

**ON MONDAY, JUNE 30, 2003 AT 6:30 P.M., THE JACKSON TOWNSHIP COMMITTEE HELD IT'S MEETING IN THE MUNICIPAL BUILDING**

**ROLL CALL:**

**COMMITTEEMAN BRODERICK  
COMMITTEEMAN GRISANTI  
COMMITTEEMAN REILLY  
DEPUTY MAYOR GIBLIN  
MAYOR KAFTON**

**ATTORNEY STARKEY (6:45 PM)  
ADMINISTRATOR KENNEDY  
TOWNSHIP CLERK EDEN**

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**RESOLUTION 265R-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: BRODERICK**

**MOTION SECONDED BY: GRISANTI**

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

**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: 06/30/03**

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

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**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.

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**ON MONDAY, JUNE 30, 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  
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.

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**PRESENTATION BY THE NEW JERSEY PINELANDS COMMISSION**

The New Jersey Pinelands Commission gave a brief presentation regarding the Toms River Corridor "Conservation Planning Process" and outlined the goals (protect the important natural resources of the area, for example, plants, animals, water resources, landscape, ecosystem character including helping towns achieve their vision for development and open space within the corridor). The Commission noted the partners involved in the planning process, which are Jackson Township, Manchester Township, Ocean County, NJDEP, Lakehurst Naval Air Station, USGA, etc.

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**PLAQUES:**

**LAWRENCE MEEGAN  
COUNTY LINE HARDWARE**

**MAYOR KAFTON:** He acknowledged the efforts of Lawrence Meegan and County Line Hardware in their assistance in relief efforts at our sister city, Jackson, Tennessee due to tornado damage.

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**TOWNSHIP CLERK EDEN:** She stated that she is experiencing technical difficulties with the recorder. A 20 minute recess took place to determine the problem. Problem was not resolved. The Township Committee meeting reconvened, however, there would be no use of a recorder (audio not working). Township Clerk Eden would take the minutes by hand for the remainder of the meeting.

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**COMMITTEE COMMENTS**

**COMMITTEEMAN BRODERICK: Waived Comments**

**COMMITTEEMAN GRISANTI: Waived Comments**

**COMMITTEEMAN REILLY: Waived Comments**

**DEPUTY MAYOR GIBLIN:** He stated that the DPW will be accepting tree stumps free of charge – it will be a temporary service and thanked Sergio Panunzio for his assistance in the implementation of this program.

**MAYOR KAFTON:** He began by saying he would be brief, but wanted to congratulate the graduating class of 2003 – adding that Committeeman Broderick's daughter was one of the graduates and he congratulated him as well.

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**BILLS AND CLAIMS**

**MOTION TO APPROVE BILLS AND CLAIMS BY: GIBLIN**

**MOTION SECONDED BY: BRODERICK**

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

**COMMITTEEMAN GRISANTI:** He questioned page 17 , the bill for Direct TV, asking the Administrator who is this for? Administrator Kennedy replied Office of Emergency Management (for satellite information). Committeeman Grisanti also questioned two claims for car accidents in the amount of \$7,342.25 (page 28) asking if the insurance company reimbursed us since we are paying the auto body shop for the repair work? Mr. Kennedy replied yes, the insurance company has paid us.

| <b>CHECK#</b> | <b>VENDOR</b>                    | <b>AMOUNT</b> |
|---------------|----------------------------------|---------------|
| 063158        | JACKSON TOWNSHIP P/R ACCOUNT     | 467,929.24    |
| 063159        | JACKSON TOWNSHIP P/R ACCOUNT     | 36,535.89     |
| 063261        | JACKSON TOWNSHIP P/R ACCOUNT     | 471,114.35    |
| 063262        | JACKSON TOWNSHIP P/R ACCOUNT     | 37,489.15     |
| 063265        | A&M TEXACO INCORPORATED          | 50.00         |
| 063266        | ASHRAF ABDELMOTTLIB              | 40.00         |
| 063267        | ACTION OFFICE SUPPLIES INC.      | 1,971.22      |
| 063268        | AIR BRAKE & EQUIPMENT INC.       | 254.34        |
| 063269        | ANNE ALBERTA                     | 75.00         |
| 063270        | KAREN S. BRESSI t/a ALWAYS       | 574.00        |
| 063271        | ARCH WIRELESS                    | 10.95         |
| 063272        | ASBURY PARK PRESS, INC.          | 644.60        |
| 063273        | ASPEN PUBLISHERS                 | 118.53        |
| 063274        | AUTOMATED BUILDING CONTROLS      | 880.00        |
| 063275        | B&G ELEVATOR                     | 135.00        |
| 063276        | LINDA BOYCE                      | 798.80        |
| 063277        | BRICK STARTER & ALTERNATOR, INC. | 584.00        |
| 063278        | BROUWER HANSEN & IZDEBSKI        | 460.00        |
| 063279        | CABLEVISION                      | 49.95         |
| 063280        | CANYON SPRING WATER              | .00           |
| 063281        | CANYON SPRING WATER              | 798.85        |
| 063282        | CARLSON'S AUTOMOTIVE BODY        | 8,864.21      |
| 063283        | CAREERTRACK                      | 129.00        |
| 063284        | CASEVILLE GARDEN CENTER          | 144.00        |
| 063285        | CATERING UNLIMITED               | 1,320.00      |
| 063286        | CHARIOT RIDERS INC.              | 1,280.00      |
| 063287        | CHERRY VALLEY TRACTOR SALES      | 912.94        |
| 063288        | CITY PUBLISHING COMPANY, INC.    | 211.21        |
| 063289        | CLARK, CATON & HINTZ CORP.       | 119.25        |
| 063290        | CME ASSOCIATES                   | 1,723.25      |
| 063291        | CMF, INC.                        | 30,689.94     |
| 063292        | UNITED STATES POSTAL SERVICE     | 8,000.00      |
| 063293        | COHENS MODERN PRINT SVCE. INC.   | 676.60        |
| 063294        | METROPOLITAN INSURANCE CO.       | 587.76        |
| 063295        | COMMERCE NATIONAL INS. SERVS.    | 300.00        |
| 063296        | COMPLETE SECURITY SYSTEMS INC.   | 210.00        |
| 063297        | COSTCO WHOLESALE 229             | 192.86        |
| 063298        | COUNTRYWIDE – TAX DEPT.          | 16,235.80     |
| 063299        | COUNTY LINE HARDWARE             | 58.30         |
| 063300        | COUNTRY CLEAN, INC.              | 86.82         |
| 063301        | COUNTRY SUDSER CAR WASH          | 190.00        |
| 063302        | D.A.R.E. NEW JERSEY INC.         | 250.00        |
| 063303        | DAVIS & STANTON                  | 1,412.50      |
| 063304        | DAYBREAK MARKETING SERVICES      | 488.00        |

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|--------|----------------------------------|-----------|
| 063305 | DECISION ONE CORPORATION         | 168.25    |
| 063306 | DELTA DENTAL PLAN OF N.J. INC.   | 16,690.73 |
| 063307 | DELTA PRODUCTS, INC.             | 283.79    |
| 063308 | DELL MARKETING L.P.              | 2,838.00  |
| 063309 | DEPTCOR/BUREAU OF                | 188.50    |
| 063310 | JAMES R. & ELIZABETH G DILKS     | 894.34    |
| 063311 | DIRECTV, INC.                    | 426.93    |
| 063312 | DOWNS FORD, INC.                 | 2,226.70  |
| 063313 | EARDLY T. PETERSON               | 60.45     |
| 063314 | EDWARDS TIRE COMPANY, INC.       | 5,656.75  |
| 063315 | E.J. SCHUSTERS, INC.             | 203.35    |
| 063316 | EXECUTIVE BUSINESS PRODUCTS      | 575.04    |
| 063317 | FALLON & FALLON LLP              | 8,125.00  |
| 063318 | LILLY ANN FARLEY, REC            | 119.62    |
| 063319 | FERGUSON ENTERPRISES, INC.       | 10.16     |
| 063320 | FIRST WASHINGTON STATE BANK      | 2,176.84  |
| 063321 | F N I S REAL ESTATE TAX SERVICE  | 100.00    |
| 063322 | FOSTER & COMPANY, INC.           | 346.35    |
| 063323 | G & D ENTERPRISES, INC.          | 910.00    |
| 063324 | GALL'S INCORPORATED              | 1,179.92  |
| 063325 | GENERAL CODE PUBLISHERS CORP.    | 7,119.95  |
| 063326 | GENERAL SALES ADMINISTRATION     | 255.20    |
| 063327 | LAW OFFICES OF EDMUND GLASNER    | 2,387.80  |
| 063328 | GMAC MORTGAGE CORP.              | 3,167.60  |
| 063329 | GRANTURK EQUIPMENT CO., INC.     | 126.52    |
| 063330 | GREATER MEDIA PUBLICATIONS       | 370.00    |
| 063331 | EDWARD A. HLAVACH, C.P.A.        | 3,250.00  |
| 063332 | HOOVER TRUCK CENTERS, INC.       | 1,659.90  |
| 063333 | HPI INTERNATIONAL                | 1,146.95  |
| 063334 | INDUSTRIAL WELDING SUPPLY INC.   | 200.87    |
| 063335 | INDYMAC BANK HOME LOAN           | 100.38    |
| 063336 | J&M AUTO MACHINE SHOP, INC.      | 360.76    |
| 063337 | JACKSON SR. CITIZENS CLUB, INC.  | 184.28    |
| 063338 | JACKSON TWP. MUN. UTILITIES AUTH | 3,317.00  |
| 063339 | JACKSON AUTO BODY                | 7,342.25  |
| 063340 | JCA ASSOCIATES, INC.             | 1,999.00  |
| 063341 | JERSEY CENTRAL POWER & LIGHT     | 13,800.50 |
| 063342 | A-1 JDK SPECIALTIES              | 255.00    |
| 063343 | JERSEY SHORE MEDICAL CENTER      | 555.00    |
| 063344 | JOHNNY ON THE SPOT               | 104.00    |
| 063345 | JOHN LUCAS CHEV OLDS             | 493.61    |
| 063346 | MICHELLE KATZ, ESQ.              | 1,658.24  |
| 063347 | KEYSTONE PLASTICS, INC.          | 2,040.00  |
| 063348 | KIMBALL CORPORATE CARE           | 3,078.00  |
| 063349 | KING ALARM DIST. INC.            | 154.43    |
| 063350 | ROBERT & KAREN KINDER            | 1,074.90  |
| 063351 | PETER G & EILEEN E KOREY         | 1,467.52  |
| 063352 | LAKEWOOD AUTO SUPPLY INC.        | 50.71     |
| 063353 | LEE BATTERY SERVICE, INC.        | 1,030.27  |
| 063354 | LERETA CORP.                     | 1,463.69  |
| 063355 | ARLENE G. LETNIK                 | 52.08     |
| 063356 | THOMAS LOVETT                    | 116.00    |
| 063357 | MAGLOCLLEN                       | 350.00    |
| 063358 | HENRY J. MANCINI & ASSOCIATES    | 7,500.00  |
| 063359 | DR. FRANK MARLOWE                | 7,500.00  |
| 063360 | MASTERMAN'S                      | 3,854.09  |
| 063361 | MC BRIDE GLASS CO., INC.         | 95.00     |
| 063362 | MEADOWBROOK COOPERATIVE INC.     | 2,332.00  |
| 063363 | HONORABLE PHILLIP M. MILLER      | 400.00    |
| 063364 | STEVE MILLER                     | 667.60    |
| 063365 | NATIONS TITLE AGENCY INC.        | 1,216.95  |
| 063366 | KEVIN NERWINSKI                  | 496.36    |

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| 063367 | NY/NJ TRAIL CONFERENCE             | 50.00     |
| 063368 | NEXTEL COMMUNICATONS               | 410.00    |
| 063369 | NJ ASSN. SENIOR CTR. DIRECTORS     | 30.00     |
| 063370 | NJ ECONOMIC DEVELOPMENT AUTH.      | 3,900.00  |
| 063371 | POLICE ATHLETIC LEAGUE OF NJ       | 3,700.00  |
| 063372 | NEW JERSEY NATURAL GAS             | .00       |
| 063373 | NEW JERSEY NATURAL GAS             | 6,415.98  |
| 063374 | N.J. SHORE A.S.A. UMPIRE ASSOC.    | 1,188.00  |
| 063375 | NEW JERSEY STATE LEAGUE OF         | 240.00    |
| 063376 | NJ SHADE TREE FEDERATION           | 85.00     |
| 063377 | NJ STATE POLICE/CRIME SCENE CS     | 800.00    |
| 063378 | NJS IDENTIFICATION ASSOC.          | 30.00     |
| 063379 | NOREIKA GAS INC.                   | 189.80    |
| 063380 | C. NOREIKA'S SALES & SERVICE       | 91.20     |
| 063381 | NRTCTA                             | 30.00     |
| 063382 | NRTCTA                             | 1,150.00  |
| 063383 | OCEAN COUNTY BOARD OF HEALTH       | 6,088.00  |
| 063384 | OCEAN COUNTY NEWSPAPERS, INC.      | 352.74    |
| 063385 | OCEAN COUNTY RECYCLING             | 270.52    |
| 063386 | OCEAN COUNTY MAYORS ASSOC.         | 100.00    |
| 063387 | OCEAN COUNTY VETERINARY HOSP.      | 529.20    |
| 063388 | OMNI COMMUNICATIONS CO., INC.      | 19.96     |
| 063389 | SHEILA PALLOTTI                    | 100.00    |
| 063390 | PARKER, MCCAY & CRISCUOLO, P.C.    | 884.22    |
| 063391 | THE PASTA HOUSE, INC.              | 800.00    |
| 063392 | SHARON PINKAVA                     | 77.50     |
| 063393 | QUARTERMASTER                      | 202.19    |
| 063394 | QUICKIE PRINT & COPY SHOP          | 768.83    |
| 063395 | RAGAN DESIGN GROUP                 | 3,400.00  |
| 063396 | RDJ SPECIALTIES, INC.              | 278.00    |
| 063397 | RUBBERCYCLE                        | 416.50    |
| 063398 | RUDERMAN AND GLICKMAN, P.C.        | 2,125.00  |
| 063399 | RUSSO, DELANOY, MARTINO & RYAN     | 2,083.00  |
| 063400 | SANDY SASSO/ (RUGGIRELLO)          | 1,050.00  |
| 063401 | ROBERT F. SCHILLEBERG JR           | 1,421.24  |
| 063402 | SCIBAL ASSOCIATES, INC.            | 8,294.45  |
| 063403 | MICHAEL & ANN MARIE SCRIPKO        | 1,156.29  |
| 063404 | SEELY EQUIPMENT & SUPPLY           | 150.50    |
| 063405 | PATRICK SHEEHAN, ESQ.              | 835.25    |
| 063406 | SHOPRITE/PERLMART, INC.            | 34.31     |
| 063407 | DAVE SODANO                        | 300.00    |
| 063408 | SPRINT                             | 1,210.25  |
| 063409 | NEW JERSEY DIVISION OF ABC         | 63.00     |
| 063410 | STARKEY, KELLY, BLANEY, BAUER, WHI | 15,709.40 |
| 063411 | STOP & SHOP #873                   | 7.98      |
| 063412 | ROBERT F & CYNTHIA E. STOUT        | 568.97    |
| 063413 | STRAUSS AND ASSOCIATES             | 6,120.20  |
| 063414 | SUPPLY SAVER                       | 602.70    |
| 063415 | TOTAL LUBRICATION SVC & SUPPLY     | 60.80     |
| 063416 | TOTAL RECYCLING SERVICES           | 300.50    |
| 063417 | TRANSAXLE CORPORATION              | 1,718.88  |
| 063418 | TRANSAMERICA RE TAX SERVICE        | 28,767.60 |
| 063419 | TREC - ADVANCED COMPUTER           | 4,000.00  |
| 063420 | TRENTON BRAKES, INCORPORATED       | 142.07    |
| 063421 | TREASURER, STATE OF NEW JERSEY     | 8.01      |
| 063422 | TRENDWAY CORPORATION               | 540.00    |
| 063423 | TRICO CREDIT CORPORATION           | 547.17    |
| 063424 | ULTIMATE OFFICE                    | 110.42    |
| 063425 | MICHAEL CEPPALUNI dba/UNITED       | 1,020.00  |
| 063426 | UNITED PARCEL SERVICE              | 36.25     |
| 063427 | U.S. LUMBER                        | 90.00     |
| 063428 | VAN SANT EQUIPMENT                 | 109.40    |

|               |                                       |                  |
|---------------|---------------------------------------|------------------|
| <b>063429</b> | <b>VAN SANT SEWER SERVICE t/a</b>     | <b>225.00</b>    |
| <b>063430</b> | <b>VERIZON WIRELESS</b>               | <b>31.12</b>     |
| <b>063431</b> | <b>VERIZON</b>                        | <b>.00</b>       |
| <b>063432</b> | <b>VERIZON</b>                        | <b>.00</b>       |
| <b>063433</b> | <b>VERIZON</b>                        | <b>4,162.78</b>  |
| <b>063434</b> | <b>VITAL COMMUNICATIONS, INC.</b>     | <b>142.01</b>    |
| <b>063435</b> | <b>WALTER R. EARLE CORPORATION</b>    | <b>2,223.47</b>  |
| <b>063436</b> | <b>WASTE MANAGEMENT, INC.</b>         | <b>43,650.00</b> |
| <b>063437</b> | <b>WELLS FARGO HOME MORTGAGE INC.</b> | <b>1,680.06</b>  |
| <b>063438</b> | <b>WESTWOOD COMPUTER CORP.</b>        | <b>268.64</b>    |
| <b>063439</b> | <b>WOODHUE LTD</b>                    | <b>2,370.00</b>  |

**ORDINANCES, SECOND READING:**

**13-03**

**TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN APPROPRIATING \$799,820.50 FROM THE GENERAL CAPITAL FUND RESERVE FOR RECREATION IMPROVEMENTS TO PROMOTE, ESTABLISH AND IMPROVE BOTH ACTIVE AND PASSIVE RECREATION WITHIN THE TOWNSHIP OF JACKSON**

**PUBLIC HEARING OPENED:**

**WILLIAM SANTOS, 457 LEMING ROAD:** He asked the Committee for a better description of what their intent is with regard to the use of the funds indicated in the ordinance and to delineate what they are going to spend it on. Deputy Mayor Giblin responded that the money is currently in the reserve fund and the Township deems it appropriate to make use of it for such things as whether it be acquisition of land for a park, new park equipment or improvements to recreational fields, etc. Mr. Santos stated that he understands and agrees with the concept, however, as a taxpayer he would like to know what exactly they would be spending it on? Deputy Mayor Giblin replied that this is a continued appropriation, it's money left over from last year and they are appropriating it into the recreation fund (for the good of the community) and it will be used for various things related to recreation, but at this time there are no definitive purposes. Mr. Santos asked Mr. Starkey when this ordinance would take effect as far as the expenditure of the funds by the Township Committee? Attorney Starkey explained that this ordinance does not authorize expenditure of funds; it authorizes the transfer of funds. Mr. Santos then asked that if you wanted to charge something to that ordinance, at what point in time would it be permitted? Attorney Starkey stated that the ordinance authorizes the transfer and that would be effective the day after publication.

**MOTION TO CLOSE PUBLIC HEARING BY: GIBLIN**

**MOTION SECONDED BY: BRODERICK**

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

**MOTION TO APPROVE ORDINANCE 13-03 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED NEWSPAPER AS REQUIRED BY LAW BY: GIBLIN**

**MOTION SECONDED BY: GRISANTI**

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

**ORDINANCE 13-03**

**WHEREAS,** there is currently within the Township of Jackson an item entitled "Reserve For Recreation Improvements" on the Balance Sheet in the General Capital Fund, and;

**WHEREAS**, there is in this fund a sum of \$799, 820.50, and;

**WHEREAS**, it is deemed appropriate to make use of the \$799,820.50 for both passive and active recreation purposes to include but not limited to the acquisition of park equipment, environmental studies, to improve recreational fields and facilities, as well as acquisition of property for recreational purposes, and;

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

**Section 1:** There is hereby appropriated from the General Capital Fund contained within the reserve for Recreational Improvements the sum of \$799,820.50 to promote, establish and improve both active and passive recreational facilities within the Township of Jackson.

**Section 2:** This Ordinance or parts of this Ordinance, which are inconsistent with the terms of this Ordinance, be and the same are hereby repealed to the extent of their inconsistency.

**Section 3:** All ordinances or parts of ordinances, which are inconsistent with the terms of this Ordinance, be and the same are hereby repealed to the extent of their inconsistency.

**Section 4:** This Ordinance shall take effect immediately upon final passage and publication as required by law.

**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 May 27, 2003 and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 30<sup>th</sup> day of June, 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.

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

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**14-03**

**TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY APPROPRIATING THE SUM OF \$36,000.00 IN THE CAPITAL FUND FOR THE ACQUISITION OF LAND KNOWN AS BLOCK 9.01, LOT 214, CHARLES STREET**

**PUBLIC HEARING OPENED: NO ONE CAME FORWARD.**

**COMMITTEEMAN REILLY:** He asked Mr. Starkey about this ordinance in that it looks familiar to him, and didn't they do this earlier this year? Mr. Starkey explained that there was an ordinance authorizing the Township to acquire this parcel. This ordinance this evening authorizes the Township to transfer the funds.

**MOTION TO CLOSE PUBLIC HEARING BY: BRODERICK**

**MOTION SECONDED BY: GRISANTI**

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

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**MOTION TO APPROVE ORDINANCE 14-03 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED NEWSPAPER AS REQUIRED BY LAW BY: BRODERICK  
MOTION SECONDED BY: GRISANTI  
YES: BRODERICK,GRISANTI, REILLY, GIBLIN & KAFTON**

**ORDINANCE 14-03**

**WHEREAS**, the Township Committee has determined that the acquisition of property designated as Block 9.01, Lot 214 on the Tax Map of the Township of Jackson is necessary and suitable for public purposes; and

**WHEREAS**, said parcel consists of approximately 2.10 acres of land along Charles Street; and

**WHEREAS**, an agreement has been negotiated for the purchase of said parcel for the purchase price of \$35,000.00; and

**WHEREAS**, an ordinance appropriating the sum of \$36,000.00 from Capital Fund Balance for the acquisition of Land Block 9.01, Lot 214 on the tax map known as Charles Street, including all closing costs and fees.

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

**SECTION 1.** The sum of Thirty Six Thousand Dollars (\$36,000) presently in Capital Fund Balance is hereby appropriated for the acquisition of Land, Block 9.01, Lot 214 on the tax map known as Charles Street.

**SECTION 2.** In connection with the amount authorized in Section 1 hereof, the Township makes the following determinations.

- a) The purpose described in Section 1 hereof is not a current expense and is a purchase, which the Township of Jackson may lawfully make.
- b) The period of usefulness of the purpose described in Section 1 hereof is not in the limitations of the said Local Bond Law and according to the reasonable life thereof.

**SECTION 3.** All ordinances or parts of ordinances, which are inconsistent with the terms of this ordinance be and the same are hereby repealed to the extent of their inconsistency.

**SECTION 4.** This ordinance shall take effect immediately upon final passage and publication as provided by law.

**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 may 27, 2003, and will be considered for second reading and final passage at the regular meeting of said governing Body to be held on the 30<sup>th</sup> day of June, 2003, at 7:30 PM 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 the 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.

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

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**15-03**

**TITLE: AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING CHAPTER 109, SECTION 147 ENTITLED "PERFORMANCE STANDARDS," SUBSECTION 2(d) OPEN BURNING OF THE MUNICIPAL LAND USE CODE OF THE TOWNSHIP OF JACKSON.**

**MAYOR KAFTON:** He introduced Mr. Steven Holmes, State of New Jersey Section Forest Fire Warden and requested that he briefly explain the State's permitting process for campfires/open burning.

**MR. HOLMES:** He began by outlining for the Committee and the public the process in obtaining a State permit, which is usually given at 2 weeks intervals, but that could change depending on weather conditions, for example a drought. He also gave packets of information to the Committee, which explains the process in more detail. Mayor Kafton asked what the fee is? Mr. Holmes replied there is no charge. Mayor Kafton then commented that the State knows what they are doing and if they are comfortable in giving out a permit, the Township accepts that.

**PUBLIC HEARING OPENED:**

**MR. PORTER, 38 DAWN CYPRESS LANE:** He confirmed that the passing of this ordinance would allow opening burning in residential areas? Mayor Kafton replied yes, but only if the State okay's it and issues the permit.

**JAN PISCITELLI – 36 STURM LANE:** She began by referring to her letter forwarded to the Committee earlier today and hoped that they all were able to read it. She then stated that she is experiencing smoke problems at her home due to a residential campfire near her house. Her smoke alarms go off, she can't open her windows. She stated that false statements were made to the Public Officials regarding a particular campfire issue. She cited N.J.A.C. on the prohibition of air pollution. Mayor Kafton asked if Ms. Piscitelli has a problem with Ordinance 15-03. Ms. Piscitelli replied yes, especially when it comes to burning wood, adding that there would be a great fire threat not to mention smoke from senseless burning. This can get out of hand in a Township this size and feels it is very dangerous. Mayor Kafton concluded the public portion in noting that the Township relies on professionals, and in this case, the State has been designated with the authority and they have people in the field who are experts on this.

**MOTION TO CLOSE PUBLIC HEARING BY: GIBLIN**

**MOTION SECONDED BY: GRISANTI**

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

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**MOTION TO APPROVE ORDINANCE 15-03 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED NEWSPAPER AS REQUIRED BY LAW BY: GIBLIN**

**MOTION SECONDED BY: GRISANTI**

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

**ORDINANCE 15-03**

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

1. Chapter 109 Section 147 entitled "Performance Standards," Subsection 2(d) be and is hereby amended to read as follows:

No open burning shall be permitted in any zone unless a permit is obtained from the State Forrest Fire Service and the burning is conducted in accordance with the permits.

**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 June 9, 2003, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 30<sup>th</sup> day of June, 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.

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**ANN MARIE EDEN**  
**TOWNSHIP CLERK**

**16-03**

**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 THE PREMIER AT WHISPERING HILLS 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: GRISANTI**

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

**MOTION TO APPROVE ORDINANCE 16-03 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED NEWSPAPER AS REQUIRED BY LAW BY: GRISANTI**

**MOTION SECONDED BY: GIBLIN**

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

**ORDINANCE 16-03**

**NOW THEREFORE be it Ordained**, Paramount Homes at Whispering Hills, LLC, 1 Kathleen Drive, Jackson, NJ 08527, 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 The Premier at Whispering Hills 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>   |
|-----------------------|--------------|--------------|---|
| Short Hills Blvd.     | All          | All          | From its intersection with Leesville Road to a point 100 feet southerly therefrom as indicated on site plan |
| Short Hills Blvd.     | All          | All          | From its intersection With Mill Pond Road to a point 100 feet northerly therefrom as indicated on site plan |
| Mill Pond Road        | All          | All          | Center traffic island of cul- de-sac as indicated on site plan  |

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> |
|-----------------------|---------------|
| Short Hills Blvd.     | Entire Length |
| Mill Pond Road        | 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> |
|--------------------------------------|----------------------|
| Short Hills Blvd. and Leesville Road | Short Hills Blvd.    |

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> |
|------------------------|---------------|---------------|
| Short Hills Blvd.      | 25            | Entire Length |
| Mill Pond Road         | 25            | Entire Length |

|                  |    |  |
|------------------|----|--|
| Round Hill Road  | 25 | Entire Length  |
| Cedarview Avenue | 25 | Entire Length  |
| Overlook Drive   | 25 | Within the limits of the Premier of Whispering Hills |
| Sheldon Drive    | 25 | Within the limits of the Premier of Whispering Hills |

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 fifty (\$50.00) dollars or imprisonment for a term not exceeding fifteen (15) days or

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 June 9, 2003, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 30<sup>th</sup> day of June, 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.

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

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**ORDINANCE FIRST READING**

**17-03**

**TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE ACCEPTANCE BY GIFT OF REAL PROPERTY KNOWN AS BLOCK 40.68, LOT 18.01 AND 51.01 AND BLOCK 40, P/O LOT 17, 18.01, 41.30 AND 42 CONSISTING OF A TOTAL OF APPROXIMATELY 593 ACRES BEING DONATED BY DIAMOND DEVELOPERS, INC.**

**MOTION TO APPROVE ORDINANCE 17-03 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, JULY 14, 2003 BY: BRODERICK MOTION SECONDED BY: GRISANTI**

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

**COMMITTEEMAN REILLY:** He asked if an environmental study was done on this property. Committeeman Broderick responded yes, an environmental impact study was performed on this site and was presented to the Planning Board.

**ORDINANCE 17-03**

BE IT ORDAINED by the Mayor and committee of the Township of Jackson, County of Ocean and State of New Jersey as follows:

SECTION 1. Preservation of open space encouraged.

A. The Township Committee of the Township of Jackson hereby reaffirms its long-standing policy of strongly supporting the public acquisition of certain lands in an effort to maintain the rural character of the Township and preserve open space for future generations.

B. The Township Committee further recognizes the importance of accomplishing its open space preservation goals without substantial detriment to the Township's tax ratable rolls.

SECTION 2. Findings of fact.

A. The Township Committee finds that a certain tract of land/lands known as Block 40.68, Lot 18.01 and 51.01 consisting of approximately 86.85 acres (located on the westerly side of Don Connor Blvd.) and Block 40, P/O Lot 17, 18.01, 41.30 and 42 consisting of approximately 506.54 acres (located on the easterly side of Don Connor Blvd.) and are located adjacent to municipal lands and meet the criteria established herein and conform to Planning Board Resolution #2001-49 memorialized October 21, 2001.

B. The parcel(s) in question have been inspected by the Township Engineer and found to be environmentally sound.

SECTION 3. Authorization. The within acquisition of real property is authorized by the provisions of N. J. S. A. 40A:12-2(a).

SECTION 4. This Ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

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

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at the regular meeting of the Township Committee of the Township of Jackson, in the County of Ocean, held on the 30<sup>th</sup> day of June, 2003 and will be considered for second reading and final passage at the regular meeting of said governing body to be held on the 14<sup>th</sup> day of July, 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 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.

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

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**18-03**

**TITLE: AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON LIMITING THE DURATION OF PRELIMINARY APPROVALS GRANTED BY THE JACKSON TOWNSHIP PLANNING BOARD**

**MOTION TO APPROVE ORDINANCE 18-03 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, JULY 14, 2003 BY: BRODERICK  
MOTION SECONDED BY: GRISANTI**

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

**COMMITTEEMAN REILLY:** He requested clarification on this Ordinance. Mayor Kafton explained the Ordinance adding that there could be a time extension granted if the applicant could prove a hardship, for example certain outside agencies were not expeditious in their response to the developer. Attorney Starkey added that this Ordinance is prospective in nature, meaning that the Planning Board can't vote back approvals previously granted (Supreme Court ruling has concluded that a Township has the right to place a time limit on preliminary approvals). Committeeman Broderick stated that this Ordinance will apply to new applications, not previously granted one's. Committeeman Reilly asked if other towns have done this. Attorney Starkey replied Pt. Pleasant Beach, and the ruling was a result of a lawsuit brought against Pt. Pleasant Beach. Committeeman Reilly stated he has concerns, in theory this is a great idea, however, he doesn't want to force developers to build. Mayor Kafton stated there is a hardship clause. Deputy Mayor Giblin stated that they have recently won a legal challenge to slow down growth, and this ordinance this evening will also do that, slow down residential growth, which is what this Township's wants to do.

**ORDINANCE 18-03**

WHEREAS, the Township Committee of the Township of Jackson desires to amend Chapter 109 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:

1. 109-27.F(1)(b) – Delete the existing provision and insert the following in its place:
  - (2) That the applicant shall submit for final approval within three (3) years after the date of preliminary approval or any extensions. If no application for final approval is submitted within such time, then the preliminary approval shall be deemed void.

2. 109-28B(1) – Delete the first two sentences for this provision and insert the following in its place:
  - (1) General Requirements. A final plat shall, for all or any portion of an \ approved preliminary plat, be submitted to the Planning Board, within three (3) years of the date of approval of any preliminary plat, including extensions thereto. In general, all requirements set forth in this chapter for preliminary plats shall apply to final plats with the addition of the specific additional requirements set forth herein.

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

**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 June 30, 2003, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 14 day of July, 2003 at 7:30 PM 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.

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**19-03**

**TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF A SIGHT TRIANGLE EASEMENT AT TAX BLOCK 87, LOT 14 FOR THE REMOVAL OF TREES, BUSHES AND/OR SHRUBBERY AND/OR FOR THE GRADING OF THE PROPERTY**

**MOTION TO APPROVE ORDINANCE 19-03 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, JULY 14, 2003 BY: BRODERICK  
MOTION SECONDED BY: GRISANTI  
YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON**

**ORDINANCE 19-03**

**WHEREAS**, the Township Committee of the Township of Jackson has determined that certain trees, bushes and/or shrubbery need to be removed at Tax Block 87, Lot 14, also known as 167 Ross Lane, Jackson Township, for the purpose of improving visibility for the operators of motor vehicles traveling in this area of the Township; and

**WHEREAS**, the Township Committee has further determined that grading may also need to be performed at Tax Block 87, Lot 14, Jackson Township; and

**WHEREAS**, the Township Committee requires that a sight triangle easement be acquired from the owner of the property located at Tax Block 87, Lot 14, Jackson Township, for the above purposes; and

**WHEREAS**, N.J.S.A. 20:3-1 et seq. provides for a municipal corporation to acquire property for legitimate government purposes, by agreement with the owner, or, if necessary, by condemnation; and

**WHEREAS**, Schedule A attached hereto contains a description of the property which the Township of Jackson must acquire in order to complete the above-referenced project;

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

1. Kevin N. Starkey, Esq., as counsel for the Township of Jackson, is hereby authorized to institute condemnation proceedings and to prepare and file all appropriate documents with the Superior Court of New Jersey, Ocean County, New Jersey, to accomplish same.
2. The Mayor is hereby authorized to execute and the Township Clerk to attest to the Declaration of Taking.
3. The sum of \$6,000.00 is hereby approved as full and complete consideration for the taking. Said sum will be paid to the Clerk of the Superior Court at the time of filing of the Declaration of Taking.

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced and passed by the Township Committee of the Township of Jackson on first reading at a meeting held on the 30<sup>th</sup> day of June, 2003. The Ordinance will be considered for second and final reading at a meeting of the Township Committee which is scheduled for the 14<sup>th</sup> day of July, 2003 at 8:00 p.m., or as soon thereafter as the matter may be reached, at the Municipal Building located at 95 West Veterans Highway, Jackson, New Jersey at which time the public is invited to ask questions, raise objections, or provide public comment with regard to the proposed adoption of this Ordinance.

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**ANN MARIE EDEN, RMC**

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**20-03**

**TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON AMENDING THE OFFICIAL MAP OF THE TOWNSHIP OF JACKSON**

**MOTION TO APPROVE ORDINANCE 20-03 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, JULY 14, 2003 BY: GIBLIN**

**MOTION SECONDED BY: BRODERICK**

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

**MAYOR KAFTON:** He introduced Mr. Andrew Strauss of Strauss and Associates, Open Space Planner for Jackson Township to explain the amendments to the Official Map of the Township of Jackson.

**MR. STRAUSS:** He stated that he was there on behalf of Mr. Ragan, Township Planner, who had a prior commitment this evening adding that even though he is their Open Space Planner he would address certain issues regarding the revisions introduced here tonight. He briefed the Committee on open space acquisition and the amendment here tonight identifies with respect to locations of streets, easements, passive recreation, and updating it will ensure maximum consistency with the Master Plan adopted by the Planning Board. He also noted that the Township Planning Board must report back to the Township regarding their recommendation(s) on the amendments. Mr. Strauss then addressed open space issues. Deputy Mayor Giblin asked Mr. Strauss his opinion on the Township's



purchase of the Vista Center property? Mr. Strauss replied that in his opinion, it was a very good purchase, good price, and great location excellent site to own. Mr. Strauss also stated that an Official Map of the Township allows the Town to buy and sell, it's a legal basis to acquire property as long as it is on the official map (pursuant to statutory guidelines on Open Space/Green Acres). Mayor Kafton asked Mr. Strauss to identify, for the public's edification, some of the properties indicated in yellow (open space): Mr. Strauss cited Mitch Leigh's property, the Hovbilt site, Megan's Run, etc. Committeeman Reilly asked if the properties indicated on the map are subject to change. Mr. Strauss stated yes, what they see before them this evening is the Township Planner's recommendation. Committeeman Reilly then asked if they are guaranteed? Mr. Strauss replied, none are guaranteed. Mayor Kafton added that by creating this map is vitally important to our success in acquiring certain properties.

**ORDINANCE 20-03**

**WHEREAS**, the Township desires to amend its official map in order to identify necessary areas for traffic improvement, to implement a rational and coordinated plan for open space acquisition and generally to update its official map to ensure maximum consistency with the master plan; and

**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. Pursuant of N.J.S.A. 40:55D-32, the Township hereby amends it official map to incorporate the provisions indicated on the Official Map of Jackson Township as prepared by Ragan Design Group, bearing the Proposed Date of June 24, 2003.
- II. The amended Official Map shall be effective upon second reading, which shall be after the referral and report to the Planning Board required by N.J.S.A. 40:55D-26. Notice of the adoption of the amendments shall be made by personal service or certified mail to the Ocean County Planning Board not more than thirty (30) days after the adoption of said amendments, and shall include a copy of said amendments.

**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 June 30, 2003, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 14<sup>th</sup> day of July, 2003, at 7:30 PM 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.

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**ANN MARIE EDEN, RMC**

**PUBLIC HEARING OPENED, RESOLUTIONS ONLY:**

**NOTE:** Prior to opening the public hearing on resolutions, Township Clerk Eden noted that a resolution would be added to this evening's agenda. Resolution #293R-03

authorizes the appointment of an Assistant Public Works Director. The Resolution was then read in full by Clerk Eden (as required by law).

**WILLIAM SANTOS, 457 LEMING ROAD:** He addressed the Committee regarding a couple of resolutions on this evening's agenda (contract awards) and asked if the Finance Department has certified funding for these expenditures? Township Clerk Eden replied that she has all the required certifications. Mr. Santos then asked with regard to Resolution #279R-03, what account are the funds being charged to? Township Clerk Eden responded Ordinance 13-03 and she would provide him with the Account number. Mr. Santos explained that earlier this evening, Mr. Starkey stated that Ordinance 13-03 would not be official until notice of passage and approval was published in the newspaper, so how could this Committee approve resolution #279R-03 without waiting until publication, and how could Finance certify without an approved ordinance, maybe it was dreamed up that it would pass? Attorney Starkey stated that it was not dreamed-up and that Ordinances come first on an agenda for a particular reason and in this case it is so that we have those funds authorized to be expended prior to the adoption of this resolution, if there were a problem with this Ordinance, I would not have permitted action on this resolution. Deputy Mayor Giblin stated that the Township is not spending the money tonight on this professional service, they are just encumbering it – and this is a very important item – it's the environmental monitoring at Johnson Park. Mr. Santos replied that the Committee is not following proper guidelines/rules on this matter. Deputy Mayor Giblin recommended to the Committee that they table Resolution #279R-03 until the next meeting. Township Clerk Eden stated that when they vote for the consent agenda is taken, that would be the time to table said resolution.

**MOTION TO CLOSE PUBLIC HEARING, RESOLUTIONS ONLY BY:  
BRODERICK**

**MOTION SECONDED BY: GIBLIN**

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

**RESOLUTION 268R-03**

**TITLE: APPROVE FARMLAND PRESERVATION AS SELECTED AND ENDORSED BY THE OCEAN COUNTY AGRICULTURAL DEVELOPMENT BOARD, STATE AGRICULTURE DEVELOPMENT COMMITTEE AND OCEAN COUNTY BOARD OF CHOSEN FREEHOLDERS FOR THE ACQUISITION OF THE DEVELOPMENT EASEMENT ON THE POSNER FARM (BLOCK 132, LOT 18.01)**

**MOTION TO APPROVE BY: GIBLIN**

**MOTION SECONDED BY: BRODERICK**

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

**WHEREAS**, Jackson Township and Ocean County are participants in the Farmland Preservation Program; and

**WHEREAS**, the Ocean County Board of Chosen Freeholders has appropriated funds to participate in the purchase of development easement programs and to match state funds made available for this program; and

**WHEREAS**, the Ocean County Agriculture Development Board received five applications for the Year 2003 Funding Round and the State Agriculture Development Committee (S.A.D.C.) certified the development easement values of these farms on March 27, 2003; and

**WHEREAS**, the owner of the Posner Farm in Jackson Township accepted the certified development easement value; and

**WHEREAS**, the State Agriculture Development Committee (S.A.D.C.) will provide Ocean County with 60 percent of the funds required to purchase the development easement on this farm, excluding the purchase of rights-of-ways and administrative cots; and

**WHEREAS** the Ocean County Agriculture Development Board recommended the acquisition of the development easement on the Posner farm on May 12, 2003 and the Ocean

County Natural Lands Trust Fund Committee recommended the acquisition of the development easement on the Posner farm on May 28, 2003; and

**WHEREAS**, the Ocean County Agriculture Development Board requires a resolution of support from the Township of Jackson before the County approves any expenditure of funds for the purchase of development rights under the Farmland Preservation Program.

**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 the Township of Jackson fully supports the purchase of the development easement on the Posner farm by the County of Ocean as it relates to farmland preservation under the 2003 Funding Round
2. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.
3. That certified copies of this resolution be forwarded to the Ocean County Agriculture Development Board, State Agriculture Development Committee (SADC), Ocean County Board of Chosen Freeholders, the Ocean County Natural Lands Trust Fund Commission and any other interested parties.

**DATED: 06/30/03**

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

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**RESOLUTION 277R-03**

**TITLE: APPROVE THE APPOINTMENT OF DANIEL HYMAN AS MUNICIPAL COURT JUDGE FOR A THREE-YEAR TERM COMMENCING JULY 1, 2003 THROUGH JUNE 30, 2006**

**MOTION TO APPROVE BY: BRODERICK**

**MOTION SECONDED BY: GRISANTI**

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

**WHEREAS**, the term of the Jackson Township Municipal Court Judge shall terminate on June 30, 2003; and

**WHEREAS**, the provisions of N.J.S.A. 2A:8-5 require the appointment of a Municipal Court Judge for a term of three (3) years; and

**WHEREAS**, the Township Committee of Jackson Township wishes to appoint Daniel Hyman to serve the statutory term from July 1, 2003 through June 30, 2006; and

**WHEREAS**, the Jackson Township Code, Chapter 11, establishes said position within the Township.

**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 the Township Committee of Jackson Township hereby formally appoints Daniel Hyman to the position of Municipal Court Judge for a term commencing July 1, 2003 and ending on June 30, 2006.
2. Said appointee shall receive such salary compensation as may be established by the Municipal Salary Ordinance.

3. That upon the adoption of the within resolution, the Clerk is authorized and direct for forward a certified copy to the appointee, Municipal Administrator, Personnel Manager, Chief Financial Officer and any other interested parties.

**DATED: 06/30/03**

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

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**RESOLUTION 293R-03**

**TITLE: APPOINTMENT OF ASSISTANT PUBLIC WORKS DIRECTOR**

**MOTION TO APPROVE BY: BRODERICK**

**MOTION SECONDED BY: GIBLIN**

**YES: BRODERICK, GIBLIN & KAFTON**

**ABSTENTIONS: GRISANTI**

**NO: REILLY**

**WHEREAS**, a vacancy exists for the position of Assistant Public Works Director in the Public Works Department; and

**WHEREAS**, it is the desire of the Mayor an Township Committee to appoint an individual to this 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 Assistant Public Works Director on a full time temporary basis pending background compliance and approval by the New Jersey Department of Personnel:

Luis A. Mollinedo

2. Said appointment shall be effective immediately at a salary of \$55,000 per year.
3. Copies of this resolution to appointee, Municipal Administrator, Director of Public Works, Personnel Manager, Chief Financial Officer, and any other interested parties.

**DATED: 06/30/03**

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

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

**MOTION TO APPROVE AND ALSO TABLE RESOLUTION 279R-03 UNTIL JULY 14, 2003 MEETING BY: BRODERICK**

**MOTION SECONDED BY: GRISANTI**

**COMMITTEEMAN BRODERICK: YES**

**COMMITTEEMAN GRISANTI: YES WITH A "NOT VOTING" ON RESOLUTION 273R-03**

**COMMITTEEMAN REILLY: YES, ABSTAIN ON 269R-03 (due to his absence from the May 27, 2003 meeting), 272R-03, 273R-03 AND 274R-03**

**DEPUTY MAYOR GIBLIN: YES** (noting that there are great things on this consent agenda like the town hall parking lot, the police bypass road which will make it safer for the residents who frequent project playground and the athletic fields and improvements to Manhattan Street to name a few)

**MAYOR KAFTON: YES, ABSTAIN ON 280R-03**

**MAYOR KAFTON:** He addressed Committeeman Reilly as to why he abstained from 272R-03, 273R-03 and 274R-03? Committeeman Reilly replied that it is his right to abstain and did not get certain information on these resolutions until this evening as he has said before, that is not sufficient time to make a determination Mayor Kafton stated that the information was given out in plenty of time, well over a week ago and was in all their mailboxes. Deputy Mayor Giblin asked Committeeman Reilly if he checked his mailbox? Committeeman Reilly replied, yes absolutely. Deputy Mayor Giblin then stated that the information was in all their boxes and if he checked it tonight, then there should be no problem. Committeeman Reilly replied that he did not check his mail tonight, and even if he did, that is not sufficient time to make a determination especially to award contracts, that is not acceptable. Mayor Kafton stated that the problem he has is that the Township informed him that Committeeman Reilly’s mailbox is quite full, it is all the way to the top, a lot of mail has not been picked up (since the past couple of weeks) and that is not acceptable. The administrator’s office said they had to call you and inform you to come and pick up your mail. Committeeman Reilly replied so now you are policing my mailbox? Mayor Kafton responded that he is not policing Mr. Reilly’s mailbox. Committeeman Reilly responded that he picked up his mail last Thursday, Friday and today and the information relating to certain resolutions was not in his mail and he will not continue to argue about this, it is his right to abstain. Mayor Kafton replied that Mr. Reilly does have the right to abstain, but if his mail was picked-up on a regular basis then we might not have this problem.

**RESOLUTION 266R-03**

**TITLE: AUTHORIZE TAX OVERPAYMENT REFUNDS**

**MOTION TO APPROVE BY: BRODERICK**

**MOTION SECONDED BY: GRISANTI**

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

**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.

**TOWNSHIP OF JACKSON  
OVERPAYMENT REFUNDS  
June 30, 2003**

| <u>BLOCK</u> | <u>LOT</u> | <u>NAME</u>                                   | <u>YEAR</u> | <u>AMOUNT</u> |
|--------------|------------|---|-------------|---------------|
| 3.01         | 2.10       | GMAC MORTGAGE                                 | 2003        | \$1832.80     |
| 9.02         | 3          | WELLS FARGO HOME MORTGAGE                     | 2003        | 752.10        |
| 45.01        | 26.01      | GMAC MORTGAGE                                 | 2003        | 1334.80       |
| 59.01        | 6.01       | LERETA CORP.                                  | 2003        | 1463.69       |
| 66.16        | 23         | NATIONS TITLE AGENCY, INC                     | 2003        | 1216.95       |
| 68           | 21         | MICHAEL & ANN MARIE SCRIPKO                   | 2003        | 1156.29       |
| 75.01        | 3610.605   | KEVIN NERWINSKI<br>C/O STEPHEN E. SMITH, ESQ. | 2003        | 496.36        |
| 89           | 16.05      | WELLS FARGO HOME MORTGAGE                     | 2003        | 927.96        |
| 125.01       | 76         | FNIS REAL ESTATE TAX SERVICE                  | 2003        | 100.00        |
| 125.16       | 18         | LINDA BOYCE                                   | 2003        | 798.80        |
| 126.13       | 14         | ROBERT & KAREN KINDER                         | 2003        | 1074.90       |
| 127.05       | 11         | JAMES R. & ELIZABETH G. DILKS                 | 2003        | 849.34        |
| 128.01       | 13.37      | ROBERT F. SCHILLBERG, JR.                     | 2003        | 1421.24       |
| 128.01       | 18.178     | ROBERT F. & CYNTHIA E. STOUT                  | 2003        | 568.97        |
| 128.01       | 30.45      | PETER G. & EILEEN E. KOREY                    | 2003        | 1467.52       |
| 130.01       | 28.22      | MICHELLE R. KATZ, ESQ                         | 2003        | 1658.24       |
| 153.03       | 25         | INDY MAC BANK                                 | 2002        | 100.38        |
| 7            | 33.08      | COUNTRYWIDE TAX SERVICES CORPORATION          | 2003        | 829.74        |
| 13.01        | 4          | COUNTRYWIDE TAX SERVICES CORPORATION          | 2003        | 714.62        |
| 25           | 2.02       | COUNTRYWIDE TAX SERVICES CORPORATION          | 2003        | 104.03        |
| 40           | 72.01      | COUNTRYWIDE TAX SERVICES CORPORATION          | 2003        | 96.46         |
| 58.01        | 39.02      | COUNTRYWIDE TAX SERVICES CORPORATION          | 2003        | 1115.96       |
| 66.19        | 88         | COUNTRYWIDE TAX SERVICES CORPORATION          | 2003        | 787.62        |
| 76           | 2.03       | COUNTRYWIDE TAX SERVICES CORPORATION          | 2003        | 1365.38       |
| 80           | 13.09      | COUNTRYWIDE TAX SERVICES CORPORATION          | 2003        | 995.38        |
| 82.01        | 15.02      | COUNTRYWIDE TAX SERVICES CORPORATION          | 2003        | 888.97        |
| 82.01        | 60.07      | COUNTRYWIDE TAX SERVICES CORPORATION          | 2003        | 2195.11       |
| 83           | 3.01       | COUNTRYWIDE TAX SERVICES CORPORATION          | 2003        | 307.23        |
| 85           | 27         | COUNTRYWIDE TAX SERVICES CORPORATION          | 2003        | 136.46        |

|        |          |                                      |      |         |
|--------|----------|--------------------------------------|------|---------|
| 85.01  | 37.08    | COUNTRYWIDE TAX SERVICES CORPORATION | 2003 | 1025.80 |
| 93     | 4.06     | COUNTRYWIDE TAX SERVICES CORPORATION | 2003 | 1046.97 |
| 94.01  | 1.11     | COUNTRYWIDE TAX SERVICES CORPORATION | 2003 | 62.74   |
| 94.06  | 8        | COUNTRYWIDE TAX SERVICES CORPORATION | 2003 | 86.27   |
| 94.10  | 13       | COUNTRYWIDE TAX SERVICES CORPORATION | 2003 | 1484.58 |
| 125.02 | 6        | COUNTRYWIDE TAX SERVICES CORPORATION | 2003 | 952.01  |
| 125.12 | 3        | COUNTRYWIDE TAX SERVICES CORPORATION | 2003 | 69.42   |
| 126.14 | 21       | COUNTRYWIDE TAX SERVICES CORPORATION | 2003 | 863.43  |
| 128.12 | 1        | COUNTRYWIDE TAX SERVICES CORPORATION | 2003 | 1043.78 |
| 128.15 | 6        | COUNTRYWIDE TAX SERVICES CORPORATION | 2003 | 63.84   |
| 5.01   | 12.14    | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 1250.09 |
| 6      | 4.10     | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 1992.78 |
| 66.12  | 29       | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 2039.69 |
| 66.19  | 22       | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 1339.04 |
| 75.01  | 3601.153 | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 355.91  |
| 75.01  | 3602.254 | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 451.67  |
| 75.01  | 3604.303 | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 422.94  |
| 75.01  | 3607.900 | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 459.65  |
| 75.01  | 3608.405 | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 451.67  |
| 75.01  | 3608.608 | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 565.78  |
| 75.14  | 8        | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 991.11  |
| 75.29  | 113      | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 1274.40 |
| 78.06  | 8        | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 991.91  |
| 78.16  | 5        | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 801.19  |
| 82.01  | 60.14    | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 1947.29 |
| 83     | 16.26    | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 1017.45 |
| 96.03  | 2        | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 968.55  |
| 106    | 13.06    | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 965.58  |
| 111    | 87.23    | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 1101.24 |
| 118.08 | 1        | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 765.28  |
| 120.07 | 29.02    | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 1079.69 |
| 125.12 | 2        | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 844.28  |
| 126.01 | 24.02    | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 1246.47 |
| 126.05 | 10       | TRANSAMERICA R.E. TAX SERVICE        | 2003 | 991.91  |

|        |       |                               |      |         |
|--------|-------|-------------------------------|------|---------|
| 128.01 | 13.11 | TRANSAMERICA R.E. TAX SERVICE | 2003 | 1533.75 |
| 135.18 | 33    | TRANSAMERICA R.E. TAX SERVICE | 2003 | 1343.03 |
| 140.02 | 11.27 | TRANSAMERICA R.E. TAX SERVICE | 2003 | 1335.85 |
| 145.01 | 22.18 | TRANSAMERICA R.E. TAX SERVICE | 2003 | 239.40  |

**DATED: 06/30/03**

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

**RESOLUTION 267R-03**

**TITLE: APPROVE BINGO/RAFFLE LICENSE TO JACKSON POP WARNER (#RA-1003)**

**MOTION TO APPROVE BY: BRODERICK**

**MOTION SECONDED BY: GRISANTI**

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

**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 1003 – JACKSON POP WARNER**

2. Copies of the Resolution to interested parties.

**DATED: 06/30/03**

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

**RESOLUTION 269R-03**

**TITLE: APPROVE TOWNSHIP COMMITTEE MEETING MINUTES OF MAY 15, 2003 AND MAY 27, 2003**

**MOTION TO APPROVE BY: BRODERICK**

**MOTION SECONDED BY: GRISANTI**

**YES: BRODERICK, GRISANTI, GIBLIN & KAFTON**

**ABSTENTIONS: REILLY**

**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:



**MAY 15, 2003 AND MAY 27, 2003**

2. Copies of this resolution to any interested parties.

**DATED: 06/30/03**

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

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**RESOLUTION 270R-03****TITLE: AUTHORIZE THE ADVERTISEMENT AND ACCEPTANCE OF BIDS FOR ONE (1) NEW WHEEL LOADER WITH 2.75 CUBIC YARD 4-IN-ONE BUCKET FOR THE DEPARTMENT OF PUBLIC WORKS****MOTION TO APPROVE BY: BRODERICK****MOTION SECONDED BY: GRISANTI****YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON**

**WHEREAS**, the Director of Public Works has prepared and the Township Committee has approved specifications for and has determined that it will advertise for sealed bids for the following piece of equipment to be utilized by the Department of Public Works:

One (1) - New Wheel Loader with 2.75 Cubic Yard 4-In-One Bucket

**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 specifications are hereby approved and incorporated herein by reference.
2. The Township Clerk is hereby authorized to advertise for sealed bids for:

**ONE (1) NEW WHEEL LOADER WITH 2.75 CY 4-IN-ONE BUCKET**

3. The Township Clerk shall advertise the attached Notice to Bidders for the purpose of the receipt of sealed bids for the above named purpose or project.
4. Each bid shall be submitted as a written proposal in the manner designated in the specifications and shall be signed by the 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 Ann Marie Eden, RMC, Township Clerk, 95 West Veterans Highway, Jackson, N.J. 08527. Said envelope shall be clearly labeled that it contains a bid for One (1) New Wheel Loader with 2.75 Cubic Yard 4-In-One Bucket for the Department of Public Works
5. Specifications and form of bids may be inspected or obtained upon proper notice by prospective bidders during business hours from the Department of Public Works, Don Connor Blvd., Jackson, N.J. 08527 (732) 928-1200, Ext. 251 or (732) 928-1311.
6. Sealed bids shall be called for and shall be received, opened and read in public in the meeting room of the Municipal Building, 95 West Veterans Highway, Jackson, N.J. on **July 16, 2003 at 11:00 a.m.** prevailing time, or as soon thereafter as possible.
7. 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 the risk of loss or misplacement of the sealed bid by the Municipal Officers or any other risk related to the failure of the bidder to personally deliver the bid.
8. The bid quote shall be net to the Township of Jackson and shall be exclusive of State and 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.

9. 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 and shall be delivered at the place and time specified above. This requirement shall not be waived.
10. 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 substantial irregularities in any bid.
11. A Non-Collusive 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.
12. 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 contract containing Affirmative Action Requirement established by regulations pursuant to P.L. 1975, Chapter 127.
13. 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 greater interest therein. Failure to submit 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.
14. Performance date shall commence as stipulated in agreement or as stated in specifications.
15. The second lowest bid shall be retained for a period of thirty (30) days after the award of bid.

**NOTICE TO BIDDERS**

**NOTICE IS HEREBY GIVEN** that sealed bids will be received by the Township Clerk of the Township of Jackson on the 16<sup>th</sup> day of July, 2003 at 11:00 a.m. at the Municipal Building, 95 West Veterans Highway, Jackson, New Jersey at which time bids will be opened and publicly read for the following:

**ONE (1) NEW WHEEL LOADER WITH 2.75 CY 4-IN-ONE BUCKET**

Specifications for bidders are available at the Office of Public Works Department, Don Connor Boulevard, Jackson, New Jersey and may be acquired during normal business hours Monday through Friday. For additional information call (732) 928-1200, Extension 251 –or- (732) 928-1311.

Bidders are required to comply with requirements of Public Law 1975, Chapter 127 (N.J.S.A. 10-31, et seq. and N.J.A.C. 17-27).

**ANN MARIE EDEN, RMC  
TOWNSHIP CLERK**

**RESOLUTION 271R-03  
TITLE: AUTHORIZE THE ADVERTISEMENT AND ACCEPTANCE OF BIDS  
FOR ONE (1) 31 CUBIC YARD COMPACTOR TRUCK FOR THE  
DEPARTMENT OF PUBLIC WORKS**

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

**WHEREAS**, the Director of Public Works has prepared and the Township Committee has approved specifications for and has determined that it will advertise for sealed bids for the following piece of equipment to be utilized by the Department of Public Works:

## ONE (1) - 31 CUBIC YARD COMPACTOR TRUCK

**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 specifications are hereby approved and incorporated herein by reference.
2. The Township Clerk is hereby authorized to advertise for sealed bids for:

## ONE (1) - 31 CUBIC YARD COMPACTOR TRUCK

5. The Township Clerk shall advertise the attached Notice to Bidders for the purpose of the receipt of sealed bids for the above named purpose or project.
6. Each bid shall be submitted as a written proposal in the manner designated in the specifications and shall be signed by the 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 Ann Marie Eden, RMC, Township Clerk, 95 West Veterans Highway, Jackson, N.J. 08527. Said envelope shall be clearly labeled that it contains a bid for One (1) 31 Cubic Yard Compactor Truck for the Department of Public Works
5. Specifications and form of bids may be inspected or obtained upon proper notice by prospective bidders during business hours from the Department of Public Works, Don Connor Blvd., Jackson, N.J. 08527 (732) 928-1200, Ext. 251 or (732) 928-1311.
6. Sealed bids shall be called for and shall be received, opened and read in public in the Main Meeting Room of the Municipal Building, 95 West Veterans Highway, Jackson, N.J. on **July 16, 2003 at 11:00 a.m.** prevailing time, or as soon thereafter as possible.
7. 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 the risk of loss or misplacement of the sealed bid by the Municipal Officers or any other risk related to the failure of the bidder to personally deliver the bid.
8. The bid quote shall be net to the Township of Jackson and shall be exclusive of State and 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.
9. 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 and shall be delivered at the place and time specified above. This requirement shall not be waived.
10. 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 substantial irregularities in any bid.
11. A Non-Collusive 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.

12. 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 contract containing Affirmative Action Requirement established by regulations pursuant to P.L. 1975, Chapter 127.
13. 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 greater interest therein. Failure to submit 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.
14. Performance date shall commence as stipulated in agreement or as stated in specifications.
15. The second lowest bid shall be retained for a period of thirty (30) days after the award of bid.

**NOTICE TO BIDDERS**

**NOTICE IS HEREBY GIVEN** that sealed bids will be received by the Township Clerk of the Township of Jackson on the 16<sup>th</sup> day of July, 2003 at 11:00 a.m. at the Municipal Building, 95 West Veterans Highway, Jackson, New Jersey at which time bids will be opened and publicly read for the following:

**ONE (1) 30 CUBIC YARD COMPACTOR TRUCK**

Specifications for bidders are available at the Office of Public Works Department, Don Connor Boulevard, Jackson, New Jersey and may be acquired during normal business hours Monday through Friday. For additional information call (732) 928-1200, Extension 251 –or- (732) 928-1311.

Bidders are required to comply with requirements of Public Law 1975, Chapter 127 (N.J.S.A. 10-31, et seq. and N.J.A.C. 17-27).

**ANN MARIE EDEN, RMC  
TOWNSHIP CLERK**

**RESOLUTION 272R-03  
TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY,  
NEW JERSEY AUTHORIZING AWARD OF CONTRACT TO TOMAE  
CONSTRUCTION CORPORATION FOR THE RECONSTRUCTION/PAVING  
OF TOWN HALL PARKING IN THE AMOUNT OF \$174,770.50**

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

**WHEREAS**, John Stefani, Township Engineer, CME Associates, has requested authorization to award a contract for the Reconstruction/Paving of Town Hall Parking Lot; and

**WHEREAS**, Jackson Township previously advertised for the receipt of bids on June 4, 2003 at 11:00 a.m. for the Reconstruction/Paving of Town Hall Parking Lot; and

**WHEREAS**, the following bids were submitted for the Reconstruction/Paving of Town Hall Parking Lot:

- |                          |              |
|--------------------------|--------------|
| 1. Aldarelli Enterprises | \$160,402.50 |
|--------------------------|--------------|

|                                   |              |
|-----------------------------------|--------------|
| 2. Tomae Construction Corporation | \$174,770.50 |
| 3. F & P Contractors, Inc.        | \$174,830.25 |
| 4. Lucas Brothers, Inc.           | \$193,797.00 |
| 5. Earle Asphalt                  | \$205,948.60 |
| 6. Glenside Equipment             | \$226,600.00 |
| 7. Bil-Jim Construction Company   | \$236,696.50 |
| 8. B & B Construction             | \$244,902.50 |
| 9. CJ Hesse, Inc.                 | \$247,898.75 |

and;

**WHEREAS**, pursuant to N.J.S.A. 40A:11-6.1, any purchases, contracts or agreements which require public advertisement for bids shall be awarded to the lowest responsible bidder, however, the apparent low bidder's (Aldarelli Enterprises) bid contains discrepancies whereby the total bid prices were to be expressed in both words and numbers. The apparent low bidder left "blanks" on several items that required written bids/information. Upon further review by Township Attorney, Kevin N. Starkey, Esq., it has been determined that the apparent low bidder's bid is materially defective and due to said discrepancies, Aldarelli's bid should be rejected and the contract awarded to the second low bidder, Tomae Construction,

**WHEREAS**, John Stefani, Township Engineer, CME Associates has determined that Tomae Construction submitted the second, lowest, responsible bid; and

**WHEREAS**, John Stefani, CME Associates, Township Engineer, and Kevin N. Starkey, Township Attorney, have recommended that the bid for the Reconstruction/Paving of Town Hall Parking Lot be awarded to Tomae Construction Corporation; and

**WHEREAS**, the Chief Financial Officer has certified that a maximum of \$174,770.50 is available for this purpose in an appropriation in the Capital Fund Under Ordinance #41-02 - Account #X-04-55-981-902; and

**WHEREAS**, now it is the desire of this Township Committee to act upon the recommendation of the Township Engineer, John Stefani and the Township Attorney, Kevin N. Starkey.

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

1. The Township of Jackson hereby authorizes a contract award for the Reconstruction/Paving of Town Hall Parking Lot to Tomae Construction Corporation in the amount of \$174,770.50.
2. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.
3. Copies of this Resolution to Township Administrator, Chief Financial Officer, Township Engineer John Stefani – CME Associates, Township Engineer Daniel Burke and Tomae Construction and any other interested parties.

**DATED: 06/30/03**

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

**RESOLUTION 273R-03**

**TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING AWARD OF CONTRACT TO LUCAS BROTHERS, INC. FOR THE PROJECT ENTITLED POLICE DEPARTMENT BYPASS ROAD IN THE AMOUNT OF \$110,872.00**

**MOTION TO APPROVE BY:**

**MOTION SECONDED BY:**

**YES: BRODERICK, GIBLIN & KAFTON**

**ABSTENTIONS: GRISANTI & REILLY**

**WHEREAS**, John Stefani, Township Engineer, CME Associates, has requested authorization to award a contract for the Jackson Township Police Department Bypass Road ; and

**WHEREAS**, Jackson Township previously advertised for the receipt of bids on June 4, 2003 at 11:00 a.m. for the Police Department Bypass Road; and

**WHEREAS**, the following bids were submitted for the Police Department Bypass Road:

- |                                       |              |
|---------------------------------------|--------------|
| 1. Aldarelli Enterprises              | \$99,070.25  |
| 2. Lucas Brothers, Inc.               | \$110,872.00 |
| 3. Tomae Construction Corporation     | \$120,502.50 |
| 4. Glenside Equipment                 | \$126,600.00 |
| 5. Earle Asphalt                      | \$144,412.22 |
| 6. Bil-Jim Construction Company, Inc. | \$147,253.10 |
| 7. CJ Hesse, Inc.                     | \$155,857.50 |

and;

**WHEREAS**, pursuant to N.J.S.A. 40A:11-6.1, any purchases, contracts or agreements which require public advertisement for bids shall be awarded to the lowest responsible bidder, however, the apparent low bidder's (Aldarelli Enterprises) bid contains discrepancies whereby the total bid prices were to be expressed in both words and numbers. The apparent low bidder left "blanks" on several items that required written bids/information. Upon further review by Township Attorney, Kevin N. Starkey, Esq., it has been determined that the apparent low bidder's bid is materially defective and due to said discrepancies, Aldarelli's bid should be rejected and the contract awarded to the second low bidder, Lucas Brothers, Inc.; and

**WHEREAS**, John Stefani, Township Engineer, CME Associates has determined that Lucas Brothers, Inc. Construction submitted the second, lowest, responsible bid; and

**WHEREAS**, John Stefani, CME Associates, Township Engineer, and Kevin N. Starkey, Township Attorney, have recommended that the bid for the Reconstruction/Paving of Town Hall Parking Lot be awarded to Lucas Brothers, Inc.; and

**WHEREAS**, the Chief Financial Officer has certified that a maximum of \$110,872.00 is available for this purpose in an appropriation in the Capital Fund Under Ordinance 41-02 - Account #X-04-55-980-902; and

**WHEREAS**, now it is the desire of this Township Committee to act upon the recommendation of the Township Engineer, John Stefani and the Township Attorney, Kevin N. Starkey.

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

1. The Township of Jackson hereby authorizes a contract award for the Police Department Bypass Road to Lucas Brothers, Inc. in the amount of \$110,872.00.
2. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.
3. Copies of this Resolution to Township Administrator, Chief Financial Officer, Township Engineer John Stefani – CME Associates, Township Engineer Daniel Burke, and Lucas Brothers, Inc. and any other interested parties.

**DATED: 06/30/03**

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

**RESOLUTION 274R-03**

**TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING AWARD OF CONTRACT TO JOHNSON BARAN FOR IMPROVEMENTS TO MANHATTAN STREET**

**MOTION TO APPROVE BY: BRODERICK**

**MOTION SECONDED BY: GRISANTI**

**YES: BRODERICK, GRISANTI, GIBLIN & KAFTON**

**ABSTENTIONS: REILLY**

**WHEREAS**, John Stefani, Township Engineer, CME Associates, has requested authorization to award a contract for the Improvements to Manhattan Street; and

**WHEREAS**, Jackson Township previously advertised for the receipt of bids on June 6, 2003 at 11:00 a.m. for the Improvements to Manhattan Street; and

**WHEREAS**, the following bids were submitted for the Improvements to Manhattan Street:

- |                                       |              |
|---------------------------------------|--------------|
| 1. Johnson Baran                      | \$276,570.40 |
| 2. Earle Asphalt                      | \$278,599.28 |
| 3. Stavola Contracting                | \$286,918.00 |
| 4. Lucas Brothers, Inc.               | \$314,029.00 |
| 5. Bil-Jim Construction Company, Inc. | \$315,352.90 |
| 6. F & P Contractors, Inc.            | \$332,423.25 |
| 7. Tomae Construction Corporation     | \$354,719.00 |

and;

**WHEREAS**, pursuant to N.J.S.A. 40A:11-6.1, any purchases, contracts or agreements which require public advertisement for bids shall be awarded to the lowest responsible bidder; and

**WHEREAS**, John Stefani, Township Engineer, CME Associates has determined that Johnson Baran submitted the lowest, responsible bid; and

**WHEREAS**, John Stefani, CME Associates, Township Engineer, has recommended that the bid for the Improvements to Manhattan Street be awarded to Johnson Baran; and

**WHEREAS**, the Chief Financial Officer has certified that a maximum of \$276,570.40 is available for this purpose in an appropriation in the Capital Fund Under Ordinance 07-03 Account #X-04-55-988-902; and

**WHEREAS**, now it is the desire of this Township Committee to act upon the recommendation of the Township Engineer, John Stefani.

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

4. The Township of Jackson hereby authorizes a contract award for the Improvements to Manhattan Street Road to Johnson Baran in the amount of \$276,570.40.
5. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.
6. Copies of this Resolution to Township Administrator, Chief Financial Officer, Township Engineer John Stefani – CME Associates, Township Engineer Daniel Burke, Johnson Baran and any other interested parties.

**DATED: 06/30/03**

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

**RESOLUTION 275R-03**

**TITLE: RESOLUTION ADVISING SECRETARY OF HOMELAND SECURITY, THOMAS RIDGE, THE SECURITY AND EVACUATION CONCERNS AT THE OYSTER CREEK NUCLEAR POWER PLANT**

**MOTION TO APPROVE BY: BRODERICK**

**MOTION SECONDED BY: GRISANTI**

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

**WHEREAS**, there have been repeated complaints from the Jersey Shore Nuclear Watch and others that the Oyster Creek Nuclear Power Plant in the Township of Lacey has not provided adequate security or an adequate evacuation plan in the event of an emergency; and

**WHEREAS**, these complaints have been buttressed by the TV news reports regarding alleged security lapses; and

**WHEREAS**, State Senator Leonard R. Connors ha noted that “what does it say about security there, when you can drive leisurely around the grounds at a nuclear power plant in a van with a video camera in your hand without ever being stopped and questioned?” and

**WHEREAS**, the Asbury Park Press has raised similar concerns; and

**WHEREAS**, our Country is at war and faces the increased risk of terrorist attacks; and

**WHEREAS**, the response of Oyster Creek has been neither satisfactory nor reassuring; and

**WHEREAS**, the Township Committee of the Township of Jackson believes such concerns should be brought to the attention of Thomas Ridge, Secretary to the Department of Homeland Security; 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:

13. The Mayor is directed to send a letter to Thomas Ridge expressing the Township Committee’s concerns about Oyster Creek Nuclear Power Plant.
14. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following: Governor James McGreevey, Senator Leonard T. Connors, Jr., 10<sup>th</sup> District Legislators, 30<sup>th</sup> District Legislators, Honorable Thomas J. Ridge, Edith Gbur, Chairperson of the Jersey Shore Nuclear Power Watch, Nuclear Facilities Safety Board, New Jersey Division of State Police, United States Nuclear Regulatory Commission, Nuclear Regulatory Commission, AmerGen Energy Company and any other interested parties.

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

**DATED: 06/30/03**

**RESOLUTION 276R-03**

**TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY APPOINTING BIRDSALL ENGINEERING, INC. AS GRANTS CONSULTANT FOR AN INITIAL SIX MONTH PERIOD WITH AN OPTION TO RENEW FOR AN ADDITIONAL SIX MONTHS**

**MOTION TO APPROVE BY: BRODERICK**

**MOTION SECONDED BY: GRISANTI**

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

**WHEREAS**, there exists a need for the Township to obtain services of a firm specializing in the investigation, research, planning, preparation and pursuit of programs submitted to various County, State and Federal authorities and foundations for obtaining vital financial and other aid for municipal programs; and

**WHEREAS**, the maximum amount of this contract is \$2,500.00 and the Chief Financial Officer has certified that this maximum amount is available in the 2003 Municipal Operating Budget in Account #3-01-20-130-029; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. Requires that the resolution authorizing the award of contracts for “extraordinary, unspecifiable services” without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, said grants consulting services involve professional knowledge and services as financial advisers and public relations consultants as well as specialized knowledge of available County, State and Federal aid programs and the numerous applications, submissions and actions necessary to obtain and successfully pursue such programs and involve such qualified services and knowledge that specifications cannot reasonably be formulated and public bidding is not feasible; and



**WHEREAS**, it is now the desire of this governing body to appoint a Grants Consultant.

**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 Mayor and Township Clerk are hereby authorized to execute an agreement with Birdsall Engineering, Inc. for grants consulting work for an initial six month period commencing July 1, 2003 with an option to renew for an additional six month period (See attached proposal).
2. Initial lump sum fee of \$2,500.00 establishes an account for grants and funding in order to assist the Township in identifying, prioritizing and analyzing funding needs. Conduct grant research and advise the Township of grant opportunities.
3. Should the Township of Jackson and Birdsall Engineering agree that a specific grant proposal be prepared and submitted (during the initial six month period), a separate proposal will be prepared outlining the costs involved for the preparation and submission of the grant. The Mayor and Township Committee will authorize the preparation by way of a separate resolution.
4. This contract is awarded without competitive bidding as an "extraordinary, unspecifiable service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because of the specialized knowledge and services required in regard to obtaining County, State and Federal grants including qualitative services which cannot feasibly be reduced to written specifications.
5. A Notice of this action shall be published in the Ocean County Observer

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

**DATED: 06/30/03**

**RESOLUTION 278R-03**

**TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY RENEWING LIQUOR LICENSE FOR THE PERIOD JULY 1, 2003 THROUGH JUNE 30, 2004**

**MOTION TO APPROVE BY: BRODERICK**

**MOTION SECONDED BY: GRISANTI**

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

**WHEREAS**, the current holders of Plenary Retail Consumption, Plenary Retail Distribution and Club Alcoholic Beverage Licenses have filed their renewal applications for the fiscal year July 1, 2003 through June 30, 2004; and

**WHEREAS**, all of said licensees have complied with the State Law and local ordinances, have submitted the proper license fee as hereinafter noted and applications, and it being the desire of this governing body to grant said licenses; and

**WHEREAS**, the Township Attorney has reviewed said license renewal applications and has approved them as to form.

**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. Plenary Retail Consumption Licenses be issued to the following corporations for the fiscal year July 1, 2003 through June 30, 2004:

| <b>LICENSEE</b>  | <b>LICENSE NUMBER</b> |
|--|-----------------------|
| 37 LIQUORS, INC.<br>t/a Brookwood Lounge<br>400 S. New Prospect Road<br>Jackson, New Jersey 08527<br>License Fee: \$2,000.00 | 1511-33-003-005       |

4. That upon the adoption of this resolution, the Township Clerk is hereby directed to forward a certified copy of it to the applicant, appropriate Township Officials, New Jersey Division of Alcoholic Beverage Control and any other interested parties.

**DATED: 06/30/03**

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

**RESOLUTION 279R-03**

**TITLE: AUTHORIZE A PROFESSIONAL SERVICES AGREEMENT WITH J.C.A. ASSOCIATES FOR TO PERFORM ENVIRONMENTAL MONITORING WORK AT JOHNSON PARK**

**MOTION TO TABLE UNTIL JULY 14, 2003 BY: BRODERICK**

**MOTION SECONDED BY: GRISANTI**

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

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

**WHEREAS**, the Township is in need of a Special Projects Engineer to perform environmental monitoring work at Johnson Park; 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 \$68,050.00 is available in Ordinance No. 13-03.

**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 perform environmental monitoring work at Johnson Park
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.

**DATED: 06/30/03**

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

**RESOLUTION 280R-03**

**TITLE: APPROVE THE APPOINTMENT OF SUMMER CAMP PERSONNEL**

**MOTION TO APPROVE BY: BRODERICK**

**MOTION SECONDED BY: GRISANTI**

**YES: BRODERICK, GRISANTI, REILLY & GIBLIN**

**ABSTENTIONS: KAFTON**

**WHEREAS**, a need has arisen in the Recreation Department for the appointment of various personnel for the Recreation Summer Program; and

**WHEREAS**, the Acting Director of Recreation and Municipal Administrator have made recommendations 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 as Supervisors at a salary as prescribed below:

|                |           |
|----------------|-----------|
| Jennifer Glory | 14.50/hr. |
| Jodi Trencher  | 14.40/hr. |

2. The following are hereby appointed as Head Leaders at a salary as prescribed below:

|                  |           |
|------------------|-----------|
| Christine Netis  | 11.50/hr. |
| Monique Gadson   | 11.50/hr. |
| Jacqueline Netis | 8.25/hr.  |

3. The following are hereby appointed as Leaders at a salary as prescribed below:

|                    |          |
|--------------------|----------|
| Catherine Menter   | 8.00/hr. |
| Ben Legg           | 9.45/hr. |
| Megan Shaloo       | 7.15/hr. |
| Jason Snyder       | 7.15/hr. |
| Dan LeLuca         | 7.75/hr. |
| Dina Roventini     | 6.90/hr. |
| Meredith Brindle   | 8.75/hr. |
| Crystal Schultz    | 6.40/hr. |
| Christine Guarino  | 6.40/hr. |
| Jasmine Kucera     | 6.40/hr. |
| Jeannette Tabone   | 8.40/hr. |
| Jamie Ferraroli    | 6.40/hr. |
| Lou Larsen         | 6.40/hr. |
| Melissa Merolla    | 6.65/hr. |
| Tyrie Head         | 6.40/hr. |
| Emily Triano Davis | 6.40/hr. |
| Jason Sloane       | 6.40/hr. |
| Lauren Childs      | 6.40/hr. |
| Rich Corett        | 6.40/hr. |
| Crystal Brandt     | 7.00/hr. |
| Paul DeLuca        | 6.40/hr. |
| Jennifer Lavezzo   | 7.50/hr. |
| Jacyln Ducar       | 7.00/hr. |
| Brooke Wilson      | 7.50/hr. |
| Kristen D'Anna     | 6.40/hr. |
| Ashley Spalass     | 6.40/hr. |

4. The following are hereby appointed as Counselors at a salary as prescribed below:

|                  |          |
|------------------|----------|
| Susan Curci      | 5.50/hr. |
| Pamela Ku        | 5.50/hr. |
| Danielle Pizzaia | 5.50/hr. |
| Julie Petrizzo   | 5.90/hr. |
| Kristylyn Kraiss | 5.90/hr. |
| Jasmine Kucera   | 5.90/hr. |

|                     |          |
|---------------------|----------|
| Jen Guarnieri       | 5.50/hr. |
| Peter Spall         | 5.50/hr. |
| Sabrina Brady       | 5.90/hr. |
| Kristy Kube         | 5.90/hr. |
| Christina Wessels   | 5.50/hr. |
| Lauren Halfinger    | 5.50/hr. |
| Nicholas Schleicher | 5.50/hr. |
| Georgia Durham      | 5.50/hr. |
| Michael Lapp        | 5.90/hr. |
| Melissa Erickson    | 5.50/hr. |
| Johnathon Reggio    | 5.25/hr. |
| Angela Amoroso      | 5.25/hr. |
| Jackie Brodeur      | 5.25/hr. |
| Laura Needham       | 5.25/hr. |
| Tara Soprano        | 5.25/hr. |
| Nicole Barrington   | 5.25/hr. |
| Christopher Brown   | 5.25/hr. |
| Anne Marie Lapp     | 5.25/hr. |
| Marie Gagliardi     | 5.25/hr. |
| Sara Whitmore       | 5.25/hr. |
| Nora Hussey         | 5.25/hr. |
| Melissa Smith       | 5.25/hr. |
| Lauren O'Brien      | 5.25/hr. |
| Courtney Lynn       | 5.25/hr. |
| Andy Richel         | 5.25/hr. |
| Rachel Smith        | 5.25/hr. |
| Heather McDonald    | 5.25/hr. |
| Kayla Murga         | 5.25/hr. |
| Valerie Stephens    | 5.25/hr. |
| Cara O'Connor       | 5.25/hr. |
| Sandra O'Connor     | 5.25/hr. |
| Katelyn Roman       | 5.25/hr. |
| Jennifer Merolla    | 5.50/hr. |
| Ryan Snyder         | 5.25/hr. |
| Eric Sachs          | 5.25/hr. |
| Jessica Umhoeffer   | 5.25/hr. |
| Raymond Umhoeffer   | 5.25/hr. |
| Amanda Goldstein    | 5.50/hr. |
| Shayna Stockton     | 5.25/hr. |
| Kristie Glorioso    | 5.25/hr. |
| Heather Florkowski  | 5.25/hr. |
| Alycia Brushi       | 5.25/hr. |
| Kayla Murge         | 5.25/hr. |
| Heather McDonald    | 5.25/hr. |

5. Said appointments are on a temporary basis effective June 30. 2003.
6. Copies of this resolution to appointees, Supt. of Recreation, Chief Financial Officer, Municipal Administrator and any other interested parties.

**DATED: 06/30/03**

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

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**RESOLUTION 281R-03**  
**TITLE: APPROVE THE APPOINTMENT OF PART-TIME SECURITY GUARD**

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

**WHEREAS**, a need exists for the appointment of a part time Security Guards in the Recreation Department; and

**WHEREAS**, the Municipal Administrator has made recommendations 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 part time Security Guards at a salary of \$12.25 per hour:

Edward Leone  
Bruce Miccio

2. Said appointments are effective June 21, 2003 and are on a temporary part time basis pending background compliance and approval by the N.J. Department of Personnel.
3. Copies of this resolution to appointees, Recreation Department, Chief Financial Officer, Municipal Administrator, Personnel Manager and any other interested parties.

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

**DATED: 06/30/03**

**RESOLUTION 282R-03**

**TITLE: APPROVE THE APPOINTMENT OF DOLORES MANDOLA AS RECORDING SECRETARY OF THE SHADE TREE COMMISSION**

**MOTION TO APPROVE BY: BRODERICK**

**MOTION SECONDED BY: GRISANTI**

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

**WHEREAS**, a vacancy exists within the Shade Tree Commission for the appointment of Board Secretary; 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 TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY** that:

1. Delores Mandola is hereby appointed to the position of Board Secretary on a part time temporary basis effective June 10, 2003.
2. Salary for said appointment is \$80.00 per meeting.
3. Copies of this resolution to appointee, Shade Tree Commission, Municipal Administrator, Personnel Manager, Chief Financial Officer and any other interested parties.

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

**DATED: 06/30/03**

**RESOLUTION 283R-03**

**TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO PINE BELT – POLE BROOD (ARCON DEVELOPMENT, LLC) OF THE CASH BONDS ISSUED FOR 26 AND 12 CONOR ROAD A/K/A BLOCK 45.01 AND LOTS 3 & 10**

**MOTION TO APPROVE BY: BRODERICK**

**MOTION SECONDED BY: GRISANTI**

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

**WHEREAS**, Pine Belt – Pole Brook (Arcon Development, LLC) has requested the Release of Cash Bonds pertaining to 12 & 26 Conor Road, various Block and Lots in Jackson Township as follows; and

| <u>Block</u> | <u>Lot</u> | <u>Address</u> | <u>Amount</u> |
|--------------|------------|----------------|---------------|
| 45.01        | 3          | 26 Conor Road  | \$1,500.00    |
| 45.01        | 10         | 12 Conor Road  | \$1,500.00    |

**WHEREAS**, Richard A. Nusser, P.E., Township Engineer, CME Associates, has reviewed and approved the release of said cash bond in a letter reports dated June 6, 2003, which letter reports are made a part hereof; and

**WHEREAS**, the Township Committee of the Township of Jackson has considered the applications and the reports of the Engineer;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Committee of the Township of Jackson, County of Ocean and State of New Jersey, that the Cash Bonds listed above, heretofore posted with the Township may and hereby are released to Pine Belt – Pole Brook (Arcon Development, LLC). The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

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

**DATED: 06/30/03**

**RESOLUTION 284R-03**

**TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO PROSPECT MANOR, LLC OF THE CASH BOND ISSUED FOR BLOCK 129.02, LOT 4.13**

**MOTION TO APPROVE BY: BRODERICK**

**MOTION SECONDED BY: GRISANTI**

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

**WHEREAS**, Prospect Manor, LLC has requested the Release of a Cash Bond for winter conditions in the amount of \$1,500.00 pertaining to 1022 Aumack Road, a/k/a Block 129.02, Lot 4.13, Jackson Township; and

**WHEREAS**, Richard A. Nusser, P.E., Township Engineer, CME Associates, has reviewed and approved the release of said cash bond in a letter report dated June 6, 2003, which letter report is made a part hereof; and

**WHEREAS**, the Township Committee of the Township of Jackson has considered the application and the report of the Engineer;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Committee of the Township of Jackson, County of Ocean and State of New Jersey, that the Cash Bond for winter conditions in the amount of \$1,500.00 heretofore posted with the Township may and hereby is released to Prospect Manor, LLC. The Mayor and Township Clerk are

authorized to sign or issue any appropriate documentation to give effect to the within resolution.

DATED: 06/30/03

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

**RESOLUTION 285R-03**

**TITLE: APPROVE THE APPOINTMENT OF TERESE FERRARA AS CLERK IN FINANCE/TAX COLLECTOR DEPARTMENT(S)**

**MOTION TO APPROVE BY: BRODERICK**

**MOTION SECONDED BY: GRISANTI**

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

**WHEREAS**, a need exists in the Finance and Tax Collector Departments for the appointment of a Clerk on a 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 June 18, 2003:

Terese Ferrara

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, Tax Collector, Municipal Administrator and any other interested parties.

DATED: 06/30/03

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

**RESOLUTION 286R-03**

**TITLE: APPROVE THE PROMOTION OF MICHAEL YURKOVIC TO MECHANIC**

**MOTION TO APPROVE BY: BRODERICK**

**MOTION SECONDED BY: GRISANTI**

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

**WHEREAS**, a need exists in the Public Works Department for the appointment of a Mechanic; and

**WHEREAS**, the Mayor and Township Committee have determined that it is in the best interest of the township of Jackson to appoint an individual with the Public Works Department tot his position; and

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

1. The following is hereby promoted to the position of Mechanic effective immediately at a salary of \$33,504 per year.

Michael Yurkovic

2. Said appointment shall be on a full time certified basis pending N.J. Department of Personnel approval.
3. Copies of this resolution to appointee, Municipal Administrator, PW Director, Personnel Manager, Chief Financial Officer, and any other interested parties.

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

**DATED: 06/30/03**

**RESOLUTION 287R-03**

**TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO SHOWCASE HOMES OF THE PERFORMANCE BOND ISSUED FOR THE PRESERVE AT JACKSON BLOCK 154.01, LOT 2**

**MOTION TO APPROVE BY: BRODERICK**

**MOTION SECONDED BY: GRISANTI**

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

**WHEREAS**, Showcase Homes has requested a Release of the Performance Guarantees, which consists of \$296,193.82 in the form of a Bond #BE0940815 issued by Gulf Insurance Company and \$32,910.43 in the form of a cash guarantee pertaining to The Preserve at Jackson, a/k/a Block 154.01, Lot 2, Jackson Township; and

**WHEREAS**, Ernest J. Peters, P.E., Township Engineer, CME Associates, has reviewed and approved the release of said performance bond in letter report dated May 2, 2003, which letter report is made a part hereof; and

**WHEREAS**, the Township Committee of the Township of Jackson has considered the application and the report of the Engineer;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Committee of the Township of Jackson, County of Ocean and State of New Jersey, that the Performance Bond, consisting of \$296,193.82 in the form of a Bond #BE0940815 issued by Gulf Insurance Company and \$32,910.43 in the form of a cash guarantee, heretofore posted with the Township may and hereby is released on the condition that the applicant:

1. Post a Maintenance Bond with the Township in the amount of \$49,365.64 or post a cash guarantee in the amount of \$32,910.43, subject to the review and approval of the Township Attorney. Said Maintenance Bond shall run for a period of two (2) years; and
2. That this resolution of release is further 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. Copies of this resolution to Administration, Finance, Applicant/Developer, Township Engineer & John Smatusik, III.

The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

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

**DATED: 06/30/03**



**RESOLUTION 288R-03**

**TITLE: APPROVE MORTGAGE SUBORDINATION AGREEMENT BETWEEN THE TOWNSHIP OF JACKSON AND RITA M. TAYLOR FOR BLOCK 126.03, LOT 9 (17 ASHFORD ROAD)**

**MOTION TO APPROVE BY: BRODERICK**

**MOTION SECONDED BY: GRISANTI**

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

**WHEREAS**, William and Ursula Nuzzo are the owners of property located at 17 Ashford Road and designated as Lot 16 Block 154.01 on the Tax Map of Jackson Township; and

**WHEREAS**, the Township of Jackson holds a mortgage on the property in the amount of \$11,025.00; and

**WHEREAS**, William and Ursula Nuzzo received a mortgage commitment from Shrewsbury State Bank in the principal amount of \$125,000.00; and

**WHEREAS**, a Collateral Valuation Report dated May 2, 2003 and prepared by Evan Siegel, estimates the property has a fair value of \$240,000.00, which exceeds the amount of the proposed mortgage;

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

1. The Mayor is authorized to execute and the Township Clerk to attest to a mortgage subordination or the purpose of subordinating the mortgage held by the Township of Jackson to second position behind the mortgage to be issued to Shrewsbury State bank in an amount not to exceed \$125,000.00
2. That upon the adoption of this Resolution, the Clerk is authorized and directed to forward a certified copy of it to the Chief Financial Officer.

The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

**DATED: 06/30/03**

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

**RESOLUTION 289-03**

**TITLE: AUTHORIZE A STATE VENDOR CONTRACT WITH GARDEN STATE OFFICE SYSTEMS FOR THE PURCHASE OF AN ELECTRONIC FILING SYSTEM TO BE UTILIZED BY THE MUNICIPAL COURT**

**MOTION TO APPROVE BY: BRODERICK**

**MOTION SECONDED BY: GIBLIN**

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

**WHEREAS**, The Municipal Court has requested approval for the purchase of a Kardex File and Storage System; and

**WHEREAS**, the Township Committee has considered the Municipal Court's need for a filing and storage system; and

**WHEREAS**, Garden State Office Systems and Equipment has a State Contract #A85551 for Files, Freestanding, Vertical & Lateral, Insulated, Self Contained and Media Filing; and

**WHEREAS**, the Township of Jackson, pursuant of N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c) may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State Contracts entered into on behalf of the State by the Division of Purchase and Property in the Division of the Treasury; and

**WHEREAS**, the Chief Financial Officer has certified that a maximum of \$28,000.00 is available in an appropriation in the Budget Account #3-01-43-490-053 for the purchase of the filing and storage system; and

**NOW, THEREFORE, BE IT RESOLVED**, the Mayor and the Township Committee of the Township of Jackson, County of Ocean, State of New Jersey do hereby authorize the purchase of a Kardex Filing System from Garden State Office Systems and Equipment, an approved State Contract Vendor.

A copy of this resolution shall be forwarded to the Municipal Administrator, Municipal Court Administrator and Purchasing Agent.

**DATED: 06/30/03**

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

**RESOLUTION 290-03**

**TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY APPROVING MORTGAGE SUBORDINATION FOR RITA M. TAYLOR FOR PROPERTY LOCATED AT 1 KANSAS DRIVE AND DESIGNATED AS LOT 14 AND BLOCK 126.38 ON THE TAX MAP OF JACKSON TOWNSHIP**

**MOTION TO APPROVE BY: BRODERICK**

**MOTION SECONDED BY: GRISANTI**

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

**WHEREAS**, Rita M. Taylor is the owner of property located at 1 Kansas Drive and designated as Lot 14 Block 126.38 on the Tax Map of Jackson Township; and

**WHEREAS**, the property is encumbered by a first mortgage held by Comnet Mortgage Services, in the initial principal amount of \$100,000.00; and a second mortgage held in the remaining amount of \$20,000.00 with First Commercial Corporation of America; and

**WHEREAS**, the Township of Jackson holds a mortgage on the property in the amount of \$13,820.00; and

**WHEREAS**, Rita M. Taylor has received a mortgage commitment from Greenlight Financial in the principal amount of \$140,000.00; and

**WHEREAS**, a Collateral Violation Report dated January 26, 2003 and prepared by Nathan Harkavy, estimates the property has a fair market value of \$290,900.00, which exceeds the amount of the two proposed mortgages;

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

1. The Mayor is authorized to execute and the Township Clerk to attest to a mortgage subordination for the purpose of subordinating the mortgage held by the Township of Jackson to second position behind the mortgage to be issued to Greenlight Financial in an amount not to exceed \$140,000.00

2. That upon the adoption of this Resolution, the Clerk is authorized and directed to forward a certified copy of it to the Chief Financial Officer.

The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

**DATED: 06/30/03**

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

**RESOLUTION 291-03**

**TITLE: AUTHORIZE A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF JACKSON AND D.W. SMITH ASSOCIATES, LLC FOR PROPERTY SURVEY OF BLOCK 147.02, LOT 2 (JACKSON MILLS ROAD) IN ACCORDANCE WITH GREEN ACRES PROTOCOL**

**MOTION TO APPROVE BY: BRODERICK**

**MOTION SECONDED BY: GRISANTI**

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

**WHEREAS**, the position of Professional Land Surveyor to be appointed by the Township Committee; and

**WHEREAS**, the Township is in need of a Professional Land Surveyor to prepare and submit a survey of property known as Block 147.02, Lot 2 located on Jackson Mills Road (aka Route 638) in accordance with Green Acres protocol; 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 maximum amount of this contract is \$12,000.00 and the Chief Financial Officer has certified that amount is available in Bond Ordinance #11-03 (Acquisition of Land – Open Space Trust) Account #X-04-55-994-901; and

**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. D.W. Smith Associates, LLC is hereby authorized to prepare a survey of property known as Block 147.02, Lot 2 located on Jackson Mills Road in accordance with Department of Environmental Protection Green Acres Protocol and as per the attached proposal dated June 12, 2003.
2. This appointment is made without competitive bidding for “Professional Land Surveying 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 D.W. Smith Associates, LLC

**DATED: 06/30/03**

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

**PUBLIC HEARING, ANY TOPIC**

**MRS. SEDANO, 7 AGOSTINA DRIVE:** She referred to the on-going matter with MKM Jackson and the steps the Township is taking on drawing down on their bond. She stated that the Bonding Company has offered \$25,000.00 to complete the work, where the Township Engineer (CME) has stated approximately \$80,000.00 to complete the work. Deputy Mayor Giblin replied that there are many developers who are responsible, and there are some that are not. He advised Mrs. Sedano that a similar situation existed with Harmony Estates and with the Township's persistence, we got the road paved. Mr. Giblin then proposed that the Committee authorize Daniel Burke card blanche to negotiate the matter with the Bonding Company and get the road paved and he is asking for the Committee's support on that recommendation. **CONSENSUS OF THE COMMITTEE: YES.**

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**ALLEN COTTRELL, 125 SUSAN DRIVE:** He suggested that since the meeting was being taped by an organization of Ocean County, the Township might be interested in obtaining a copy of it for their records due to the Township's inability to record tonight's meeting due to technical difficulties. Mr. Starkey replied that a copy of the tape had been offered to the Township, however, unfortunately because the way the law is, this copy could not be accepted as the official record of the Township and thanked the gentlemen accordingly. Mr. Cottrell went on to comment on Mr. Santos' questions and referred to an article in the newspaper regarding comments made by William Allmann and Mel Schubert and how they attacked the Committee for purchasing some land recently. He then asked Committeeman Reilly if he voted in favor of that ordinance authorizing the Township to acquire open space property. Committeeman Reilly responded yes and he would not banter back and forth on the matter with Mr. Cottrell. Mr. Cottrell then asked Mr. Reilly if he is Mr. Allmann's and Mr. Schubert's campaign person, to which Mr. Reilly responded yes, he is the Chairman of the Allmann/Schubert election campaign. Mr. Cottrell asked Mr. Reilly if he found it hypocritical in that he is speaking out both sides of his mouth? Mr. Reilly replied that people have the right and the freedom to express their opinions and as he stated before, he will not banter back and forth with Mr. Cottrell. Mayor Kafton directed Mr. Cottrell to stop this type of behavior.

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**MRS. TREMARTERRA, 6 AGOSTINA DRIVE:** She thanked the Committee for addressing the problems with Agostina Drive, however, she has a problem with her driveway, there are many cracks in it by the curb. She asked the Committee who would be responsible for repairing that? Mr. Starkey asked for the exact location of the problem, then cited that part of her property is on township property, the other part is on her own property. He directed Mrs. Tremarterra to discuss with Dan Burke, as he would be able to tell her what part is on township property (covered under the bond) and which is private.

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**MURRAY FIRESTONE – ONE HAZLETON LANE:** He commented that Mr. Cottrell's behavior is abusive and should not be allowed. It is uncalled for and allowing it to go on is horrible. Mayor Kafton replied that he does stop the comments when they become loud and abusive. Mr. Firestone replied that was abusive.

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**ALLEN COTTRELL, 125 SUSAN DRIVE:** He replied that he does have a very sided opinion and has a right to question and pass comments – politics are politics, it's a contact sport. Out of ring he has no problem with Mr. Reilly.

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

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**DISCUSSION AGENDA:**

**RE: REFERENDUM TO VOTERS TO CREATE CHARTER STUDY COMMISSION**

**COMMITTEEMAN GRISANTI:** He addressed the Committee regarding the change in government movement in the Asbury Park Press by a group called VOTE, whereby VOTE is looking to change to a Mayor and 9 Member Council form of government. He agrees with the concept of change but by way of a Charter Study Commission to research the form of government that would be better suited for the Township. He recommended that the Committee introduce an Ordinance on July 14, 2003 proposing a question be placed on the November ballot allowing the voters of the Township to decide on whether or not we should form a Charter Study Commission. **CONSENSUS OF THE COMMITTEE: YES.**

**MOTION TO ADJOURN BY: BRODERICK**

**MOTION SECONDED BY: GIBLIN**

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

**10:10 PM**

**RESPECTFULLY SUBMITTED,**

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

AME/tvc