceed with any and all required acquisition activities, including the exercise of eminent domain for the easement necessary to construct the Project.

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

Certifications		
Township Clerk		
I, Roberta M. Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on September 28, 2022		
Roberta M. Lang, RMC Township Clerk		
Chief Financial Officer		
I, Thomas O'Hara, Chief Financial Officer of the Township of Wall, do hereby certify to the Township Committee of the Township of Wall that funds are available for available for title searches and appraisal and just compensation to effectuate the acquisition.		
Thomas O'Hara, CFO Chief Financial Officer		
Operating		
Account	Description	Amount
2-01-21-180-000-165	Land Use – Other Expenses	\$15,400.00