

ON MONDAY, APRIL 28, 2003 AT 5:30 P.M., THE JACKSON TOWNSHIP COMMITTEE HELD IT'S MEETING IN THE MUNICIPAL BUILDING

ROLL CALL:

COMMITTEEMAN BRODERICK	ATTORNEY STARKEY (6:35 pm)
COMMITTEEMAN GRISANTI (Absent)	ADMINISTRATOR KENNEDY
COMMITTEEMAN REILLY	TOWNSHIP CLERK EDEN
DEPUTY MAYOR GIBLIN	
MAYOR KAFTON	

ALSO PRESENT LAURA BORYS AND ROBERT RYLEY

RESOLUTION 188R-03

TITLE: RESOLUTION FOR EXECUTIVE SESSION TO AUTHORIZE TOWNSHIP COMMITTEE TO ENTER INTO CLOSED DISCUSSIONS CONCERNING MATTERS INVOLVING CONTRACT NEGOTIATIONS, PERSONNEL AND LITIGATION AND POSSIBLE LAND ACQUISITION MATTERS.

MOTION TO APPROVE BY: GIBLIN

MOTION SECONDED BY: BRODERICK

YES: BRODERICK, REILLY, GIBLIN & KAFTON

ABSENT: GRISANTI

WHEREAS, Section 8 of the Open Public Meetings Act permits the exclusion of the public from a public meeting under certain circumstances; and

WHEREAS, this governing body is of the opinion that such circumstances presently exist.

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

1. The public shall be excluded from discussion concerning the hereinafter-specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - a) Personnel
 - b) Litigation
 - c) Potential Land Acquisition
3. It is anticipated that the subject matter discussed may be made public upon its conclusion or final disposition.

DATED: 04/28/03

ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

CANDLE LIGHTING: The Mayor lit a candle and read the names of the residents who passed away since the last Township Committee meeting. The Mayor then asked everyone to join him for a moment of silence in memory of those individuals who passed away and their families.

ON MONDAY, APRIL 28, 2003, THE JACKSON TOWNSHIP COMMITTEE HELD IT'S MEETING, COMMENCING AT 7:30 P.M. IN THE MAIN MEETING ROOM OF THE MUNICIPAL BUILDING. SAID MEETING WAS OPENED WITH THE PLEDGE OF ALLEGIANCE.

ROLL CALL:

COMMITTEEMAN BRODERICK
COMMITTEEMAN GRISANTI (Absent)
COMMITTEEMAN REILLY
DEPUTY MAYOR GIBLIN
MAYOR KAFTON

ATTORNEY STARKEY
ADMINISTRATOR KENNEDY
TOWNSHIP CLERK EDEN

As Clerk of this meeting, I publicly announce that in compliance with the provisions of the "Open Public Meetings Act" adequate notice of this meeting of the Jackson Township Committee has been advertised in the manner prescribed by law. This statement shall be entered into the Minutes of this meeting.

PROCLAMATIONS:**- TEACHERS DAY – MAY 6, 2003**

MAYOR KAFTON: He began by stating that Barbara Kane was there to accept this proclamation on behalf of Jackson Township. He then read the proclamation.

BARBARA KANE: She thanked the people that came there to honor the teachers of Jackson. She said that she has watched these teachers for 33 years and has seen many teachers hard at work with the children of Jackson. She then explained that she has seen many great success stories and some of them are standing here in front of her tonight.

- NATIONAL VOLUNTEERS WEEK – APRIL 27 – MAY 3, 2003

MAYOR KAFTON: He read from the proclamation declaring April 27 through May 3, 2003 as National Volunteers Week in Jackson Township.

COMMITTEE COMMENTS:

COMMITTEEMAN BRODERICK: He thanked everyone for coming out and joining them this evening and he hopes for their continued participation as they go forward into 2003.

COMMITTEEMAN REILLY: He too thanked everyone for coming. He spoke about a bill being proposed at the State level dealing with property tax reform. He explained that he had a Resolution for tonight that he read for the record that supported property tax reform.

MAYOR KAFTON: He explained that he believes that the Township Committee passed two Resolutions last year in support of property tax relief. He then said that this is the second meeting in a row that Committeeman Reilly during the open session has asked the Township Committee to support Resolutions, that appear to be good Resolutions, but were given to them at the last minute. He then commented that Committeeman Reilly, himself, has stated publicly, it's difficult when you get information at the last minute. He told Mr. Reilly that he needs to get a Resolution to the entire Committee, Clerk, Administrator and the Public prior to a meeting like this. Committeeman Reilly asked if there is a problem proposing a Resolution at a public meeting? Mayor Kafton stated that there is no problem with that, but Mr. Reilly is asking his fellow Committeemen to vote on this with just what they have in front of them. Committeeman Reilly then stated he does have more information on this if they would like to see it. Mayor Kafton asked if they should adjourn the meeting and look at the back-up information Committeeman Reilly has?

COMMITTEEMAN BRODERICK: He stated that they know that property tax reform is needed. They have supported Resolutions in the past regarding this. They also came out in full support of a convention that was to be held by one of their Southern Senators. He too would like some time to review this and what has been proposed by some of the Senators and Assemblymen. Mayor Kafton stated that he thinks they should table this and have time to review it and possibly put it on for the next meeting.

DEPUTY MAYOR GIBLIN: He asked Mr. Reilly what SCR-89 is and to give him a brief synopsis of it? Mr. Giblin told Mr. Reilly that he is proposing something that he doesn't even know what it is. Committeeman Reilly replied that it is a special summer session of the legislature (Senate & House) to convene and address the issues of property tax relief - - especially with regard to schools. Mayor Kafton said they don't have a problem supporting this, but in all fairness to the entire Committee they should table this for review and address this again at the next meeting. Deputy Mayor Giblin went on to say that they have supported resolutions in the past, one regarding finding alternative funding for government tax formula and number two was in support of special sessions. He finds it quite odd and political grandstanding once again by Committeeman Reilly in asking for a Resolution that he doesn't even know what it means. Also, this resolution has been put forth by Senator Singer, Mr. Dancer and Mr. Malone who are up for re-election this year. There were ample opportunities to do this last year and they told us not to do it. At this stage of the game we all know there is a problem with school funding, Mr. Dancer, Mr. Malone and Mr. Singer are now utilizing the services of Mr. Reilly to support this. He said that he finds it disparaging and another example of Mr. Reilly not doing his job, which the people elected him to do. Committeeman Reilly replied that he does take his job seriously, he wrote the resolution that Mr. Giblin sees before him. Deputy Mayor Giblin said you wrote it, but you don't know what it means. Committeeman Reilly responded that he does know what it means. Committeeman Broderick addressed the Mayor and stated in an effort to move this meeting along, this has been tabled so let's move on.

**MOTION TO TABLE RESOLUTION PRESENTED BY COMMITTEEMAN REILLY ON PROPERTY TAX REFORM BY: KAFTON
MOTION SECONDED BY: BRODERICK
YES: BRODERICK, GIBLIN & KAFTON
NO: REILLY
ABSENT: GRISANTI**

MAYOR KAFTON: He asked every Committee member that before they ask the Township Committee to pass a Resolution that they give everyone time to review it.

DEPUTY MAYOR GIBLIN: He stated that he wanted to reiterate his disappointment in Committeeman Reilly. He explained that back in January he believed that Committeeman Reilly who is also a Jackson resident and graduated from the same high school as he did, would come and bring new ideas for what they are trying to do for our town. Over the past few months he has come to realize that Committeeman Reilly has chosen to make this a political grandstand of his position up here. Mr. Reilly continually comes unprepared for meetings and his blanket statement is he does not have the information. It saddens him that someone doesn't take their position up here seriously enough that they are going to be used as a mouthpiece for past individuals who sat on this Committee. He comes unprepared, he proposes Resolutions that he has know idea what they mean, what he is doing up here is political grandstanding. They are here to serve the people of Jackson. The people of Jackson had the right to vote in November and they chose Committeeman Reilly and he respects that choice. The people also deserve respect from Committeeman Reilly and that means coming prepared and taking his job seriously by working with his constituency and not doing his own political grandstanding. Mr. Giblin said that he takes his job seriously, he comes prepared, he listens and he learns. He explained that he doesn't vote because someone told him to, advises him to or wants him to, but for the good of the town he grew up in. It saddens him that Committeeman Reilly doesn't do that. In closing, he thanked everyone for coming out.

MAYOR KAFTON: He began by thanking everyone for coming out. He stated that he attended the Jackson Recreation awards ceremony for the wrestling program. He said it is a great program and many children participated.

BILLS AND CLAIMS**MOTION TO APPROVE BILLS AND CLAIMS BY: GIBLIN****MOTION SECONDED BY: BRODERICK****YES: BRODERICK, REILLY, GIBLIN & KAFTON****ABSENT: GRISANTI**

CHECK#	VENDOR	AMOUNT
062684	JACKSON TOWNSHIP P/R ACCOUNT	37,44.52
062685	JACKSON TOWNSHIP P/R ACCOUNT	478,537.45
062852	JACKSON TOWNSHIP P/R ACCOUNT	455,270.56
062853	JACKSON TOWNSHIP P/R ACCOUNT	36,285.08
062854	ACTION OFFICE SUPPLIES INC.	2,893.05
062855	ADAMS, REHMANN, HEGGAN & ASSOC	10,252.91
062856	AIR BRAKE & EQUIPMENT INC.	887.74
062857	AMERICAN TRANSMISSION	1,050.00
062858	AOS WEB-COM, INC.	415.00
062859	ATLAS LADDER & SCAFFOLDING	591.00
062860	AUTOMATED BUILDING CONTROLS	1,175.10
062861	B & G ELEVATOR	135.00
062862	BEYER BROTHERS CORP.	61.52
062863	BIL-JIM CONSTRUCTION CO., INC.	1,040.63
062864	BOCA-BUILDING OFFICIALS & CODE	24.99
062865	BONNY R. BOWMAN C.P.S., C.A.D.A.	850.00
062866	BRICK STARTER 7 ALTERNATOR, INC.	196.00
062867	BROUWER HANSEN & IZDEBSKI	507.00
062868	CABLEVISION	299.70
062869	CCC HEAVY DUTY TRUCK PARTS CO.	153.12
062870	CDW GOVERNMENT, INC.	1,416.00
062871	CJS INVESTMENTS, INC.	309.78
062872	CLARK, CATON & HINTZ CORP.	204.75
062873	CME ASSOCIATES	3,188.25
062874	JANICE CONNOR	123.50
062875	COUNTY OF OCEAN	3,690,110.85
062876	COUNTRY SUDSER CAR WASH	111.00
062877	DARTEK	878.48
062878	DELTA DENTAL PLAN OF N.J. INC.	16,953.54
062879	DEPTCOR/BUREAU OF	381.00
062880	DOWNS FORD, INC.	612.55
062881	EDMUNDS & ASSOCIATION, INC.	175.00
062882	EDWARDS TIRE COMPANY, INC.	677.12
062883	EMRGI-CLEAN INC.	265.00
062884	FEDEX	26.05
062885	FERGUSON ENTERPRISES, INC.	172.12
062886	JOHN P JR & LARA E FARRACO	1,063.78
062887	FOSTER & COMPANY, INC.	227.82
062888	FOUR SEASONS & SOUTH KNOLLS	50.00
062889	GARDEN STATE HWY PRODUCTS, INC.	72.00
062890	GLOUCESTER CO. POLICE ACADEMY	20.00
062891	GOOD FRIEND ELECTRICAL	399.21
062892	GRAINGER-TRENTON	824.64
062893	GRANT SUPPLY COMPANY	249.00
062894	GREATER MEDIA PUBLICATIONS	273.75
062895	CLARENCE M. HARGROVE	45.00
062896	HOOVER TRUCK CENTERS, INC.	488.21
062897	HPI INTERNATIONAL	60.95
062898	HULLER'S BLACK FOREST	251.30
062899	IKON OFFICE SOLUTIONS	510.71
062900	INDEPENDENT SERVICE TECHNICIAN	2,030.00
062901	INSTITUTE FOR PROFESSIONAL DEV	99.00

062902	INSTITUTE FOR PREVENTION	240.00
062903	J&M AUTO MACHINE SHOP, INC.	520.78
062904	JCA ASSOCIATES, INC.	1,708.14
062905	JERSEY CENTRAL POWER & LIGHT	19,489.13
062906	JERSEY SHORE PETERBUILT INC.	382.50
062907	JOHNSON & TOWERS INC.	3,800.00
062908	JOHNNY ON THE SPOT	140.90
062909	JOHN LUCAS CHEV OLDS	166.67
062910	J.R. HENDERSON LABS, INC.	320.00
062911	DARREN & GLORIA KOLOGI	1,760.63
062912	LAKWOOD AUTO SUPPLY INC.	624.69
062913	THOMAS F & HOLLY LOVETT	116.00
062914	MCCRISTAL REPORTING SERVICE	800.00
062915	PHILIP M. MILLER, ESQ.	80.00
062916	MONMOUTH COUNTY TRAFFIC	25.00
062917	NEW JERSEY MAYORS ASSOCIATION	100.00
062918	NEW JERSEY NATURAL GAS	5,555.92
062919	NEW JERSEY PLANNING OFFICIALS	27.00
062920	NEW JERSEY STATE LEAGUE OF	50.00
062921	NOREIKA GAS INC.	46.47
062922	NORMAN'S GLASS & AUTO SVCS, INC.	560.01
062923	OCEAN COUNTY NEWSPAPERS, INC.	404.68
062924	OC MUNICIPAL JOINT INS. FUND	426,592.27
062925	PEDERONI FUEL COMPANY, INC.	6,666.33
062926	ROBERT & MARIE PETROW	1,886.13
062927	PHONEXTRA	12,235.00
062928	PITNEY BOWES, INC.	247.50
062929	PROSPECT MANOR LLC	2,035.00
062930	QUICKIE PRINT & COPY SHOP	120.00
062931	CHRISTOPHER & GINA RANDAZZO	1,844.18
062932	RUSSO, DELANOY, MARTINO & RYAN	132.00
062933	SAFEGUARD BUSINESS SYSTEMS	464.03
062934	SCANTEK	24,500.00
062935	ROBERT M. SCHIMMENTI	904.93
062936	SEELY EQUIPMENT & SUPPLY	315.52
062937	TACTICAL OPERATIONS GROUP	5,335.34
062938	STATE OF NEW JERSEY – PWT	53.96
062939	STANDARD FUSE CORP.	912.25
062940	STEWART TITLE OF CENTRL JERSEY	822.86
062941	STOP & SHOP #873	10.48
062942	TCTA HEADQUARTERS	250.00
062943	TERMINEX COMMERCIAL	1,687.80
062944	THOMPSON PUBLISHING GROUP, INC.	50.00
062945	TIDAL ABSTRACT CO. INC.	959.20
062946	TOMASIK, HORN & TURNBACH, LLC.	200.00
062947	TOTAL LUBRICATION SVC & SUPPLY	861.10
062948	TRENTON BRAKES, INC.	681.50
062949	TRENTON MACK SALES AND	323.73
062950	TRICO CREDIT CORPORATION	1,272.21
062951	TROPICANA – TROP WORLD	249.00
062952	MICHAEL CEPPALUNI dba/UNITED	440.00
062953	VERIZON	.00
062954	VERIZON	4,108.62
062955	JOE & LAURA VOLLTRAUER	857.65
062956	WASHINGTON MUTUAL HOME LOANS	2,132.82
062957	W.E. TIMMERMAN COMPANY	429.25
062958	WOODHUE LTD	742.50

MAYOR KAFTON: He began by explaining that Ordinance 06-03 and 07-03 on the agenda tonight are being tabled until the next meeting. Also, Resolution 191R-03 on the

consent agenda will also be tabled until the next meeting. He added that 06-03 dealing with the recreation facilities, they had not received the information back from the Pinelands yet and it is very important that they get all the input from them before they in-act this. Township Clerk Eden stated that these Ordinances will be tabled to May 12, 2003 and she will not advertise.

**MOTION TO TABLE ORDINANCES 06-03 & 07-03 ON SECOND READING, AND RESOLUTION 191R-03 BY: GIBLIN
MOTION SECONDED BY: BRODERICK
YES: BRODERICK, REILLY, GIBLIN & KAFTON
NO: REILLY (07-03)
ABSENT: GRISANTI**

ORDINANCES, SECOND READING:

06-03

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON AMENDING CHAPTER 109 OF THE MUNICIPAL LAND USE AND DEVELOPMENT CODE OF THE TOWNSHIP OF JACKSON TO REQUIRE OPEN SPACE AND RECREATIONAL FACILITIES IN MAJOR SUBDIVISIONS

**MOTION TO TABLE ORDINANCE 06-03 ON SECOND READING, PUBLIC HEARING TO BE HELD MAY 12, 2003 BY: GIBLIN
MOTION SECONDED BY: BRODERICK
YES: BRODERICK, REILLY, GIBLIN & KAFTON
ABSENT: GRISANTI**

ORDINANCE 06-03

WHEREAS, the Township seeks to implement standards with regard to open space and recreation requirements for new development; and

WHEREAS, the Township seeks to have a comprehensive Land Use and Development Code that can be applied uniformly throughout the Township;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Jackson, County of Ocean in the State of New Jersey, as follows:

I. Chapter 109 shall be amended as follows:

- 1. Section 109-178.A , 109-178. A (1) and (4) Open spaces are hereby amended to read as follows:

- A. Open space requirements. For the purposes of this section, the term “open space” is defined to mean any area of land (exclusive of lot yard requirements, streets, utility rights-of-way and detention basins) or water which is open to the sky and which is dedicated, designated or set aside for active or passive recreational use. Open space areas within developments in the MF, MHP, PRC, PMURD, PMUD, R-2, R-3, R-5, R-9, R-15, R-20, PV, RG-1, RG-2, and RG-3 zoning districts shall be subject to all provisions of this section and the following specific requirements:

- (1) A minimum of 40% in the MF Zone; 30% in the MHP zone, PRC, PMURD and PMUD zones; and 10% in the R-2, R-3, R-5, R-9, R-15, R-20, PV, RG-1, RG-2 and RG-3 zones of the tract of land proposed for development shall not be included in building lots or streets and shall be set aside for open space. In the R-2, R-3, R-5, R-9, R-15, R-20, PV, RG-1, RG-2 and RG-3 zones the requirement applies to subdivisions of ten (10) lots or more.

(2) Remains as written

(3) Remains as written

(4) Within any development, a minimum of 50% of the open space area shall be land which can be developed for recreational use and shall be exclusive of the types of areas cited in subsection A(3) above or required buffer areas. Storm water management facilities shall not be included in the usable open space. If more than 50% of a tract of land is undevelopable wetlands, then the Planning Board may waive the open space requirement. Recreation facilities in accordance with section 109-178.1 may be constructed on the usable open space.

2. Section 109-178.1 Recreation Standards for Residential Developments shall be added as follows:

109-178.1 Recreation Standards for Residential Developments.

A. All residential developments which will result in five (5) dwelling units or more shall provide recreational facilities in accordance with the requirements of this section. The developed open space shall consist of developable land devoid of buildings and other physical structures except for outdoor recreational facilities.

(1) Land provided in accordance with this section shall be provided in a single area or in individual parcels to accommodate the proposed recreation, but in any case not less than one acre in size.

(2) For the purposes of this section, a single-family detached house shall be deemed to contain three (3) persons; a townhouse shall be deemed to contain two and one-half (2.5) persons; and a garden apartment shall be deemed to contain two (2) persons.

(3) Development of open space area improvements and construction of recreational facilities shall progress at the same rate as development of the dwelling units. An overall phasing plan should be submitted prior to final approval.

- B. The location, form and design of such areas shall be approved by the reviewing board. The area specifically designated for recreational purposes shall be fully usable for that purpose and shall have all improvements as required by this section. Wherever possible, recreation sites should be located next to adjacent school sites. The applicant shall determine, with the Township's approval whether the land to be utilized for recreational purposes shall remain for private recreational uses or be dedicated for public use.

(1) Open space areas that will be maintained by a homeowners association or other private entity shall be recorded in the master deed and/or homeowner's documents for each project. This will ensure permanent preservation of the open space. Such documents shall be submitted to the Planning Board prior to final approval of the project.

- C. Exception. In special circumstances where the development will result in at least five (5) but no more than ten (10) dwelling units *or* where due to the size, location and design requirements of the development, it is not feasible in the opinion of the reviewing board to set aside such area or areas for developed open space, the applicant shall make payment in lieu of the provision of such open recreation land to the Township. Such payments shall be placed in a special recreational open space land fund to be utilized solely for the purchase of or improvement of public recreational open space.

(1) The required amount of the contribution in lieu of providing recreation facilities and equipment that would otherwise be required for the proposed development shall be estimated based upon the value of the land and the improvements. This estimated cost shall also account for the value of the additional lots that the developer shall have for sale as a result of not providing recreational space.

D. Improvements. The developer shall install as a minimum the following recreational facilities or their equivalent on the land which has been set aside for recreational purposes.

(1) The developer's recreation plans shall be submitted to the reviewing boards for review and approval. The Board and its professional planner and engineer shall evaluate the plans in terms of the following considerations:

- (a) District parks and preservation areas. A minimum standard of ten acres per 1,000 persons is recommended. Large tracts of 50 acres or more are preferable to scattered sites. Lands with mature vegetation, high scenic qualities, historical significance, or other unique characteristics are especially recommended.
- (b) Neighborhood playgrounds. A minimum standard of two acres per 1,000 persons is recommended. Individual sites should be three to five acres in size and within walking distance of the people served. Separate play areas for age groups one through five, six through ten and eleven through fifteen should be included. Equipment for these areas should be based on the recreation needs for each age group.

Infants through five year olds should have a sand area, small swings, static play animals, a small sliding board, and other similar equipment. A sitting area for parents should be provided in close proximity to the play areas. Tricycle space and pavement should be a part of this area.

Children through ten years old are interested in movement, slides, seesaws, balance beams, rope climbing areas, chin-up bars and other similar equipment.

Children 11 through 15 are interested in two kinds of spaces, a general use field where a Frisbee or a football can be thrown and a space of identity for the age group. Bicycle paths and hills, jumps and other similar features are recommended in this area. Landscaping should provide shade and separation for each area.

- (c) Tennis Courts. A recommended standard is one court per 1,500 persons.
- (d) Baseball Diamonds. A recommended standard is one diamond for every 3,000 persons.
- (e) Softball Diamonds. A recommended standard is one softball diamond for every 2,000 persons.
- (f) Football Fields. A recommended standard is one football field for every 10,000 persons.
- (g) Soccer Fields. A recommended standard is one field per 3,000 persons.

- (h) Lacrosse/Field Hockey Fields. A recommended standard is one field per 4,000 persons.
 - (i) Multipurpose/ General Use Fields. A recommended standard is one field per 6,000 persons.
 - (j) Basketball Courts. A recommended standard is one hard surface play area with basketball nets for every 2,000 persons.
 - (k) Picnic Areas. One acre per 1,000 persons is recommended. This use may be part of a district park.
 - (l) Bike Trails. One mile of five-foot wide bituminous trail for each 1,000 persons is recommended. These trails should link homes with local recreation and service opportunities.
 - (m) Jogging and Fitness Trails. One mile per 1,000 persons is recommended. These should be integrated into district parks or create linkages to other recreation areas.
 - (n) Volleyball Courts. A recommended standard is one court per 2,000 persons.
 - (o) Street Hockey. A recommended standard is one street hockey rink per 8,000 persons.
 - (p) Community Pools. A recommended standard is one community pool for every 25,000 persons.
 - (q) Golf Courses. A recommended standard is one golf course per 25,000 residents.
- (2) All improvements, play surfaces and equipment shall be constructed and installed to current industry standards and in compliance with all relevant laws, subject to review and approval by the Township Engineer.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of Jackson, in the County of Ocean, State of New Jersey, held on March 24, 2003, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 14th day of April, 2003, at 7:30 P.M. or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning this Ordinance.

Prior to the second reading, a copy of this Ordinance shall be posted on the Bulletin Board in the Municipal Building and copies shall be made available at the Township Clerk's Office in said Municipal Building to members of the general public who shall request such copies.

ANN MARIE EDEN, TOWNSHIP CLERK

07-03

TITLE: BOND ORDINANCE PROVIDING FOR VARIOUS 2003 CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$6,210,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,790,473 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

MOTION TO TABLE ORDINANCE 07-03 ON SECOND READING, PUBLIC HEARING TO BE HELD ON MAY 12, 2003: GIBLIN

MOTION SECONDED BY: BRODERICK

YES: BRODERICK, GIBLIN & KAFTON

NO: REILLY

ABSENT: GRISANTI

ORDINANCE 07-03

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, 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 as general improvements or purposes to be undertaken by the Township. For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$6,210,000, said sum being inclusive of a \$130,000 grant received from the New Jersey Department of Transportation (the "Grant Received") and \$289,527 as the aggregate amount of down payments for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). The down payments are now available 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 \$6,210,000 appropriation not provided for by application hereunder of said Grant Received and aggregate down payments, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount of \$5,790,473 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 an aggregate

principal amount not exceeding \$5,790,473 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes

for the financing of which said obligations are to be issued are as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) improvements to Manhattan Street, including, but not limited to, as applicable, excavation, milling, reconstruction, repairing and resurfacing of such roadway using Class B pavement (as defined by the Local Bond Law) from Bennetts Mills Road to South Cooks Bridge Road, roadway painting, drainage improvements to such roadway and the restoration/construction of curbs, sidewalks and driveway aprons along such roadway; and	\$500,000	\$476,190	\$23,810	10 years
(ii) improvements to Basso Street, Vath Street and Jordan Street; including, but not limited to, as applicable, excavation, milling, reconstruction, repairing and resurfacing of roadways using Class B pavement (as defined by the Local Bond Law), roadway painting, drainage improvements to said roadways and the restoration/construction of curbs, sidewalks and driveway aprons along such roadways, and the acquisition and installation of signage; and	\$1,080,000 (including a \$130,000 Grant from the NJDOT)	\$904,761	\$45,239	10 years
(iii) acquisition and installation of a public safety communication system for the Township's Police Department, and the Township's Emergency Management Department and also for rescue squads pursuant to N.J.S.A. 40:5-1 et seq., including, but not limited to, the acquisition, installation and construction, as applicable, of interior infrastructure including, but not limited to, three (3) transmission sites and three (3) receiving sites, and external infrastructure, including, but not limited to, buildings, environmental controls and fire suppression materials, the acquisition and installation of equipment and furniture to create six (6) dispatching stations, and the acquisition of mobile radios and pagers for the above mentioned public safety services; and	\$4,000,000	\$3,809,523	\$190,477	10 years
(iv) acquisition, assembling and construction, as applicable, of a metal building to maintain and store equipment for the Public Works	\$500,000	\$476,190	\$23,810	9.89 years

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
Department, and the acquisition of various materials, equipment and non-passenger vehicles for the Public Works Department, including, but not limited to, slurry seal and overlay materials, one (1) 721 Case Loader, one (1) 8 yard Dump Truck, one (1) 33 Yard Compactor, one (1) 40 Yard Container, one (1) 30 Yard Open Container, one (1) 40 Yard Push Out Box, one (1) 4 x 4 Pick Up Truck, replacement of a dump body, one (1) Cylinder Dump TYK, one (1) Sandblast & Paint Truck, Bodies Truck 431/433 and one (1) Animal Control Truck; and				
(v) acquisition and installation of a security system for the Township's Municipal Building; and	\$50,000	\$47,619	\$2,381	5 years
(vi) contribution to the County of Ocean for the Township's share of the cost of the joint municipal/county project involving the reconstruction of Route 571 at Anderson and Patterson Roads, including, but not limited to, as applicable, excavation, milling, reconstruction, repairing and resurfacing of such roadway using Class B pavement (as defined by the Local Bond Law), roadway painting, drainage improvements to such roadway and the restoration/ construction of curbs, sidewalks and driveway aprons along such roadway and the construction and installation of a traffic signal.	\$80,000	\$76,190	\$3,810	10 years
TOTALS	\$6,210,000	\$5,790,473	\$289,527	

(b) The above improvements and purposes set forth in Section 3(a) shall also include the following, as applicable, surveying, construction planning, engineering and design work, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration and also all work, materials, equipment, labor and appurtenances as necessary therefore or incidental thereto.

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said purposes is \$5,790,473.

(d) The aggregate estimated cost of said purposes is \$6,210,000, the excess amount thereof over the said estimated maximum amount of bonds or

notes to be issued therefore being the aggregate amount of \$419,527, is the Grant Received and aggregate down payments for said improvements or purposes.

SECTION 4. Except for the Grant Received, in the event the United States of America, the State of New Jersey and/or the County of Ocean make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 4 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 and/or the County of Ocean. Except for the Grant Received, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Ocean shall be received by the Township after the issuance of the bonds or notes authorized in Section 4 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.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township (the "Chief Financial Officer"), provided that no note shall mature later than one (1) year from its date. 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 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 N.J.S.A. 40A:2-8.1. 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 and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, is on file in the office of the Clerk and is 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 9.95 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, 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 \$5,790,473 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 \$1,242,000 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 improvements or purposes herein before described.

SECTION 8. 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. 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 reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside by the Township, or any member of the same "Controlled Group" as the Township, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Treasury Regulation Section 1.150-1(d), (ii) to create, within one year, following the reimbursement of any expenditures of bond proceeds, "replacement proceeds" within the meaning of

Treasury Regulation Section 1.148-1 of the bonds, or any other bond issue, or (iii) to reimburse the Township for any expenditure or payment that was originally paid with the proceeds of any obligation of the Township (other than borrowing by the Township from one of its own funds or the funds of a member of the same "Controlled Group" within the meaning of Treasury Regulation Section 1.150-1(e)). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$5,790,473. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code and Treasury Regulation Section 1.150-1. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2).

SECTION 10. 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.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by the Local Bond Law.

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

**TOWNSHIP OF JACKSON
PUBLIC NOTICE
NOTICE OF PENDING BOND ORDINANCE AND SUMMARY**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Jackson, in the County of Ocean, State of New Jersey on April 7, 2003. 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 Building, Jackson, in said County on April 28th, 2003 at 7:30 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 2003 CAPITAL

IMPROVEMENTS, BY AND IN THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$6,210,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,790,473 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Purpose(s): Various Capital Improvements within the Township, including, among other things, improvements to various roads, the acquisition and construction of a equipment and storage and maintenance facility for the Public Works Department, the acquisition of equipment and vehicles for the Public Works Department, the acquisition and installation of a communications system for the Township's Police Department, Emergency Management Department and rescue squads, and the acquisition and installation of a security system for the Township's Municipal Building.

Appropriation: \$6,210,000

Bonds/Notes Authorized: \$5,790,473

Grant Appropriated: \$130,000 Grant Received by the New Jersey Department of Transportation.

Section 20 Costs: \$1,242,000

Useful Life: 9.95 years

08-03

TITLE: AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY NEW JERSEY, MAKING THE PROVISIONS OF SUBTITLE ONE OF TITLE 39 WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO BRIDGEWATER CROSSING SUBDIVISION AND REGULATING THE USE OF SAID ROADWAYS, STREETS, DRIVEWAYS AND PARKING LOTS BY MOTOR VEHICLES

PUBLIC HEARING OPENED: NO ONE CAME FORWARD.

**MOTION TO CLOSE PUBLIC HEARING BY: GIBLIN
MOTION SECONDED BY: BRODERICK
YES: BRODERICK, REILLY, GIBLIN & KAFTON
ABSENT: GRISANTI**

**MOTION TO APPROVE ORDINANCE 08-03 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED NEWSPAPER AS REQUIRED BY LAW BY: GIBLIN
MOTION SECONDED BY: BRODERICK
YES: BRODERICK, REILLY, GIBLIN & KAFTON
ABSENT: GRISANTI**

ORDINANCE NO. 08-03

NOW THEREFORE be it Ordained, the developers of Bridgewater Crossing, 730 Brewers Bridge Road, Jackson, NJ, has filed a written consent with the Township of Jackson, that the provisions of Subtitle One of Title 39 of the revised statutes of New Jersey be made applicable to the semi-public roads, streets, driveways and parking lots at Bridgewater Crossing located in the Township of Jackson, County of Ocean and the following regulations shall be enforceable:

REGULATION(S):

1. General Parking:

A. No person shall stop or stand a vehicle upon any of the parts of streets described below, except in areas covered by other parking restrictions.

<u>Name of Street</u>	<u>Sides</u>	<u>Hours</u>	<u>Location</u>
Bridgewater Crossing	Both	All	As indicated on Site Plan

2. Stop Intersections:

A. Stop Intersections:

The following described intersections are hereby designated as Stop Intersections. Stop signs shall be installed as provided therein.

<u>Intersection</u>	<u>Stop Sign on:</u>
Bridgewater Court and Bridgewater Court (Southerly Leg)	Bridgewater Court (Southerly Leg) As indicated on site plan

3. Speed Limits:

A. The speed limit for both directions of travel on the following roadways are:

<u>Name of Roadway</u>	<u>M.P.H.</u>	<u>Limits</u>
Bridgewater Court	25	Entire Length

B. Regulatory and warning signs shall be erected and maintained to effect the above designated speed limits authorized by the Department of Transportation.

4. Tow-Away Zones:

Any vehicle parked or standing as to obstruct or impede a normal flow of traffic block entrances or exit ways, loading zones, oil fills, and grassy area pedestrian walkway, or present in any way a safety or traffic hazard may be removed by towing the vehicle at the owners or operators expense.

That all signs, posts, or other necessary materials be installed and paid for by the applicant. All signing shall conform to the current Manual on Uniform Traffic Control Devices, pursuant to N.J.S.A. 39:4-198 and N.J.S.A. 39:4-183.27.

Unless another penalty is expressly provided for by New Jersey Statute, every person convicted of a violation of this ordinance or any supplement thereto shall be liable to a penalty of not more than one hundred (\$100.00) dollars or imprisonment for a term not exceeding fifteen (15) days or both.

Effect of Ordinance:

If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of the Ordinance.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of Jackson, in the County of Ocean, State of New Jersey, held on April 14, 2003, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 28th day of April, 2003, at

7:30 P.M. or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning this Ordinance.

ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

09-03

TITLE: AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY NEW JERSEY, MAKING THE PROVISIONS OF SUBTITLE ONE OF TITLE 39 WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO JACKSON GREEN APARTMENT COMPLEX AND REGULATING THE USE OF SAID ROADWAYS, STREETS, DRIVEWAYS AND PARKING LOTS BY MOTOR VEHICLES

PUBLIC HEARING OPENED: NO ONE CAME FORWARD.

MOTION TO CLOSE PUBLIC HEARING BY: BRODERICK

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, REILLY, GIBLIN & KAFTON

ABSENT: GRISANTI

MOTION TO APPROVE ORDINANCE 09-03 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED NEWSPAPER AS REQUIRED BY LAW BY: BRODERICK

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, REILLY, GIBLIN & KAFTON

ABSENT: GRISANTI

ORDINANCE NO. 09-03

NOW THEREFORE be it Ordained, S/K Jackson Green Associates, L.L.C., of 520 US Highway 22 (P.O. Box 6872), Bridgewater, NJ, has filed a written consent with the Township of Jackson, that the provisions of Subtitle One of Title 39 of the revised statutes of New Jersey be made applicable to the semi-public roads, streets, driveways and parking lots at Jackson Green Apartments located in the Township of Jackson, County of Ocean and the following regulations shall be enforceable:

REGULATION(S):

1. General Parking:

A. All vehicles must park in designated areas and between the lines provided.

B. No person shall stop or stand a vehicle upon any of the parts of streets described below, except in areas covered by other parking restrictions.

<u>Name of Street</u>	<u>Sides</u>	<u>Hours</u>	<u>Location</u>
Justin Way	Both	All	As indicated on site plan
Justin Way Court	Both	All	As indicated on site plan
Naomi Way	Both	All	As indicated on site plan

C. Handicapped Parking

All stalls shall be 12 foot wide as shown on the attached site plan and sined with the R7-8 and R7-8P (Reserved Parking Sign and Penalty Plate), in the designated parking areas for persons who have been issued the Handicapped Parking Permit by the Division of Motor Vehicles.

2. Through Streets and Stop Intersections:

A. Through Streets

The following streets or parts of streets are hereby designated as Through Streets. Stop signs shall be installed on the near right side of each street intersecting the Through street except where Yield signs are provided for in the designation.

<u>Name of Street</u>	<u>Limits</u>
Justin Way	Entire length

B. Stop Intersections:

The following described intersections are hereby designated as Stop Intersections. Stop signs shall be installed as provided therein.

<u>Intersection</u>	<u>Stop Sign on:</u>
Justin Way and Naomi Way at the northern intersect	Justin Way

3. Speed Limits:

A. The speed limit for both directions of travel on the following roadways are:

<u>Name of Roadway</u>	<u>M.P.H.</u>	<u>Limits</u>
Justin Way	25	Entire Length
Naomi Way	25	Entire Length
Justin Way Court	25	Entire Length

B. Regulatory and warning signs shall be erected and maintained to effect the above-designated speed limits authorized by the Department of Transportation.

4. Tow-Away Zones:

Any vehicle parked or standing as to obstruct or impede a normal flow of traffic block entrances or exit ways, loading zones, oil fills, and grassy area pedestrian walkway, or present in any way a safety or traffic hazard may be removed by towing the vehicle at the owners or operators expense.

Recommendations

Municipal officials should have all maps for the Jackson Green Apartment Complex modified to reflect the addition of the word "Court" to the small leg of Justin Way leading from the main thoroughfare to the Club House. This will help in the identification of the intersection of Justin Way and Justin Way "Court".

That all signs, posts, or other necessary materials be installed and paid for by the applicant. All signing shall conform to the current Manual on Uniform Traffic Control Devices, pursuant to N.J.S.A. 39:4-198 and N.J.S.A. 39:4-183.27.

Unless another penalty is expressly provided for by New Jersey Statute, every person convicted of a violation of this ordinance or any supplement thereto shall be liable to a penalty of not more than fifty (\$50.00) dollars or imprisonment for a term not exceeding fifteen (15) days or both.

Effect of Ordinance:

If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of the Ordinance.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of Jackson, in the County of Ocean, State of New Jersey, held on April 14, 2003, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 28th day of April, 2003, at 7:30 P.M. or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning this Ordinance.

**ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK**

10-03

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN STATE OF NEW JERSEY AMENDING CHAPTER 109, ARTICLE XI SECTION 188 OF THE MUNICIPAL LAND USE & DEVELOPMENT CODE OF THE TOWNSHIP OF JACKSON WHEREBY ESTABLISHING FEDERAL STANDARDS FOR LETTERING OF STREET SIGNS AND LOCATION OF STREET SIGNS

PUBLIC HEARING OPENED: NO ONE CAME FORWARD.

MOTION TO CLOSE PUBLIC HEARING BY: BRODERICK

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, REILLY, GIBLIN & KAFTON

ABSENT: GRISANTI

MOTION TO APPROVE ORDINANCE 10-03 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED NEWSPAPER AS REQUIRED BY LAW BY: GIBLIN

MOTION SECONDED BY: BRODERICK

YES: BRODERICK, REILLY, GIBLIN & KAFTON

ABSENT: GRISANTI

ORDINANCE NO. 10-03

WHEREAS, the Township Committee of the Township of Jackson desires to amend Chapter 109, Article XI of the Township Code of the Township of Jackson;

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

Section 109-188A. (1)(b) is hereby amended to read as follows:

(b) Lettering on the street name signs shall be at least six inches for upper case letters and 4½ inches for lower case letters, with supplementary lettering to indicate the type of street (e.g., street, avenue, road, etc.), which shall be in smaller lettering at least three inches in height. Conventional abbreviations are acceptable, except for the street name itself.

Section 109-188A.(2) is hereby amended to read as follows:

(2) Street signs shall be properly installed at each street intersection. Street signs shall be placed, two per intersection, on the near right-hand corner, as viewed from both directions, on the street, which is expected to carry the greatest traffic through the intersection. Mounting shall be in accordance with the standard procedures of the Township or with requirements adopted by the Township Committee. At signalized intersections, street signs shall be suspended over the intersection. Street signs shall be placed before any certificate of occupancy for houses on the subject street is issued.

3. Section 109-188B. shall be amended by adding the following paragraph:

(1) Lettering on the street name signs shall be at least six inches for upper case letters and 4½ inches for lower case letters, with supplementary lettering to indicate the type of street (e.g., street, avenue, road, etc.), which shall be in smaller lettering at least three inches in height. Conventional abbreviations are acceptable, except for the street name itself.

4. All other provisions of Section 109-188 of the Codified Ordinances of the Township of Jackson shall remain in full force and effect, except to the extent modified herein.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of Jackson, in the County of Ocean, State of New Jersey, held on April 14, 2003 and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 28th day of April, 2003, at 7:30 P.M. or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning this Ordinance.

Prior to the second reading, a copy of this Ordinance shall be posted on the Bulletin Board in the Municipal Building and copies shall be made available at the Township Clerk’s Office in said Municipal Building to members of the general public who shall request such copies.

**ANN MARIE EDEN
TOWNSHIP CLERK**

ORDINANCE FIRST READING

11-03

TITLE: A BOND ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY PROVIDING FOR THE ACQUISITION OF PROPERTY KNOWN AS BLOCK 147.02, LOT 2, AND THE PAYMENT OF THE PURCHASE PRICE OF REAL PROPERTY FOR OPEN SPACE PRESERVATION PURPOSES, A LAWFUL PUBLIC PURPOSE; APPROPRIATING \$6,550,000 THEREFORE AND AUTHORIZING THE

ISSUANCE OF \$6,238,000 IN BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

MAYOR KAFTON: He stated for the public's edification that this has to do with the 115 acre parcel of property that they are in the midst of purchasing to stop 185 new homes off of Jackson Mills Road. This bond lies on the 1 ½ cent penny tax from our open space referendum past in 2001. This will be covered under the monies that are collected each year from that 1 ½ cent tax. He said they have also applied to Green Acres for matching funds. Therefore the township will have paid \$3.25 Million out of a \$6.5 Million Dollar purchase.

**MOTION TO APPROVE ORDINANCE 11 -03 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, MAY 12, 2003 BY: BRODERICK
MOTION SECONDED BY: GIBLIN
YES: BRODERICK, REILLY, GIBLIN & KAFTON
ABSENT: GRISANTI**

ORDINANCE 11-03

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

SECTION 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Township of Jackson, in the County of Ocean, State of New Jersey (the "Township"). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of \$6,550,000, which sum includes \$312,000 as the amount of down payment for said improvement or purpose 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 therefore by virtue of the Township's Open Space Trust Fund created pursuant to N.J.S.A. 40:12-15.1 et seq.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$6,550,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$6,238,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$6,238,000 are hereby

authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is the acquisition and the payment of the purchase price of real property for open space preservation purposes, a lawful public purpose, such real property being approximately 115 acres and being designated as Block 147.02, New Lot 2 on the Official Tax Map of the Township and being commonly known as the Vista Property (the "Vista Property") and also including, all work, materials, equipment, labor and appurtenances necessary therefore or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$6,238,000.

(c) The estimated cost of said improvement or purpose is \$6,550,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefore, being the amount of \$312,000, which is the down payment for said improvement or purpose.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Ocean make a contribution or grant in aid to the Township, for the improvement and purpose authorized hereby and the same shall be received by the Township 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 and/or the County of Ocean. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Ocean, shall be received by the Township 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 Township 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 times 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 or otherwise authorized by the Local Bond 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 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, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, 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 improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement which the Township may lawfully undertake as a general improvement, 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 improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 40 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, 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 \$6,238,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law. To the extent that debt service on the bonds or the notes authorized herein will be paid from the Township's Open Space Trust Fund created pursuant to N.J.S.A. 40:12-15.1 et seq., the bonds or notes issued or authorized but not issued will be a deduction from gross debt pursuant to the provisions of N.J.S.A. 40A:2-44(h).

(d) An aggregate amount not exceeding \$50,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

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

SECTION 9. The Township is hereby authorized to acquire the Vista Property for open space preservation purposes, a lawful public purpose, and to

negotiate an agreement of sale for the aforesaid acquisition. The Mayor, Business Administrator, Chief Financial Officer, Township Attorney and the Township Clerk are each hereby authorized, as applicable, to negotiate, approve, execute, attest, deliver and perform said agreement of sale and any and all documents necessary to acquire said Vista Property.

SECTION 10. The Township reasonably expects to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same "Controlled Group" as the Township, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 10 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Township for any expenditures toward the costs of the improvement or purpose described in Section 3 hereof will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Treasury Regulation Section 1.150-1(d), (ii) to create, within one year, following the reimbursement of any expenditures of bond proceeds "replacement proceeds", within the meaning of Treasury Regulation Section 1.148-1 of the bonds, or any other bond issue, or (iii) to reimburse the Township for any expenditure or payment that was originally paid with the proceeds of any obligation of the Township (other than borrowing by the

Township from one of its own funds or the funds of a member of the same "Controlled Group" within the meaning of Treasury Regulation Section 1.150-1(e)). The bonds or notes authorized herein to reimburse the Township for any expenditures toward the costs of the improvement or purpose described in Section 3 hereof will be issued in an amount not to exceed \$6,238,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code and Treasury Regulation Section 1.150-1. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2).

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.

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

**ADOPTED ON FIRST READING
DATED: April 28, 2003**

**ANN MARIE EDEN,
Clerk of the Township of Jackson**

**ADOPTED ON SECOND READING
DATED: _____, 2003**

**ANN MARIE EDEN,
Clerk of the Township of Jackson**

**TOWNSHIP OF JACKSON
PUBLIC NOTICE
NOTICE OF PENDING BOND ORDINANCE AND SUMMARY**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Jackson, in the County of Ocean, State of New Jersey on April 28, 2003. 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 Building, Jackson, in said County on May 12th, 2003 at 7:30 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 THE ACQUISITION AND THE PAYMENT OF THE PURCHASE PRICE OF REAL PROPERTY FOR OPEN SPACE PRESERVATION PURPOSES, A LAWFUL PUBLIC PURPOSE, BY AND IN THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; APPROPRIATING \$6,550,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$6,238,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

- Purpose(s):** The acquisition and the payment of the purchase price of real property for open space preservation purposes, a lawful public purpose, such real property being approximately 115 acres and being designated as Block 147.02, New Lot 2 on the Official Tax Map of the Township and being commonly known as the Vista Property

- Appropriation:** \$6,550,000

- Bonds/Notes Authorized:** \$6,238,000

- Grant Appropriated:** None

- Section 20 Costs:** \$50,000

- Useful Life:** 40 years

PUBLIC HEARING OPENED, RESOLUTIONS ONLY:

WILLIAM ALLMANN, 624 HYSON ROAD: He began by saying that he had questions about Resolution 207R-03 (JCA Associates). Since the development was to the planning board most of those services were re-done by the builder. Can the engineer just review those things and not pay \$6,500 to JCA? Attorney Starkey explained that he has sent a letter to the attorney for the builder because our engineer will certainly benefit from the work the builder's engineer has done. He expects to get that information from the builder shortly. This will enable our engineer to do a better job, but as he cautioned before this is a major acquisition and the Township has to make absolutely certain that there is no environmental issues with this parcel of land they are acquiring. That is the reason why he recommended this to the Committee. Committeeman Broderick explained that on behalf of the Planning Board he has seen the requirements and acceptance of environmental status and he suggests that they go a little bit further than they did. Mayor Kafton stated that when buying land from someone you don't take the environmental study based on what the seller has. Mr. Allmann stated that our Planning Board Professionals have already reviewed that application and reports. Those professionals are our professionals. Attorney Starkey explained that they reviewed the report that was done by the builder's engineer. They didn't review it for accuracy to make sure the builder was protected in the event that there was any environmental contamination. They reviewed it from a Planning Board perspective. It is very different when the township is the one that is going to be on the hook in the event there is an environmental problem on that property. This is money well spent by the township to protect the residents/taxpayers from any potential environmental contamination that may exist there. Mr. Allmann asked for \$6,500 what kind of onsite inspections are they going to do? Mayor Kafton stated

that it is money well spent because it is a 115 acre parcel. Deputy Mayor Giblin explained that the dollar amount is \$5,000. Committeeman Broderick commented that they don't need another Johnson Park. Mr. Allmann then asked if they have cleaned up Johnson Park? Committeeman Broderick stated that they are in the process of doing so.

RICHARD BORYS, 800 GREEN VALLEY ROAD: He stated that on behalf of the Environmental Commission they have been involved with this project for a number of years and there have been a number of questions that they have brought back to the applicant on the EIS. He said there are a number of sensitive areas that they must make sure in a separate report by an outside engineer that they are hiring now to make sure that they are not going to be held responsible for certain things that were discovered there and things that weren't discovered. They had to postpone a number of site inspections because of weather etc. It is better to know about these things now and ascertain them from our point of view as a buyer to protect the liability we might incur. Mayor Kafton stated that with any land purchase you always have to make sure there is nothing wrong with the land that will effect you or in this case the taxpayer of this town. They are being very prudent in doing this. Mr. Borys added that there are some sites where there are old structures where there might be old oil tanks, those are the things that they haven't gotten to do. They were going to make sure that those tanks were cleared out of there three or four years ago, but we are not sure that they are yet.

**MOTION TO CLOSE PUBLIC HEARING, RESOLUTIONS ONLY BY:
BRODERICK
MOTION SECONDED BY: GIBLIN
YES: BRODERICK, REILLY, GIBLIN & KAFTON
ABSENT: GRISANTI**

RESOLUTION 201R-03

TITLE: APPROVE THE APPOINTMENT OF ANNE ALBERTA AS ACTING DIRECTOR OF RECREATION

**MOTION TO APPROVE BY: BRODERICK
MOTION SECONDED BY: GIBLIN
YES: BRODERICK, GIBLIN & KAFTON
NO: REILLY
ABSENT: GRISANTI**

COMMITTEEMAN BRODERICK: He thanked Anne Alberta for her help with the Recreation Department.

MAYOR KAFTON: He stated that she has done an excellent job with this situation.

WHEREAS, a need exists for the appointment of an Acting Director of Recreation in the Recreation Department; and

WHEREAS, the Municipal Administrator has made recommendations for the appointment of an individual to fill said position;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY that:

1. The following is hereby appointed to the position of Acting Director of Recreation at a salary of \$54,500 per annum:

Anne Alberta

2. Said appointment is effective April 15, 2003 and is on a temporary full time basis pending background compliance and approval by the N.J. Department of Personnel.

- 3. Copies of this resolution to appointee, Recreation Commission, Chief Financial Officer, Municipal Administrator, Personnel Manager and any other interested parties.

DATED: 04/28/03

ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

RESOLUTION 203R-03

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING PAYMENT TO GULF INSURANCE COMPANY FOR THE REMOVAL AND REPLACEMENT OF THE HARMONY CHURCH ROOF IN THE AMOUNT OF \$44,000.00

**MOTION TO APPROVE BY: GIBLIN
MOTION SECONDED BY: BRODERICK
YES: BRODERICK, REILLY, GIBLIN & KAFTON
ABSENT: GRISANTI**

WHEREAS, the Township of Jackson, after soliciting bids through public bidding, awarded the contract for the removal and replacement of the Harmony Church Roof to Element Construction, Inc. (“Element”); and

WHEREAS, Element completed the necessary work to the satisfaction of the Township Engineer, CME Associates, Inc., which approved the work by letter dated January 14, 2003; and

WHEREAS, Element and its surety on the project, Gulf Insurance Company (“Gulf”), had a dispute related to the payment of certain subcontractors on the project; and

WHEREAS, Gulf and Element have agreed in writing to a resolution of their dispute, pursuant to which both Element and Gulf agree that any outstanding payments on the project shall be paid by the Township directly to Gulf; and

WHEREAS, the Chief Financial Officer has certified that \$44,000.00 is the total amount outstanding on the project and is available for payment..

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

- 1. Gulf Insurance Company shall be paid the amount of \$44,000.00, representing the total outstanding amount due on the contract between Element Construction, Inc. and the Township of Jackson for the removal and replacement of the Harmony Church Roof, in accordance with the terms of the agreement between Gulf and Element.
- 2. That upon adoption of this resolution, the Clerk is authorized and directed to forward a certified copy of it to the Administrator, Chief Financial Officer, Gulf Insurance Company and Element Construction, Inc.

DATED: 04/28/03

ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

CONSENT AGENDA, ONE VOTE FOR ALL OF THE FOLLOWING RESOLUTIONS:

RESOLUTION 189R-03

TITLE: AUTHORIZE TAX OVERPAYMENT REFUNDS

MOTION TO APPROVE BY: BRODERICK

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, REILLY, GIBLIN & KAFTON

ABSENT: GRISANTI

WHEREAS, it has been determined by the Township Tax Collector that the taxpayers as indicated on the attached Schedule "A" are entitled to overpayment refunds, and;

WHEREAS, it is the desire of the Township Committee to have these overpayments returned to the respective taxpayers;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Jackson, County of Ocean, State of New Jersey, that:

1. The Tax Collector is hereby authorized to make overpayment refunds in the amount shown and to the taxpayers, as appears on Schedule "A" which is made apart hereof.
2. Copies of this Resolution to the Tax Collector and respective taxpayers, and any other interested parties.

DATED: 04/28/03

**ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK**

**TOWNSHIP OF JACKSON
OVERPAYMENT REFUNDS
APRIL 28, 2003**

BLOCK	LOT	NAME	YEAR	AMOUNT
78.34	2	CLARENCE M. HARGROVE	2002	\$ 45.00
		C/O PETERSON & BROOK TRUST ACCT		
82.01	30.13	STEWART TITLE OF CENTRAL JERSEY, INC.	2002	\$ 822.86
94.02	2	WASHINGTON MUTAL HOME LOANS, INC.	2002	2,132.82
94.10	24	ROBERT & MARIE PETROW	2003	1,886.13
125.14	13	TIDAL ABSTRACT COMPANY, INC.	2003	959.20
127.07	35	ROBERT M. SCHIMMENTI	2003	904.93
128.08	73	JOHN P. JR. & LARA E. FERRACO	2002	1,063.78
135.06	21	DARREN & GLORIA KOLOGI	2002	1,760.63
154.37	8	CHRISTOPHER & GINA RANDAZZO	2003	1,844.18
155	37	JOE & LAURA VOLLTRAUER	2002	857.65

RESOLUTION 190R-03

TITLE: APPROVE TOWNSHIP COMMITTEE MEETING MINUTES OF MARCH 24, 2003

**MOTION TO APPROVE BY: BRODERICK
MOTION SECONDED BY: GIBLIN
YES: BRODERICK, REILLY, GIBLIN & KAFTON
ABSENT: GRISANTI**

WHEREAS, official Minutes of Jackson Township Committee meetings have been prepared; and

WHEREAS, the Township Clerk has reviewed these Minutes and has submitted them to the Township Committee for their approval;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Jackson, County of Ocean, that:

1. The following Minutes are hereby approved by the Jackson Township Committee:

MARCH 24, 2003

2. Copies of this resolution to any interested parties.

**ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK**

DATED: 04/28/03

**RESOLUTION 191R-03
TITLE: APPROVE BUDGET WORKSHOP SESSIONS OF MARCH 29 2003 &
MARCH 31, 2003 AND APPROVE SPECIAL TOWNSHIP COMMITTEE
MEETING FOR BUDGET INTRODUCTION OF APRIL 7, 2003**

**MOTION TO TABLE TO MAY 12, 2003 BY: BRODERICK
MOTION SECONDED BY: GIBLIN
YES: BRODERICK, REILLY, GIBLIN & KAFTON
ABSENT: GRISANTI**

WHEREAS, official Minutes of Jackson Township Committee meetings have been prepared; and

WHEREAS, the Township Clerk has reviewed these Minutes and has submitted them to the Township Committee for their approval;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Jackson, County of Ocean, that:

1. The following Minutes are hereby approved by the Jackson Township Committee:

MARCH 29, 2003, MARCH 31 2003 AND APRIL 7, 2003

2. Copies of this resolution to any interested parties.

**ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK**

DATED: 04/28/03

**RESOLUTION 192R-03
TITLE: APPROVE BINGO/RAFFLE LICENSE TO: CHURCH OF SAINT
ALOYSIUS (#RA-996)**

**MOTION TO APPROVE BY: BRODERICK
MOTION SECONDED BY: GIBLIN
YES: BRODERICK, REILLY, GIBLIN & KAFTON
ABSENT: GRISANTI**

WHEREAS, certain organizations have applied to the Jackson Township Committee for permission to hold Raffles or Bingo Games within the Township for fund raisings:

NOW THEREFORE, BE I RESOLVED by the Mayor and the Township Committee of the Township of Jackson, County of Ocean, State of New Jersey, that:

1. The following application(s) are hereby approved:
#RA – 996 – Church of St. Aloysius
2. Copies of the Resolution to interested parties.

DATED: 04/28/03

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

**RESOLUTION 193R-03
TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY,
NEW JERSEY AUTHORIZING THE RELEASE OF MAINTENANCE
GUARANTEES POSTED BY UNION VALLEY’S FRANCIS MILLS, SECTION 3,
PHASE 1**

**MOTION TO APPROVE BY: BRODERICK
MOTION SECONDED BY: GIBLIN
YES: BRODERICK, REILLY, GIBLIN & KAFTON
ABSENT: GRISANTI**

WHEREAS, the developer of Block 3, Lot 11 (Francis Mills, Section Three, Phase 1) has posted a maintenance guarantee in the form of cash in the amount of \$55,450.00;

WHEREAS, the developer of Francis Mills, Section Three, Phase 1 has requested the release of said maintenance guarantee in accordance with the requirements of the Municipal Land Use Law; and

WHEREAS, the Township Conflict Engineer, Chris A. Theodos, PE, Schoor DePalma, Inc., has reviewed the site improvements and has determined that said maintenance guarantee should be released in a letter dated April 4, 2003; and

WHEREAS, it is now the desire of this governing body to act upon the engineer’s recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Jackson, County of Ocean and State of New Jersey, as follows:

DATED: 04/28/03

**ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK**

**RESOLUTION 194R-03
TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY,
NEW JERSEY AUTHORIZING THE RELEASE OF MAINTENANCE
GUARANTEE POSTED BY JACKSON STORAGE OF NJ**

MOTION TO APPROVE BY: BRODERICK

**MOTION SECONDED BY: GIBLIN
YES: BRODERICK, REILLY, GIBLIN & KAFTON
ABSENT: GRISANTI**

WHEREAS, the developer of Block 145.01, Lot 34.01 (Jackson Storage of NJ) has posted a maintenance guarantee in the form of a maintenance bond issued by First Indemnity of America Insurance Company No. S04193M the amount of \$11,100.00;

WHEREAS, the developer of Jackson Storage of NJ has requested the release of said maintenance guarantee in accordance with the requirements of the Municipal Land Use Law; and

WHEREAS, the Township Conflict Engineer, Chris A. Theodos, PE, Schoor DePalma, Inc., has reviewed the site improvements and has determined that said maintenance guarantee should be released in a letter dated April 9, 2003; and

WHEREAS, it is now the desire of this governing body to act upon the engineer’s recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Jackson, County of Ocean and State of New Jersey, as follows:

4. That the Township Committee of Jackson Township hereby formally authorizes the release of a maintenance guarantee posted by the developer of Block 145.01, Lot 34.01 in the amount of \$11,100.00 in the form of a bond issued by First Indemnity of America Insurance Company No. S04193M.

2. That this resolution of release is contingent upon the applicant/developer reimbursing the Township for the cost of any and all outstanding construction inspection fees and the cost of any and all other charges as per Township ordinance for the release of said performance guarantees.

3. That upon the adoption of the within resolution, the Clerk is authorized and directed to forward a certified copy of it to Chris Theodos, PE, and the developer of Block 145.01, Lot 34.01.

**ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK**

DATED: 04/28/03

RESOLUTION 195R-03 – NOT USED

RESOLUTION 196R-03 – NOT USED

**RESOLUTION 197R-03
TITLE: AUTHORIZE A REVISED ELECTRICAL AGREEMENT BETWEEN THE TOWNSHIP OF JACKSON AND THE COUNTY OF OCEAN FOR THE INSTALLATION OF A BATTERY BACK-UP SYSTEM FOR THE TRAFFIC SIGNAL LOCATED AT C.R. #9 (COUNTY LINE ROAD) AND C.R. #10 (BENNETTS MILLS ROAD)**

**MOTION TO APPROVE BY: BRODERICK
MOTION SECONDED BY: GIBLIN
YES: BRODERICK, REILLY, GIBLIN & KAFTON
ABSENT: GRISANTI**

WHEREAS, the County of Ocean had previously entered into an electrical agreement November 18, 1970 for the traffic signal at C.R. #9 (County Line Road) and C.R. #10 (Bennetts Mills Road) in the Township of Jackson; and

WHEREAS, the Agreement should be amended to provide for the signal installation at the Shopping Plaza Driveway and a battery back-up system; and

WHEREAS, it is the desire of this governing body to amend said agreement the County of Ocean whereby the County will bear all costs associated with the conversion to a battery back-up installation and the maintenance of same and the Township will bear the cost of the electric usage charges as well as future battery replacements

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

1. That the Township Committee of Jackson Township hereby formally authorizes the Mayor and Clerk to execute an amended electrical agreement with the County of Ocean for the conversion to a battery back-up system at the intersection of C.R. #9 (County Line Road) and C.R. #10 (Bennetts Mills Road), as per the agreement attached hereto and made a part hereof as Schedule A.
2. That upon the adoption of the within resolution, the Clerk is authorized and directed to forward a certified copy of it together with the executed agreement to the County of Ocean c/o Ronald A. Lotrecchio, County Engineer.

ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

DATED: 04/28/03

RESOLUTION 198R-03

TITLE: AUTHORIZE THE ADVERTISEMENT AND ACCEPTANCE OF BIDS FOR JACKSON TOWNSHIP POLICE HEADQUARTERS ACCESS ROAD

MOTION TO APPROVE BY: BRODERICK

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, REILLY, GIBLIN & KAFTON

ABSENT: GRISANTI

WHEREAS, the Business Administrator has reviewed and the Township Committee has approved specifications for and has determined that it will advertise for sealed bids for the Jackson Township Police Headquarters Access Road; and

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

1. The Township Engineer is hereby authorized to advertise for sealed bids for:
JACKSON TOWNSHIP POLICE HEADQUARTERS ACCESS ROAD
2. The Township Engineer shall advertise the attached Notice to Bidders for the purpose of the receipt of sealed bids for the above-named purpose or project.
3. Each bid shall be submitted as a written proposal in the manner designated in the specifications and shall be signed by bidder. The bid shall be enclosed in a sealed envelope bearing the name and the address of the bidder on the outside and addressed to Township Clerk, Township of Jackson, 95 West Veterans Highway, Jackson, New Jersey 08527. Said envelope shall be clearly labeled that it contains a bid for the purpose of "Jackson Township Police Headquarters Access Road".

4. Specifications and form of bids may be inspected or obtained upon proper notice by prospective bidders during business hours from the office of The Township Engineer, CME Associates, 1460 Route 9, Howell, New Jersey 07731, (732) 462-7400

5. It is the sole responsibility of each bidder to see that bids are submitted in date and time specified, and IN NO EVENT SHALL ANY BID BE CONSIDERED OR ACCEPTED AFTER THE DATE AND TIME SPECIFIED FOR THE RECEIPT OF BIDS. In the event that a bidder does not personally deliver the sealed bid on the date and time specified for receipt of bids, such bidder shall assume all risks of loss or misplacement of the sealed bid by the Municipal Officers or any other risk relative to the failure of the bidder to personally deliver the bid.

6. The bid quote shall be net to the Township of Jackson and shall be exclusive of State or Federal taxes. Each and every deviation from the specifications shall be clearly listed by the bidder. Failure to comply with this requirement shall be grounds for rejection of the bid.

7. Each bid must be accompanied by a bid bond, certified check or cashiers check payable to the Township of Jackson for not less than ten percent (10%) of the amount of the bid, but not in excess of \$20,000.00 and shall be delivered at the place and time specified above. This requirement will not be waived.

8. A contract will be awarded to the lowest qualified responsible bidder. The Township Committee reserves the right to reject any and all bids. The Township Committee reserves the right to waive insubstantial irregularities in any bid.

9. A Non-Collusion Affidavit in the usual form will be supplied with the specifications and shall be executed by the person or corporate office submitting the bid. Said Affidavit must be properly notarized. A Non-Collusive Affidavit must accompany each bid. These requirements will not be waived.

10. Bidders are required to comply with the requirements of P.L. 1975, Chapter 127 (N.J.S.A. 10:5-31 et seq.). Successful bidders shall execute a contract containing Affirmative Action Requirements established by regulations pursuant to P.L. 1975, Chapter 127.

11. Corporate and partnership bidders shall comply with P.L. 1977, Chapter 33, by submitting a list of the names and addresses of all stockholders or owners holding ten percent (10%) or more of the stock or owning a ten percent (10%) or greater interest therein. Failure to submit such a list either prior to the time for the receipt of the bids or with the sealed bid will be grounds for the rejection of the bid.

12. Performance date shall commence as stipulated in agreement or as stated in specifications.

13. The second lowest bid shall be retained for a period of thirty (30) days after the award of bid.

GENERAL BIDDING REQUIREMENTS FOR THE JACKSON TOWNSHIP POLICE HEADQUARTERS ACCESS ROAD

A. Each bid shall be submitted in writing, addressed to the Township Clerk, Jackson Township Municipal Building, 95 West Veterans Highway, Jackson, New Jersey 08527 and shall be in the hands of said Clerk at or before the time set forth in the Notice to Bidders for the receipt of bids. No responsibility shall be assumed by the Township for any bid mailed to the Clerk, which is not received by him before the time stated above for the receipt of bids. No bids will be received after the first bid is opened at said time and place.

B. Each bid shall be signed by the bidder and contained in a sealed envelope WHICH SHALL BE ADDRESSED TO THE SAID CLERK AND SHALL CONTAIN

ON ITS FACE A STATEMENT THAT IT IS A BID ON SAID ITEM in order the said bid may not be inadvertently opened prematurely.

- C. Each bid shall state that it is made in accordance with this advertisement.
- D. The Township reserves the right to accept or reject any and all bids.
- E. Each bid shall be accompanied by certified check, cashier’s check, bank money order or bid bond in the amount of ten percent (10%) of the bid price and each bid shall also be accompanied by a consent of surety. The successful bidder is required to post a performance bond.
- F. In the event Bidder is a corporation or partnership, it shall submit to the governing body, prior to the time of the receipt of the bids or accompanying the bid, a statement setting forth the names and addresses of all stockholders in the corporation or partnership who own ten percent (10%) or more of its stock or an interest equivalent for the same in accordance with P.L. 1977, c.33.
- G. Bidders are required to comply with the requirements of P.L. 1975, c.127.
- H. Bidders on this work will be required to comply with the Copeland Anti-Kickback Act (18 H.S.C. 874) as supplemented in Department of Labor Regulations (29 C.F.R. Part 3).
- I. Contact Ann Marie Eden, Township Clerk, (732) 928-1200 or the Township Engineer, CME Associates, (732) 462-7400 for any additional information

**ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK**

DATED: 04/28/03

**RESOLUTION 199R-03
TITLE: APPROVE THE APPOINTMENT OF VARIOUS RECREATION
SUMMER CAMP PERSONNEL**

**MOTION TO APPROVE BY: BRODERICK
MOTION SECONDED BY: GIBLIN
YES: BRODERICK, REILLY, GIBLIN & KAFTON
ABSENT: GRISANTI**

WHEREAS, a need exists in the Recreation Department for the appointment of Summer Camp Personnel; and

WHEREAS, the Municipal Administrator has made a recommendation for the appointment of individuals to fill said positions;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY that:

1. The following are hereby appointed to the position of Summer Camp Supervisors at an hourly salary of \$14.50 per hour:

- Wendy Cook
- Corie Lopes
- Diana Kennedy
- Sam Schwartz
- Jim Convery

2. The following are hereby appointed to the position of summer Camp Head Leaders at an hourly salary of \$11.50 per hour:

Steve Bado
James Romano
Greg McClain
Jenny Glory
Allan Forsyth

3. Said appointments are effective immediately on a temporary part time basis pending approval by the N.H. Department of Personnel.
4. Copies of this resolution to appointees, Recreation Department, Chief Financial Officer, Municipal Administrator, Personnel Manager and any other interested parties.

ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

DATED: 04/28/03

**RESOLUTION 200R-03
TITLE: APPROVE THE APPOINTMENT OF JUNIOR UMPIRES FOR GIRLS
SOFTBALL IN THE DEPARTMENT OF RECREATION**

**MOTION TO APPROVE BY: BRODERICK
MOTION SECONDED BY: GIBLIN
YES: BRODERICK, REILLY, GIBLIN & KAFTON
ABSENT: GRISANTI**

WHEREAS, the Recreation Department has recommended the appointment of Junior Umpires for the Girl’s Softball Program; and

WHEREAS, the Township Committee has considered individuals for appointment and has considered the recommendation of the recreation Department;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY that:

1. The following individuals are hereby appointed to the position of Junior Umpire on a temporary seasonal basis at a salary of \$15.00 per game:

 Kristy Kube
 Laura Needham
 Jackie Brodeur
 Joseph Marchitelli
 Christine Voigtlander
 Erin Lynn
 Courtney Lynn
 Heather Macdonald
 Shayna Stockton
2. Said appointments are effective immediately.
3. Copies of this resolution to Recreation Department, Municipal Administrator, Finance Officer, Personnel Manager, appointees, and any other interested parties.

ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

DATED: 04/28/03

RESOLUTION 202R-03

TITLE: AUTHORIZE SUBMISSION OF RECYCLING/TONNAGE GRANT APPLICATION TO DEPARTMENT OF ENVIRONMENTAL PROTECTION CY 2002

MOTION TO APPROVE BY: BRODERICK

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, REILLY, GIBLIN & KAFTON

ABSENT: GRISANTI

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township of Jackson and the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

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

1. The Township of Jackson hereby endorses the submission of the recycling tonnage grant and application to the New Jersey Department of Environmental Protection and designates Sergio Panunzio to ensure that the application is properly filed.
2. The monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

DATED: 04/28/03

RESOLUTION 204R-03

TITLE: APPROVE THE APPOINTMENT OF VARIOUS SUMMER CAMP PERSONNEL – BUS DRIVERS

MOTION TO APPROVE BY: BRODERICK

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, REILLY, GIBLIN & KAFTON

ABSENT: GRISANTI

WHEREAS, a need exists in the Recreation Department for the appointment of Summer Camp Personnel (Bus Driver); and

WHEREAS, the Municipal Administrator has made a recommendation for the appointment of individuals to fill said positions;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY that:

1. The following are hereby appointed to the position of Summer Camp Bus Drivers at an hourly salary of \$11.43 per hour:

Maureen Buchan	Christine Burnetsky
Beth Costanzo	Sonya Crisson
Jaclyn Ducar	Roseann Fresco
Kathleen Kavanagh	Irene Kozera
Karen Meyerhoff	Nancy Murphy
Kelly O'Connor	Heidi Pagano
Marci Rickey	Denise Ruppel
Donna Walters	Margaret Collins
Partricipa Florkowski	Debra Scatigna
Sharon Sorensen	Donna Tulino

ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

DATED: 04/28/03

RESOLUTION 205R-03

TITLE: APPROVE THE APPOINTMENT OF MICHELLE BADO AS CLERK IN THE INSPECTIONS DEPARTMENT

MOTION TO APPROVE BY: BRODERICK

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, REILLY, GIBLIN & KAFTON

ABSENT: GRISANTI

WHEREAS, a need exists in the Inspections Department for the appointment of a clerk on a full time temporary basis; and

WHEREAS, it is the desire of the Mayor and Township Committee to fill said position;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY that:

1. The following is hereby appointed to the position of Clerk on a full time temporary basis pending background compliance and approval by the New Jersey Department of Personnel effective May 5, 2003:

Michele Bado

2. Said appointment shall be at a salary of \$10.90 per hour.
3. Copies of this resolution to appointee, Personnel Manager, Chief Financial Officer, Construction Official, Municipal Administrator and any other interested parties.

ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

DATED: 04/28/03

RESOLUTION 206R-03

TITLE: APPROVE THE APPOINTMENT OF CHERYL BORZEK AS CLERK IN MUNICIPAL COURT

MOTION TO APPROVE BY: BRODERICK

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, REILLY, GIBLIN & KAFTON
ABSENT: GRISANTI

WHEREAS, a need exists in the Municipal Court for the appointment of a Clerk on a full time temporary basis; and

WHEREAS, it is the desire of the Mayor and Township Committee to fill said position;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY that:

1. The following is hereby appointed to the position of Clerk on a full time temporary basis pending background compliance and approval by the New Jersey Department of Personnel effective April 21, 2003:

Cheryl Borzek

2. Said appointment shall be at a salary of \$10.90 per hour.
3. Copies of this resolution to appointee, Personnel Manager, Chief Financial Officer, Municipal Court Judge, Municipal Administrator and any other interested parties.

ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

DATED: 04/28/03

RESOLUTION 207R-03

TITLE: AUTHORIZE A PROFESSIONAL SERVICES AGREEMENT WITH J.C.A. ASSOCIATES TO PREPARE PRELIMINARY ASSESSMENT REPORT AND PHASE I ENVIRONMENTAL SITE ASSESSMENT ON THE PROPERTY DESIGNATED AS BLOCK 147.02, LOT 2 (LAKESIDE VILLAGE/VISTA CENTER)

MOTION TO APPROVE BY: BRODERICK
MOTION SECONDED BY: GIBLIN
YES: BRODERICK, REILLY, GIBLIN & KAFTON
ABSENT: GRISANTI

WHEREAS, the position of Special Projects Engineer is to be appointed by the Township Committee; and

WHEREAS, the Local Public contracts Law (N.J.S.A. 40A:11-1 et seq.) requires the Notice of a resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised; and

WHEREAS, the Chief Financial Officer has certified that a maximum of \$5,000.00 is available in the 2003 Temporary Operating Budget for this purpose.

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

1. That JCA Associates, Inc. is hereby appointed to the position of Special Projects Engineer to prepare a preliminary assessment report and Phase I Environmental Site Assessment on the property known as Block 147.02, Lot 2 (Lakeside Village/Vista Center)
2. This appointment is made without competitive bidding for "Professional Services" to be performed by a person authorized by law to practice a recognized profession.

3. The Mayor and Township Clerk are hereby authorized to execute and deliver the contract attached hereto to said appointee.
4. A Notice of this appointment shall be advertised as required by law.
5. That upon adoption of this resolution, the Clerk is authorized and directed to forward a certified copy of it to the Administrator, Chief Financial Officer and JCA Associates, Inc.

**ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK**

DATED: 04/28/03

DISCUSSION AGENDA:

COMMITTEEMAN REILLY: He stated that he believes in property tax reform and verbally wishes that the Committee will vote in favor for the resolution he put forward tonight. He added that the hopes something will get done at the State level.

COMMITTEEMAN BRODERICK: He requested that Committeeman Reilly forward SCR-89 and ACR-161 to all the Committee prior to any formal action being taken on the resolution he put forth. This will allows them to compare apples to apples and oranges to oranges.

PUBLIC HEARING, ANY TOPIC:

KATHY SADANO, 7 AGOSTINA DRIVE: She explained that she has been here five times before over the last three years because they have not paved their roads. She has been in her house since 1999. There was a Resolution by the township done on January 28, 2002 drawing down on the developer's bond. The development is Forest Estates and the builder is MKM Construction. Attorney Starkey explained that they have been pursuing this, but they have run into difficulties. He believes the developer is currently in bankruptcy. They now have to pursue against the developer in court, but they have to go to bankruptcy court. Ms. Sedano said that she thought that the bonding company was still holding the money. She later asked if there was a chance that they won't get anything and if so what would happen to their development? Who would ultimately be held responsible for the development if they are bankrupt and there is no money? Mr. Starkey explained that the bond company is the surety for the developer. When the developer declares bankruptcy the whole process moves into bankruptcy court. That is considered an asset of the developer. He then stated that he thinks it is unlikely that there will be a result of nothing. Ultimately the bonding company will be liable for it. Mayor Kafton explained that the township can't go there and do the work or they will lose the opportunity to collect on any of that bond. Attorney Starkey confirmed that the Township could forfeit the bond if it does any of the work itself. Committeeman Broderick asked Administrator Kennedy to go out and review the area with Dan Burke to make sure that it isn't a safety issue. Ms. Sedano added that last April she was here and had given her information to the township and then someone came down and inspected the street. Whoever it was, had cans of spray and sprayed orange lines like they were going to do something. She asked if they knew who did that and why? She stated that this has already been documented and they have a punch list that was attested to by an engineer. It hasn't changed just gotten worse, so why would we do all that and then pay for it? In closing she asked someone to look into this. Deputy Mayor Giblin stated that could have been the township engineer that was at her development making up a punch list.

JERRYLYN ADEWOYIN, 63 GREENWICH DRIVE: Mayor Kafton stated that they have spoken before and he knows the problems with her backyard. He explained that there has been several people out there and he was hoping that Dan Burke was here tonight so they could get his input on this. Administrator Kennedy explained the situation regarding Ms. Adewoyin and Dan Burke and CME's involvement. Ms.

Adewoyin stated that her concern was that CME had very much understated this as being a problem that was at her house specifically. She told Mayor Kafton that she understands that he has been trying to do what he can, however CME has not been receptive in responding to her as the homeowner, they may be following up with city officials, but she thinks it is unfair, since she is the effected party that she has been left out of this communication. Mayor Kafton asked if we have addressed it? Administrator Kennedy said that they had. Ms. Adewoyin explained that the original letter was very upsetting to her, that was the letter that understated the significance of the problem and the burden that would be on the township if it is not properly addressed. The problem resides with the engineering of the street (drainage) not within her backyard.

GEORGE MCLOUGHLIN, 33 FOREST DRIVE: He explained that he has been trying to get a building permit approved since January after they made a change to the master plan for houses in the R-1 zone. He said he believes that Mr. Kennedy knows about this. He explained that he has already contacted Mr. Megill and was told there is nothing he can do it has to go through the Committee and the paperwork to Mr. Starkey. He said he is just trying to put an addition on his house and they told him he can't do this without getting a variance because of the changes made to the building code. Mayor Kafton asked Mr. Starkey if they are addressing the changes in the zoning because it didn't reflect from 1 to 3 acres? Attorney Starkey stated if he is talking about the setbacks, there is going to be an Ordinance on that at the next meeting. Mayor Kafton stated this Ordinance will address his exact problem because they didn't recognize this would be a problem when they changed to 3 acre zoning.

MEL SCHUBERT, 3 NO. DAKOTA COURT: He asked if it would be appropriate for him to comment on Committeeman Reilly's Resolution even though it has been tabled? He explained that someone had stated that what they voted on last year was similar. That was dealing with SCR-13. This is completely different, this is asking for two summer sessions. Mayor Kafton stated they are not questioning whether they should vote on it. The reason why it was tabled is because they didn't receive it before tonight. They would like in the future for Committeeman Reilly to give them a copy of it before to review it. Mr. Schubert stated he understands, but he is telling them that they hadn't voted on this in the past. Mayor Kafton said that they are just saying they would have liked to review this first and that they would have no problem voting on it because they have supported the same issue in the past. Mr. Schubert commented on the fact that this issue has been on a lot of people's minds and has been in the paper this past week. He said that SCR stands for Senate Concurrent Resolution. Deputy Mayor Giblin thanked him and explained that if they get the Resolution a head of time, then concerned residents can come out and support it too. That will give them the opportunity to voice their approval.

JANET GEARMAN, 201 PERRINEVILLE ROAD: She first congratulated the Committee on the first open space purchase in this town in over two decades. She said that she is always interested in planning and what is going on and she has a question, she knows they have past a Resolution to make sure that applications were complete upon being reviewed by the Planning Board. This was like a check list of things that had to happen, such as environmental study, traffic study, etc. What happens when one of those components has an expiration date? She explained that an application is sitting in front of the Planning Board and one of the first components is called a letter of interpretation from the DEP and those are usually issued for a specific timeframe, what happens when that timeframe is past? Committeeman Broderick explained in the past the engineer's recommendation was that the developer re-visit that issue for approval. Ms. Garner went on to say that it was about two years ago that they were here until about 2:00 AM with a developer that was trying to build on Hawkins Road. The developer was denied that application at the time because she had a questionable environmental study. They took the denial to Judge Serpentelli who issued them a review. These people now have a sign on their property that beginning in August they will be building 19 homes. She wanted to know how they can be advertising without any approval? They don't even have a complete application filed. (inaudible)

WILLIAM SANTOS, LEMING ROAD: He addressed Deputy Mayor Giblin and stated that there was a letter written by him and Committeeman Grisanti or at least one written on their behalf addressing property taxes, school funding and their concerns with the broken system, etc. That was just two or three weeks ago and now, tonight Committeeman Reilly proposed this Resolution supporting property tax reform and they go and table it? Two weeks ago they were for property reform and now they are against it. He said that it sounds like Mr. Giblin isn't familiar with property tax reform. Mr. Santos later asked the Mayor if he has communicated to Senator Singer during his tenure as Mayor his concerns regarding property tax reform or has he presented proposals to him? He asked if he had sent letters to him or called him and said lets sit down because he represents one of the largest towns in the district. Obviously, he hasn't, so you have shown very little interest on property tax reform. Committeeman Reilly was the one who takes the initiative to prepare a resolution or has the attorney prepare the resolution. Deputy Mayor Giblin explained that in the Resolution Committeeman Reilly made reference to two bills that they haven't seen any information on and won't vote on when he is unsure of exactly what the bill says. He explained that he is unfamiliar with SCR-89 and 161. Mayor Kafton said that Mr. Santos knows that nobody is going to vote on something until they see it and they will put it on for the next meeting and give everyone a chance to review it. He explained that they have communicated in the past to the Senate and up to the Governor's office regarding property tax reform. This Township Committee has done everything they can to cut taxes in the past. Committeeman Broderick questioned who prepared the Resolution Committeeman Reilly presented to them.

JAN ROSENBERG, 206 WEST VETERANS HIGHWAY: He stated that he was at the last meeting when they had the proclamation for the Day of Prayer and also for the Holocaust Remembrance. He came in late and missed it, but he thought about it and said that one of the aspects of the Holocaust is that so many did forget and didn't get involved. He thought it would be worthwhile to come today and thank them on behalf on his congregation and the wider Jewish Community for making this proclamation. He knows it is a proclamation that is done in many States. It occurred to him that if people don't hear a response of thank you for these proclamations then the proclamation doesn't mean anything and is just paper and words. He thanked the Mayor and the Committee for making that proclamation not only for the loss of those people who died in the Holocaust and in other places, but also a celebration of those who did stand up as volunteers when so many didn't open the borders for the Jewish people and turned a deaf ear. He wanted to encourage everybody to remember and not forget. Mayor Kafton thanked him for coming out and reminded everyone that May 1st is National Prayer Day and there will be a service here held at 12:00 PM.

PATTY ALLEN, 10 AGOSTINA DRIVE: She stated that her neighbor got up to talk before and she really doesn't understand the situation. She said that their builder is in bankruptcy, therefore their street may be put off for years. She told them that she has been there for 3 years, but her neighbor has been there for 7 years. Her neighbors have been here over the past three years trying to get the street fixed. Ms. Allen later told Mayor Kafton that there are huge potholes and some of the sewers are cracked. Attorney Starkey stated usually the builder is obligated to pave the streets, etc. The township requires them to get a bond that the Township holds, which is basically a commitment by the insurance company so that if the developer doesn't do its job the insurance company will step up and provide the money so it can be done. The matter here is complicated because he believes this is the builder that declared bankruptcy. Once the builder declares bankruptcy the insurance all moves into bankruptcy court and is subject to the judge's decision on how that money is to be allocated. By nature courts are slow, but bankruptcy courts are more then slow. Mayor Kafton asked if there any sewerage problems from the potholes, his concern is if there is anything hazardous? Mayor Kafton then asked Mr. Starkey if the potholes are that big can they fix something of that nature? Attorney Starkey stated something like that can be fixed if it is a safety hazard of any type. Mayor Kafton then stated that they will have the engineer go out and

look at it and have him address anything that appears to be a safety hazard. Committeeman Broderick explained that the problem was that bonds were being released to builders without even going out and checking on the work. Now there are punch lists sent out to the residents and then you would send it back to the engineer and the township holds the bonds. We have refused to release bonds on a number of occasions. Administrator Kennedy explained that Mr. Peters from CME will be here tomorrow for a meeting at 11:00. He will ask him to come out with him and Dan Burke to look at the situation.

DANA SCOTTO, 470 BASSO STREET: She began by saying that they spend a lot of time concerning themselves with quad safety and they need to ride quads just to get down their street. She said they were promised that it would be done by Good Friday. You can't keep a vehicle clean and her kids can't even learn how to ride a bike. She later added that she has lived on a dirt road for many years and she is fine with that they could have left the dirt, but they put down the pavement and didn't grade it, which makes it worse then before. She explained that the police or ambulances can't even drive down their street. She told them that a lot more of her neighbors would have liked to have been here tonight, but because of CCD, etc. they couldn't. She then commented on the fact that the only person that had responded back to her with any kind of professionalism is Dan Burke. She has been blown off by every DPW employee including the director. She too is a public employee and works for a township and if she treated any resident of the town she works for like this, she would be fired. Mr. Burke is the only one who called her back and answered her questions. She also called CME and she sympathizes with anyone who has to get in touch with the township engineer because you can't. In closing, she explained that she doesn't want to get another letter in November the week before the election stating that they are just waiting for final approval. Mayor Kafton explained that he believes that Mr. Panunzio has gone out there with the grader. Administrator Kennedy stated that he will be getting the grader back on Wednesday. Mayor Kafton said that if the grader is not back by Wednesday, they should call the county and see if they can use their grader. He told Ms. Scotto that she is 100% right and if they don't get the grader back they will call the county and get it graded. The Mayor explained that as far as the capital improvement projects it was going to be done last year but they had the opportunity to get the rest of the funds to complete the project.

MRS. TREMATERRA, 6 AGOSTINA DRIVE: She stated that she has the same problem as her neighbors. She has grandchildren and her grandson fell down at the end of her driveway because the driveway is sinking in to the street because of the potholes. Mayor Kafton stated when they do go out to look at this they will check to see if it is hazardous and if they are able to address it they will, otherwise they will have to wait because they don't want to jeopardize the bond.

MOTION TO CLOSE PUBLIC HEARING ON ANY TOPIC BY: BRODERICK
MOTION SECONDED BY: GIBLIN
YES: BRODERICK, REILLY, GIBLIN & KAFTON
ABSENT: GRISANTI

MOTION TO ADJOURN BY: BRODERICK
MOTION SECONDED BY: GIBLIN
YES: BRODERICK, REILLY, GIBLIN & KAFTON
ABSENT: GRISANTI
8:50 PM

RESPECTFULLY SUBMITTED,

ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

AME/tvc