

ON MONDAY, AUGUST 11, 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 (6:33 PM)
ADMINISTRATOR KENNEDY (Absent)
TOWNSHIP CLERK EDEN**

RESOLUTION 353R-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: GRISANTI

MOTION SECONDED BY: BRODERICK

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: 08/11/03

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

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

ON MONDAY, AUGUST 11, 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 | ATTORNEY STARKEY |
| COMMITTEEMAN GRISANTI | ADMINISTRATOR KENNEDY (Absent) |
| COMMITTEEMAN REILLY | TOWNSHIP CLERK EDEN |
| DEPUTY MAYOR GIBLIN | |
| MAYOR KAFTON | |

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.

25 YEAR SERVICE AWARD – JOHN KOVAK

MAYOR KAFTON: He asked Sergeant Kovak to come up. He explained that Mr. Kovak has been serving the community for the past 25 years as one of our police officers. He presented him with his 25 year service award.

COMMITTEE COMMENTS

COMMITTEEMAN BRODERICK: He thanked everyone for coming out.

COMMITTEEMAN GRISANTI: He too thanked everyone for coming out and stated he is thankful that the roof has been fixed on Town Hall before all of this rain.

COMMITTEEMAN REILLY: He thanked everyone for coming out and congratulated Sergeant Kovak. About two meetings ago he stated that he brought up the subject of the \$250,000 that was to be passed on to the Board of Education. He explained that he was told that it would be on the next meeting agenda as a resolution. It still hasn't occurred so he asked either Mr. Giblin or Mr. Grisanti to comment on the progress of that.

DEPUTY MAYOR GIBLIN: He explained that when he was looking through his notes from when he had met with the Board of Education he had realized that he had inadvertently neglected to pass on their recommendations for the \$250,000 to his fellow Committeemen. He stated that he had explained this already to Mr. Reilly and apologized for his oversight. Mr. Reilly had no problems with this list, therefore, they will be taking whatever steps necessary to pass this money through legal procedures to ensure that a large amount of projects will be getting done. They will be working with the Board of Education on some capital improvements, which they weren't able to do with their tight budget. He then apologized to Committeeman Grisanti and Committeeman Broderick for his oversight. The recommendations that were made by the Board of Education were for a playground at Holman School, a playground at Rosenauer School, infrastructure repair to Switlik School, a girls locker room at the high school, upgrades to hard core areas at Rosenauer, Switlik and Johnson, as well as purchasing new band uniforms for our championship band. He then told Mr. Grisanti and Mr. Broderick if they have any problems with these recommendations to let him know. He went on to speak about the Jackson band putting on a performance on August 21st at 6:00 PM and invited the public to go see the Championship Jaguar Band. Mr. Reilly asked if they could present the \$250,000 to the Board of Education during that performance? Deputy Mayor Giblin asked Attorney Starkey to check with the CFO to see exactly how they would transfer this money. Mr. Giblin then spoke about what has been going on the past couple of meetings regarding a change of government. He said that this government here continues to work on a daily basis on quite a few projects. One project is the reconstruction of the transfer station. They also are in receipt of \$41,742.65 from the state of New Jersey for Clean Communities. They will be utilizing that money to hire 4 seasonal employees to pick up the leaves and brush this Fall. They also have a tentative schedule for the reconstruction of Manhattan Street, which will be starting shortly and hopefully completed by the time school opens. They have a tentative schedule for the

reconstruction of the municipal parking lot. They will also be working on the reconstruction of the police access road, sport and athletic fields that are out there. Finally, they have a tentative schedule for the reconstruction of Vath, Basso and Jordan Streets. It shows that this government is continuing to move forward and make improvements to our community from one side of town to the other. They are looking to serve the best interests of the entire community and they will continue to do so.

MAYOR KAFTON: He congratulated Sergeant Kovak on his 25 years of service to the community and stated that he is one of many great employees that we have in Jackson Township. He wanted to add one item that Deputy Mayor Giblin didn't mention, which is they will be breaking ground very shortly on the new permanent Park and Ride. This will be located near exit 21 and will house about 500 spaces. They hope to have that completed in approximately 2 months and will be opening up service to Wall Street. He thanked everyone for coming out.

BILLS AND CLAIMS

MOTION TO APPROVE BILLS AND CLAIMS BY: BRODERICK

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

ABSTENTIONS: BRODERICK (0023524-3947423)

COMMITTEEMAN BRODERICK: He stated that at the last meeting he requested the bill from Schoor DePalma be put on hold and he would still like it to remain on hold.

| CHECK# | VENDOR | AMOUNT |
|--------|--------------------------------|--------------|
| 063351 | JACKSON TOWNSHIP P/R ACCOUNT | 38,703.77 |
| 063659 | JACKSON TOWNSHIP P/R ACCOUNT | 500,278.93 |
| 063660 | JACKSON TOWNSHIP P/R ACCOUNT | 39,054.48 |
| 063665 | ACTION OFFICE SUPPLIES INC. | 265.77 |
| 063666 | AIR BRAKE & EQUIPMENT INC. | 103.07 |
| 063667 | AL'S AUTO REPAIRS INC. | 125.00 |
| 063668 | ASBURY PARK PRESS, INC. | 924.22 |
| 063669 | AUTOMATED BUILDING CONTROLS | 780.00 |
| 063670 | B&G ELEVATOR | 135.00 |
| 063671 | BOCA-BUILDING OFFICIALS & CODE | 458.99 |
| 063672 | ROBERT P & KAREN BONILLA | 1,364.58 |
| 063673 | BROUWER HANSEN & IZDEBSKI | 894.00 |
| 063674 | CARL'S FENCING INC. | 1,530.00 |
| 063675 | KIMBERLY S. CASTEN | 3,333.33 |
| 063676 | CDW GOVERNMENT, INC. | 962.22 |
| 063677 | ROBERT CLARKE | 839.50 |
| 063678 | CME ASSOCIATES | 6,752.50 |
| 063679 | COHENS MODERN PRINT SVCE INC. | 3,072.60 |
| 063680 | METROPOLITAN INSURANCE CO. | 590.13 |
| 063681 | COMP USA | 1,199.91 |
| 063682 | JANICE CONNOR, PETTY CASH | 196.29 |
| 063683 | COUNTY LINE HARDWARE | 169.42 |
| 063684 | COUNTY OF OCEAN | 4,594,040.37 |
| 063685 | COUNTRY SUDSER CAR WASH | 218.00 |
| 063686 | CPR TECHNOLOGY | 42.43 |
| 063687 | CREATIVE HOBBIES | 123.90 |
| 063688 | CUMMINS METROPOWER, INC. | 1,725.00 |
| 063689 | DEPTCOR/BUREAU OF | 227.50 |
| 063690 | DOWNS FORD, INC. | 407.15 |
| 063691 | DAVID ROSS ASSOCIATES | 7,500.00 |
| 063692 | DISTRIBUTION & SUPPORT SERVS. | 2,103.00 |
| 063693 | EDWARDS TIRE COMPANY, INC. | 258.52 |
| 063694 | ELITE HEATING & COOLING, INC. | 175.00 |
| 063695 | FEDEX | 11.70 |

| | | |
|--------|-----------------------------------|--------------|
| 063696 | FERGUSON ENTERPRISES, INC. | 48.66 |
| 063697 | FOSTER & COMPANY, INC. | 536.80 |
| 063698 | GALL'S INC. | 650.76 |
| 063699 | GANN LAW BOOKS INC. | 76.00 |
| 063700 | GARDEN STATE HWY PRODUCTS, INC. | 360.00 |
| 063701 | GILES & RANSOME, INC. | 95.85 |
| 063702 | GLOBAL GOVT EDUCATION SOLUTION | 1,313.08 |
| 063703 | GRANTURK EQUIPMENT CO., INC. | 160.00 |
| 063704 | HEATERMEALS | 399.82 |
| 063705 | EDWARD A. HLAVACH, C.P.A. | 1,225.00 |
| 063706 | J&M AUTO MACHINE SHOP, INC. | 39.99 |
| 063707 | JACKSON TWP. BOARD OF ED. | 4,166,613.00 |
| 063708 | JACKSON AUTO BODY | 1,000.00 |
| 063709 | JACKSON VETERINARY CLINIC, PA | 20.00 |
| 063710 | JCA ASSOCIATES, INC. | 465.50 |
| 063711 | JERSEY CENTRAL POWER & LIGHT | 40,527.76 |
| 063712 | JOHNNY ON THE SPOT | 104.00 |
| 063713 | J.R. HENDERSON LABS, INC. | 125.00 |
| 063714 | KEMPTON FLAG & FLAGPOLE | 1,752.00 |
| 063715 | KING, KITRICK, JACKSON & TRONCONE | 568.46 |
| 063716 | L.J. MAKRANCY & SONS | 15,679.58 |
| 063717 | DONNA LOMURRO & MARK WOODSIDE | 888.55 |
| 063718 | SUSAN LOTITO | 300.00 |
| 063719 | MASUNE FIRST AID & SAFETY | 156.55 |
| 063720 | METROPOLITAN LIFE INSURANCE CO. | 9,865.98 |
| 063721 | MGL FORMS-SYSTEMS | 42.00 |
| 063722 | MAACM | 150.00 |
| 063723 | NEW JERSEY STATE LEAGUE OF | 50.00 |
| 063724 | NOREIKA GAS INC. | 64.96 |
| 063725 | NOREIKA'S SALES & SERVICE | 72.95 |
| 063726 | NORTH SHORE AUDIO | 625.00 |
| 063727 | OCEAN COUNTY BD. OF ELECTIONS | 6,293.15 |
| 063728 | OCEAN COUNTY LANDFILL CORP. | 50,000.00 |
| 063729 | OCEAN COUNTY NEWSPAPERS, INC. | 422.33 |
| 063730 | BARRY G. OLEJARZ | 5.16 |
| 063731 | JOSEPH OLESKY | 68.88 |
| 063732 | OMNI COMMUNICATIONS CO., INC. | 100.00 |
| 063733 | PEDRONI FUEL COMPANY, INC. | 12,434.38 |
| 063734 | QUILL CORPORATION | 1,183.98 |
| 063735 | RAGAN DESIGN GROUP | 7,179.00 |
| 063736 | RAM HYDRAULICS, INC. | 1,916.00 |
| 063737 | RED THE TAILOR, INC. | 3,382.00 |
| 063738 | REXEL ELECTRICAL | 1,578.58 |
| 063739 | RUBBERCYCLE | 131.75 |
| 063740 | RUSSO, DELANOY, MARTINO & RYAN | 2,083.00 |
| 063741 | RUTGERS, THE STATE UNIVERSITY | 75.00 |
| 063742 | E. SAMBOL CORP. | 864.50 |
| 063743 | SANITARY SUPPLY SPECIALTIES | 2,252.53 |
| 063744 | PATRICK SHEEHAN, ESQ. | 2,086.35 |
| 063745 | WILLIAM R. SIBERT | 667.74 |
| 063746 | NJSHBP | 188,095.08 |
| 063747 | STATIONERS, INC. | 121.20 |
| 063748 | STAVOLA CONTRACTING CO. INC. | 190.12 |
| 063749 | SUPPLY SAVER | 988.30 |
| 063750 | JOHN SWEENEY | 557.50 |
| 063751 | TCTA OF NEW JERSEY | 30.00 |
| 063752 | LOUIS TIBOLDO & KELLY FOX | 622.44 |
| 063753 | TREC - ADVANCED COMPUTER | 5,300.60 |
| 063754 | TRENTON BRAKES, INC. | 425.60 |
| 063755 | TROPICANA - TROP WORLD | 324.00 |
| 063756 | TUBELIGHT | 253.00 |
| 063757 | MICHAEL CEPPALUNI dba/UNITED | 410.00 |

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|--------|--------------------------------|------------|
| 063758 | UNITED PARCEL SERVICE | 17.74 |
| 063759 | VAN SANT EQUIPMENT | 484.35 |
| 063760 | VAN DERVEER TIRE & SERVICE CTR | 186.95 |
| 063761 | VAN SANT SEWER SERVICE t/a | 225.00 |
| 063762 | ELENA P. VELTRE | 110.00 |
| 063763 | VERIZON | 1,076.75 |
| 063764 | VIP CREDIT REPORTING, LLC | 400.00 |
| 063765 | WASTE MANAGEMENT, INC. | 43,6500.00 |
| 063766 | WEST PUBLISHING CORP. | 416.00 |
| 063767 | WESTLAKE VILLAGE LLC | 12,137.29 |
| 063768 | WESTWOOD COMPUTER CORP. | 1,937.79 |
| 063769 | RICK WILLGERODT | 2,470.00 |
| 063770 | WOODHUE LTD. | 1,042.50 |

ORDINANCES, SECOND READING – NONE AT THIS TIME

ORDINANCE FIRST READING

25-03

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING ORDINANCE #55-01 ESTABLISHING THE SALARIES FOR ALL OF THE VARIOUS OFFICIALS AND EMPLOYEES OF THE TOWNSHIP FOR THE YEAR 2002 AND THEREAFTER

**MOTION TO APPROVE ORDINANCE 25-03 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, AUGUST 25, 003 BY: BRODERICK
 MOTION SECONDED BY: GIBLIN
 YES: BRODERICK, GRISANTI, GIBLIN & KAFTON
 NO: REILLY (Based on discussion at the last Executive Session)**

ORDINANCE 25-03

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

SECTION 1. Schedule “A” of Ordinance 55-01 is hereby amended to establish salaries for the official employees whose titles are set forth below:

INSERT:

| | SALARY RANGE | |
|------------------------------------|---------------------|----------------|
| | MINIMUM | MAXIMUM |
| Sr. Maintenance Repairer Carpenter | 29,554 | 41,000 |
| Water Systems Licensed Operator | 2,500 | 3,500 |

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are repealed.

SECTION 3. 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 August 11, 2003 and

will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 25 day of August 2003 at 7:30 P.M. or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building in said township at which time all persons interested shall be given an opportunity to be heard concerning this Ordinance.

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

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

PUBLIC HEARING OPENED, RESOLUTIONS ONLY: (NO ONE CAME FORWARD)

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

RESOLUTION 356R-03
TITLE: 2002 MUNICIPAL AUDIT-CORRECTIVE ACTION PLAN

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

WHEREAS, the New Jersey Department of Community Affairs, Division of Local Government Services Notice #92-15 requires that a Corrective Action Plan for the 2002 Municipal Audit be completed and filed with the Clerk or Secretary of the local unit 60 days from the date the audit is received by the Governing Body (August 15, 2003)

WHEREAS, the Chief Financial Officer has completed and submitted a Corrective Action Plan with the assistance with other Municipal officials affected by the audit recommendations. The Corrective Action Plan is therefore being submitted to the Township Administrator and Committee for their review and approval.

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 annexed Corrective Action Plan as prepared by the Chief Financial Officer is hereby approved and authorization warranted to submit same to the State of New Jersey-Division of Local Government Services, Federal Clearing House, County of Ocean (Re: CDBG Grant) National Recognized Municipal Repository Facilities and other interested parties.
2. This resolution shall take effect upon majority affirmative vote of the Jackson Township's Committee members.
3. Copies of this executed resolution to the Administrator, Chief Financial Officer and Municipal Auditor.

DATED: 08/11/03

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

**NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES**

**CORRECTIVE ACTION PLAN
AUDIT YEAR ENDING DECEMBER 2002**

AS PER N.J. LOCAL FINANCE NOTICE 92-15 ATTACHED PLEASE FIND THE CORRECTIVE ACTION PLAN AS PREPARED FOR THE 2002 AUDIT.

00-1 That the township administer off-duty police fees in accordance with Local Finance Notice No. CFO-2000-14.

ANALYSIS: In the Township Codes 24-42, Section H, Paragraph One, it states; The provisions of subsection H, requiring prepayment by the contractor, may be waived by the Chief Financial Officer for contractors exhibiting a previous satisfactory payment history. This is what was being frequently done.

CORRECTIVE ACTION: The Township Committee is currently rethinking its policies on extra-duty assignments for our police department using reports submitted by both the Director of Public Safety and the Chief Financial Officer to determine what it will cost the township on manpower as well as actual costs to run the program in strict compliance with Local Finance Notice No. CFO-2000-14. When the proper figure for administrative costs has been determined and the Governing Body has made its final determinations on the program The Township Codes will be revised to reflect the changes to include the removal of the sentence allowing the CFO to waive the prepayment. At that time escrow accounts will be set up for all developers.

IMPLEMENTATION DATE: The new procedure should be implemented before the end of the year.

00-2 That all interfunds be liquidated prior to year end.

ANALYSIS: Due to bank interest adjustments some interfunds receivable and payable showed balances at year end.

CORRECTIVE ACTION: A closer look will be taken at year end to see if some funds can be liquidated before December 31, 2003, and each year as follows.

IMPLEMENTATION DATE: On or before December 31, 2003.

00-3 That the Township require an annual report on the operations and transactions of the Industrial Commission as required by N.J.S.A. 40:55-B-10.

ANALYSIS: The Township did not receive an annual report on the operations and transactions of the Industrial Commission as required by N.J.S.A. 40:55B-10.

CORRECTIVE ACTION: The Industrial Commission Chairperson was notified of the recommendation of the Audit and told they must comply. Further action will be handled by the Township Business Administrator and/or Governing body.

IMPLEMENTATION DATE: Results are expected by December 31, 2003.

00-4 That the animal control office on a daily basis reconcile their cash receipts journal to the returned deposit slips and on a monthly basis ensure their cash receipts journal agrees with the month end bank statement.

ANALYSIS: On a couple of occasions the deposit tickets did not match the cash

receipts recorded in the Animal Control Department journal, therefore, their month end cash receipts journal did not match the bank statement.

CORRECTIVE ACTION: The deposit tickets are being checked each day to ensure that they agree with their journal entries. Any difference noted on bank statement will be reported to the Animal Control Office and resolved.

IMPLEMENTATION DATE: I have been assured by the Animal Control Office that they have already implemented the proper procedures and that all their paperwork now does agree.

RESOLUTION 371R-03

TITLE: AUTHORIZE THE EXECUTION OF A GENERAL RELEASE AND ASSIGNMENT IN THE AMOUNT OF \$38,000.00 BETWEEN THE TOWNSHIP OF JACKSON AND FRONTIER INSURANCE COMPANY ON BEHALF OF MKM-JACKSON, LLC FOR BLOCK 3.01, LOT 7.01 (THORNHURST ESTATES), PERFORMANCE BOND #84620

MOTION TO APPROVE BY: BRODERICK

MOTION SECONDED BY: GRISANTI

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

MAYOR KAFTON: He explained that he would like to recognize Dan Burke (in-house engineer), for the excellent job he did on getting these monies. This money will be used to pave Agostina Drive. This has been tied up in litigation for many years and the road has never been paved. Dan Burke worked diligently on this project and they went from having zero dollars to getting the insurance company to pay \$38,000.

WHEREAS, on January 28, 2002, the Jackson Township Committee authorized the draw down of Performance Bond #84620 issued by Frontier Insurance Company on behalf of MKM-Jackson, LLC for the project known as Thornhurst Estates, Block 3.01, Lot 7.01; and

WHEREAS, Frontier Insurance Company in Rehabilitation has agreed to and Township Engineer, Daniel Burke, has recommended the acceptance and execution of a "Release and Assignment Agreement" in the amount of \$38,000.00 to be used toward improvements to the project known as Thornhurst Estates, Block 3.01, Lot 7.01; and

WHEREAS, the Township Committee of the Township of Jackson has considered the request of the Township Engineer, Daniel Burke to be satisfactory for completion of bonded improvements at the project known as Thornhurst Estates.

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. Release and Assignment Agreement in the amount of \$38,000.00 is acceptable on behalf of the Township of Jackson for the completion of outstanding bonded improvements associated with the project entitled Thornhurst Estates, Block 3.01, Lot 7.01
2. The Mayor, Township Clerk and/or Township Engineer are authorized to sign or issue any appropriate documentation to give effect to the within resolution

DATED: 08/11/03

**ANN MARIE EDEN, RMC
 TOWNSHIP CLERK**

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

RESOLUTION 354R-03

TITLE: AUTHORIZE TAX OVERPAYMENT REFUNDS

MOTION TO APPROVE BY: GRISANTI
MOTION SECONDED BY: GIBLIN
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
 AUGUST 11, 2003**

| <u>BLOCK</u> | <u>LOT</u> | <u>NAME</u> | <u>YEAR</u> | <u>AMOUNT</u> |
|--------------|------------|-------------------------------|-------------|---------------|
| 9.03 | 36 | WILLIAM R. SIBERT | 2003 | \$ 667.74 |
| 75.01 | 47.65 | LOUIS W. TIBOLDO & KELLY FOX | 2003 | 622.44 |
| 82.01 | 30.04 | JOHN SWEENEY | 2003 | 557.50 |
| 96.01 | 4.01 | DONNA LOMURRO & MARK WOODSIDE | 2003 | 888.55 |
| 135.22 | 15.44 | ROBERT P. & KAREN BONILLA | 2003 | 1364.58 |
| 66.09 | 3.503 | QFARM WESTLAKE VILLAGE, LLC | 2003 | 495.37 |
| 79 | 3 | WESTLAKE VILLAGE, LLC | 2002 | 98.85 |
| 80 | 7 | WESTLAKE VILLAGE, LLC | 2003 | 8299.20 |
| 80 | 7.01 | WESTLAKE VILLAGE, LLC | 2003 | 3243.87 |

DATED: 08/11/03

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

RESOLUTION 355R-03
TITLE: APPROVE TOWNSHIP COMMITTEE MEETING MINUTES FROM JULY 14, 2003

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

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:

JULY 14, 2003

2. Copies of this resolution to any interested parties.

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

DATED: 08/11/03

RESOLUTION 356R-03
TITLE: 2002 MUNICIPAL AUDIT-CORRECTIVE ACTION PLAN

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

WHEREAS, the New Jersey Department of Community Affairs, Division of Local Government Services Notice #92-15 requires that a Corrective Action Plan for the 2002 Municipal Audit be completed and filed with the Clerk or Secretary of the local unit 60 days from the date the audit is received by the Governing Body (August 15, 2003)

WHEREAS, the Chief Financial Officer has completed and submitted a Corrective Action Plan with the assistance with other Municipal officials affected by the audit recommendations. The Corrective Action Plan is therefore being submitted to the Township Administrator and Committee for their review and approval.

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 annexed Corrective Action Plan as prepared by the Chief Financial Officer is hereby approved and authorization warranted to submit same to the State of New Jersey-Division of Local Government Services, Federal Clearing House, County of Ocean (Re: CDBG Grant) National Recognized Municipal Repository Facilities and other interested parties.

2. This resolution shall take effect upon majority affirmative vote of the Jackson Township's Committee members.

3. Copies of this executed resolution to the Administrator, Chief Financial Officer and Municipal Auditor.

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

DATED: 08/11/03

RESOLUTION 357R-03
TITLE: APPROVE APPOINTMENT OF TEEN SUPERVISOR

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

WHEREAS, a need exists for the appointment of a Teen Supervisor in the Recreation Department; and

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

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

1. The following is hereby appointed to the position of Teen Supervisor at a salary of \$12.00 per hour:

Bonnie Frizziola

2. Said appointment is effective July 29, 2003 and are on a temporary part time basis.
3. Copies of this resolution to appointee, Recreation Department, Chief Financial Officer, Municipal Administrator, Personnel Manager and any other interested parties.

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

DATED: 08/11/03

RESOLUTION 358R-03
TITLE: APPROVE APPOINTMENT OF PART-TIME OMNI BUS OPERATOR

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

WHEREAS, a need exists for the appointment of an OmniBus Operator in the Senior Center; and

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

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

1. The following is hereby appointed to the position of OmniBus Operator at a salary of \$11.43 per hour:

Maureen Buchan

2. Said appointment is effective immediately and is on a temporary part time basis pending Department of Personnel approval.
3. Copies of this resolution to appointee, Recreation Program Administrator, Chief Financial Officer, Municipal Administrator, Personnel Manager and any other interested parties.

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

DATED: 07/28/03

RESOLUTION 359R-03**TITLE: APPOINT SERGIO PANUNZIO AS PRINCIPAL PUBLIC WORKS
MANAGER****MOTION TO APPROVE BY: GRISANTI****MOTION SECONDED BY: GIBLIN****YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON**

WHEREAS, in accordance with the Certified Public Works Manager Law, C.46, P.L. 1995, there shall be designated a Principal Publics Works Manager as pursuant to the requirements as outlined in N.J.S.A. 40A :9-154,6g ; and

WHEREAS, the Mayor and Township Committee is desirous of appointing the Director of Public Works to this position in accordance with N.J.S.A. 40A :9-154.6^c as said position shall not be considered a separate position or title ;

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

1. Sergio Panunzio, Director of Public Works is hereby appointed to serve as Principal Public Works Manager of the Township of Jackson for a term coextensive with his term as Director of Public Works.
2. Said appointment is effective immediately at no additional compensation.
3. Copies of this resolution to appointee, Department of Public Works, Township Attorney, Personnel Manager, Municipal Administrator and any other interested parties.

DATED: 08/11/03

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

RESOLUTION 360R-03**TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN
COUNTY, NEW JERSEY AUTHORIZING RELEASE TO US HOME CORP. OF
THE CASH BOND ISSUED FOR WESTLAKE VILLAGE, SEC. 5A A/K/A
BLOCK 66.09, LOT 3.206****MOTION TO APPROVE BY: GRISANTI****MOTION SECONDED BY: GIBLIN****YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON**

WHEREAS, US Home Corp. has requested the Release of a Cash Bond for winter conditions in the amount of \$1,500.00 pertaining to Westlake Village, Sec. 5A, a/k/a Block 66.09, Lot 3.206, 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 July 21, 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 US Home Corp. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

DATED: 08/11/03

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

RESOLUTION 361R-03

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO ROBERT MAFFEI OF THE PERFORMANCE BOND ISSUED FOR RELIABLE COMMUNICATION SYSTEMS CORPORATION A/K/A BLOCK 135, LOT 32.02

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, Robert Maffei has requested a Release of the Performance Guarantee, which consists of \$8000.00 in the form of a Bond ##8212 issued by Service Insurance Company, Inc. and \$800.00 in the form of a Cash Guarantee pertaining to Reliable Communication Systems Corp. for Block 135, Lot 32.02, Jackson Township; and

WHEREAS, Ernie Peters, P.E., Township Engineer, CME Associates, has reviewed and approved the release of said performance bond in letter report dated July 24, 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 \$8000.00 in the form of a Bond #8212 and \$800.00 in the form of a Cash Guarantee, heretofore posted with the Township may and hereby is released and the Maintenance Bond requirement is hereby waived as the owner of the project has indicated in a letter that the project will not be constructed at this time.

Any action taken by the Township Committee and the subsequent release of the performance guarantee is conditioned upon the posting of any outstanding review and/or inspection escrow fees.

Unused balances in the escrow accounts can be returned once all outstanding bills are paid.

The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution. Copies of this resolution to Administration, Finance, Township Engineer, the Department of Public Works, the Office of Planning and Zoning and the applicant/developer.

DATED: 08/11/03

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

RESOLUTION 362R-03

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO DOWN TO EARTH LANDSCAPING OF THE PERFORMANCE BOND ISSUED FOR BLOCK 154.32, LOT 24

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, Down to Earth Landscaping has requested a Release of the Performance Guarantees, which consists of \$21,760.00 in the form of a Bond #S05488

issued by First Indemnity of America and \$2,420.00 in the form of a cash guarantee pertaining to Block 154.32, Lot 24, 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 July 22, 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 \$21,760.00 in the form of a Bond #S05488 issued by First Indemnity of America and \$2,420.00 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 \$3,630.00 or post a cash guarantee in the amount of \$2,420.00, 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.

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: 08/11/03

RESOLUTION 363R-03

TITLE: AUTHORIZE A ONE (1) YEAR CONTRACT RENEWAL TO L.J. MAKRANCY & SONS LANDSCAPING & LAWN SERVICE, INC. FOR ATHLETIC FIELD MAINTENANCE COMMENCING AUGUST 19, 2003 THROUGH AUGUST 19, 2004

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, the Township of Jackson previously awarded a one (1) year contract with L.J. Makrancy & Sons Landscaping & Lawn Service, Inc. for athletic field maintenance for the period August 19, 2002 through August 19, 2003; and

WHEREAS, this contract was awarded for one year with the Township having the option to review for a second year; and

WHEREAS, Denise Hammerstone, RPPO, QPA, has recommended the Township exercise their option to renew the contract for one (1) additional year commencing August 19, 2003 through August 19, 2004; and

WHEREAS, the Chief Financial Officer has certified that a maximum of \$175,000.00 is available for this purpose in the 2003 Operating Budget in Account #3-01-28-375-029; and

WHEREAS, it is now the desire of this Township Committee to act upon the recommendation of the Purchasing Agent.

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. Athletic Field Maintenance contract between the Township of Jackson and L.J. Makrancy & Sons Landscaping & Lawn Service, Inc. is renewed for an additional one (1) year period commencing August 19, 2003 through August 19, 2004
2. Pricing established pursuant to the attached Schedule "A"
3. Notice of this contract award/renewal to be published in official newspaper.
4. 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: 08/11/03

RESOLUTION 364R-03

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO ARCON DEVELOPMENT OF THE CASH BONDS ISSUED TO PINE BELT-POLE BROOK A/K/A/ VARIOUS BLOCKS AND LOTS

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

WHEREAS, Arcon Development has requested the Release of Cash Bonds pertaining to Pine Belt-Pole Brook, various Blocks and Lots in Jackson Township as follows; and

| <u>Block</u> | <u>Lot</u> | <u>Address</u> | <u>Amount</u> |
|--------------|------------|----------------|---------------|
| 45.01 | 8 | 16 Conor Road | \$1,500.00 |
| 45 | 25.02 | 3 Conor Road | \$1,000.00 |

WHEREAS, Richard A. Nusser, P.E., Township Engineer, CME Associates, has reviewed and approved the release of said cash bonds in letter reports dated July 24, 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 Arcon Development. 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: 08/11/03

RESOLUTION 365R-03

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO BRIDGEWATER CROSSING OF THE CASH BOND ISSUED FOR BLOCK 75.42, LOT 26.10

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

WHEREAS, Bridgewater Crossing has requested the Release of a Cash Bond for winter conditions in the amount of \$1,500.00 pertaining Block 75.42, Lot 26.10, 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 July 29, 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 Bridgewater Crossing. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

DATED: 08/11/03

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

RESOLUTION 366R-03

TITLE: AUTHORIZE AN AGREEMENT BETWEEN THE TOWNSHIP OF JACKSON AND JOHN PUGLISI CLARIFYING THE RIGHT OF REVERSION TO PROPERTY KNOWN AS BLICK 56.08, LOTS 1-5, 7, 8 AND 12

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, John Puglisi owns property in the Whitesville Industrial Park, known as block 56.08, Lots 1-5, 7-8 and 12, which was conveyed to Mr. Puglisi by Jackson Township Industrial Commission; and

WHEREAS, the deed to the property contains a certain clause giving the Township and the Industrial Commission a right of reversion under certain circumstances; and

WHEREAS, Mr. Puglisi has requested an agreement to clarify the right of reversion and township believes it to be fair and equitable to reach such an agreement ; and;

WHEREAS, the proposed agreement provides that the owner of the property shall have until December 31, 2004 to make all necessary applications to the appropriate Jackson Township land use agency for approval to construct a commercial or industrial use on the property and during that time no such reversionary rights shall be exercised by the Township.

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 Mayor and Township Clerk are hereby authorized to execute the form of Agreement between the Township and John Puglisi in the form attached hereto, which relates to the right of reversion to property known as Block 56.08, Lots 1-5, 7-8 and 12 as shown on the Jackson Township Tax Map.
2. That upon the adoption of this Resolution, the Clerk is authorized and directed to forward a certified copy of it to John Puglisi.

DATED: 08/11/03

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

RESOLUTION 367R-03

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RENEWAL OF CAMPGROUND LICENSE FOR MAPLE LAKE CAMPGROUNDS T/A MAPLE LAKE CAMPGROUNDS A/K/A BLOCK 59.01, LOTS 14 & 45

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, Maple Lake Campground has applied for renewal of Campground License for 980 E. Veterans Highway, a/k/a Block 59.01, Lots 14 & 45, Jackson Township;

WHEREAS, Maple Lake Campground has submitted an application in proper form and has paid the required fees; and

WHEREAS, taxes are paid on the premises in question and the appropriate municipal agencies or officers have inspected the premises and have no objection to the renewal of this license.

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 application of Maple Lake Campground for a renewal of a Campground License for the premises known as 980 E. Veterans Highway, a/k/a Block 59.01, Lots 14 & 45, Jackson Township, is hereby approved.
2. The Township Clerk is hereby authorized to issue the aforesaid license to the applicant.
3. Said license is issued pursuant to Chapter 73 of the Code of the Township of Jackson for a period commencing July 1, 2003 and ending June 30, 2004.
4. Said license is issued subject to any and all restrictions imposed by the Jackson Township Zoning Board of Adjustment and the Jackson Township Planning Board.
5. That upon the adoption of this resolution, the Township Clerk is authorized and directed to forward a certified copy of it to the Township Administrator and Maple Lake Campground.

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

DATED: 08/11/03

RESOLUTION 368R-03

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RENEWAL OF A CAMPGROUND LICENSE FOR TOMARON, INC. T/A INDIANROCK R.V. RESORT A/K/A BLOCK 7, LOT 29.03

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, Tomaron, Inc. t/a Indianrock R.V. Resort has applied for renewal of Campground License for 920 W. Veterans Highway a/k/a Block 7, Lot 29.03, Jackson Township;

WHEREAS, Tomaron, Inc. t/a Indianrock R.V. Resort has submitted an application in proper form and has paid the required fees; and

WHEREAS, taxes are paid on the premises in question and the appropriate municipal agencies or officers have inspected the premises and have no objection to the renewal of this license.

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 application of Tomaron, Inc. t/a Indianrock R.V. Resort for a renewal of a Campground License for the premises known as 920 W. Veterans Highway a/k/a Block 7, Lot 29.03, Jackson Township, is hereby approved.
2. The Township Clerk is hereby authorized to issue the aforesaid license to the applicant.
3. Said license is issued pursuant to Chapter 73 of the Code of the Township of Jackson for a period commencing July 1, 2003 and ending June 30, 2004.
4. Said license is issued subject to any and all restrictions imposed by the Jackson Township Zoning Board of Adjustment and the Jackson Township Planning Board.
5. That upon the adoption of this resolution, the Township Clerk is authorized and directed to forward a certified copy of it to the Township Administrator and Tomaron, Inc. t/a Indianrock R.V. Resort.

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

DATED: 08/11/03

RESOLUTION 369R-03

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RENEWAL OF MOBILE HOME PARK LICENSE FOR THE YEAR 2003 TO JACKSON ESTATES, LLC T/A JACKSON ESTATES A/K/A BLOCK 32.02, LOT 4

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, Jackson Estates, LLC t/a Jackson Estates has requested a renewal of its Mobile Home Park License for Calendar Year 2003 for property located at 2 Lisa Lane So. a/k/a Block 32.02, Lot 4, Jackson Township; and

WHEREAS, per Chapter 99 of the Jackson Code, said applicant has submitted an application in proper form, paid the required fees and has received approval from various municipal departments and agencies.

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. The application of Jackson Estates, LLC t/a Jackson Estates for renewal of its Mobile Home Park License for the premises known as 2 Lisa Lane So. a/k/a Block 32.02, Lot 4, Jackson Township, is hereby approved.
2. The Township Clerk is hereby authorized to issue the aforesaid renewal to the applicant.
3. Said license is issued for a period commencing February 1, 2003 and ending January 31, 2004.
4. Said license is issued subject to any and all restrictions imposed by the Jackson Township Zoning Board of Adjustment and the Jackson Township Planning Board.
5. That upon the adoption of this resolution, the Township Clerk is authorized and directed to forward a certified copy of it to the Township Administrator and Jackson Estates, LLC t/a Jackson Estates.

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

DATED: 08/11/03

RESOLUTION 370R-03

TITLE: RESOLUTION AUTHORIZING THE RENEWAL OF A JUNK DEALER LICENSE FOR FRANK KAFTON T/A F & J AUTO A/K/A BLOCK 150.01, LOT 17

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

WHEREAS, the applicant, Frank Kafton, 378 W. Commodore Boulevard, a/k/a Block 150.01, Lot 17, Jackson, New Jersey has submitted an application for renewal of its junk dealer license for premises as set forth below pursuant to Chapter 71 of the Jackson Township Code; and

WHEREAS, the applications are in proper form, the proper fees have been paid, taxes have been paid up-to-date on the premises in question and proper notice has been given; and

WHEREAS, all involved municipal agencies and officials have either reviewed the applications or inspected the premises and have no objection to the renewal of the license.

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 Clerk is hereby authorized to deliver the applicant, Frank Kafton , 378 W. Commodore Boulevard, Jackson, New Jersey, a renewal of his junk dealer license commencing on January 1, 2003 and terminating on December 31, 2003.
2. This license is issued subject to the applicant’s continued compliance with conditions and requirements as follows:
 - A. Payment of all outstanding fees and taxes.
 - B. The applicant complying with all rules, regulations, conditions and inspections provided in Chapter 71.
 - C. The applicant obtaining all other Local, County and State permits.
3. That upon the adoption of this resolution, the clerk is authorized and directed to forward a certified copy of it to Frank Kafton t/a F & J Auto.

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

DATED: 08/11/03

RESOLUTION 372R-03

TITLE: AUTHORIZE THE ADVERTISEMENT AND ACCEPTANCE OF BIDS FOR PAVEMENT OVERLAY OF AGOSTINA DRIVE LOCATED IN THE THORNHURST ESTATES SUBDIVISION, BLOCK 3.01, LOT 7.01

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

DEPUTY MAYOR GIBLIN: He explained that they will be going out to bid on the roads that Mr. Burke has secured the money for. This again shows how the government is moving forward at a rapid pace.

WHEREAS, Daniel Burke, Township Engineer, has reviewed and the Township Committee has approved specifications for and has determined that it will advertise for sealed bids for “Pavement Overlay of Agostina Drive”; and

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

1. Daniel Burke, Township Engineer is hereby authorized to advertise for sealed bids for:

PAVEMENT OVERLAY OF AGOSTINA DRIVE LOCATED IN THE THORNHURST ESTATES SUBDIVISION, BLOCK 3.01, LOT 7.01
2. 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.
3. Each bid shall be submitted as a written proposal in the manner designated in the specifications and shall be signed by bidder. The bid shall be enclosed in a sealed envelope bearing the name and the address of the bidder on the outside and addressed to Township Clerk, Township of Jackson, 95 West Veterans Highway, Jackson, New Jersey 08527. Said envelope shall be clearly labeled that it contains a bid for the purpose of "Pavement Overlay of Agostina Drive".
4. Plans, specifications, proposal sheets and form of bids may be inspected or obtained during normal business hours at the Office of the Municipal Clerk, Ann Marie Eden, 95 West Veterans Highway, Jackson, New Jersey 08527 until 48 hours prior to the time set for the opening of bids upon payment of \$50.00 per set. No refunds will be made.
5. It is the sole responsibility of each bidder to see that bids are submitted in date and time specified, and **IN NO EVENT SHALL ANY BID BE CONSIDERED OR ACCEPTED AFTER THE DATE AND TIME SPECIFIED FOR THE RECEIPT OF BIDS.** In the event that a bidder does not personally deliver the sealed bid on the date and time specified for receipt of bids, such bidder shall assume all risks of loss or misplacement of the sealed bid by the Municipal Officers or any other risk relative to the failure of the bidder to personally deliver the bid.
6. The bid quote shall be net to the Township of Jackson and shall be exclusive of State or Federal taxes. Each and every deviation from the specifications shall be clearly listed by the bidder. Failure to comply with this requirement shall be grounds for rejection of the bid.
7. Each bid must be accompanied by a bid bond, certified check or cashiers check payable to the Township of Jackson for not less than ten percent (10%) of the amount of the bid, but not in excess of \$20,000.00 and shall be delivered at the place and time specified above. This requirement will not be waived.
8. A contract will be awarded to the lowest qualified responsible bidder. The Township Committee reserves the right to reject any and all bids. The Township Committee reserves the right to waive insubstantial irregularities in any bid.
9. A Non-Collusion Affidavit in the usual form will be supplied with the specifications and shall be executed by the person or corporate office submitting the bid. Said Affidavit must be properly notarized. A Non-Collusive Affidavit must accompany each bid. These requirements will not be waived.
10. Bidders are required to comply with the requirements of P.L. 1975, Chapter 127 (N.J.S.A. 10:5-31 et seq.). Successful bidders shall execute a contract containing Affirmative Action Requirements established by regulations pursuant to P.L. 1975, Chapter 127.
11. Corporate and partnership bidders shall comply with P.L. 1977, Chapter 33, by submitting a list of the names and addresses of all stockholders or owners holding ten percent (10%) or more of the stock or owning a ten percent (10%) or greater interest therein. Failure to submit such a list either prior to the time for the receipt of the bids or with the sealed bid will be grounds for the rejection of the bid.
12. Performance date shall commence as stipulated in agreement or as stated in specifications.
13. The second lowest bid shall be retained for a period of thirty (30) days after the award of bid.

**TOWNSHIP OF JACKSON
LEGAL/PUBLIC NOTICE
ADVERTISEMENT AND NOTICE TO BIDDERS**

Notice is hereby given that sealed Bids will be received by the Township Clerk of the Township of Jackson for “**PAVEMENT OVERLAY OF AGOSTINA DRIVE, THORNHURST ESTATES, BLOCK 3.01, LOT 7.01**” and opened and read about at the Jackson Township Municipal Building, Main Meeting Room, 95 West Veterans Highway, Jackson, New Jersey 08527 on _____, 2003 at 11:00 a.m. prevailing local time.

Plans, specifications and proposal sheets may be obtained during normal business hours (8:30 a.m. – 4:30 p.m.) at the Office of the Municipal Clerk, Ann Marie Eden, 95 West Veterans Highway, Jackson, New Jersey 08527, (732) 928-1200 until 48 hours prior to the time set for the opening of bids upon payment of \$50.00 per set. No refunds will be made. Said contract documents may also be examined at the Office of the Municipal Clerk, Ann Marie Eden, 95 West Veterans Highway, Jackson, New Jersey 08527.

Bids must be furnished on the proposal sheets included in the Contract Documents, enclosed in a sealed envelope and addressed to the Township Clerk, Township of Jackson, New Jersey and plainly marked on the outside with the name and address for the bidder marked “Pavement Overlay of Agostina Drive, Thornhurst Estates, Block 3.01, Lot 7.01”.

Each bid must be accompanied by a certified check or cash of not less than 10% percent of the bid payable without any conditional endorsement as a guarantee that in case the contract is awarded to the bidder, he will within ten (10) days thereafter execute such contract and furnish satisfactory performance bond. Upon failure to do so, he/she shall forfeit the bid security, as liquidated damages and the acceptance of the bid will be contingent upon the fulfillment of this requirement by the bidder. No interest shall be allowed upon any such certified check or cash. A bid bond in the amount of ten (10%) percent of the bid may be substituted for certified check or cash, except the amount of the bid security shall not be less than \$500.00 – nor more than \$20,000.00. Each bid must be accompanied by a Certificate of Experience and Certificate of Equipment.

Each bid must be accompanied by a Certificate of Consent of Surety from a bonding company licensed to do business in the State of New Jersey guaranteeing that if the proposal of the bidder be accepted, they will furnish the bond set forth in the Instructions to Bidders and the acceptance of the bid will be contingent upon the fulfillment of this requirement.

The Township reserves the right to increase or decrease quantities specified in the manner designated in the Specifications. The Township reserves the right to award this contract based on funds available.

The successful bidder shall be required to comply with the provisions of the New Jersey Prevailing Wage Act, Chapter 150 of the Laws of 1963, effective January 1, 1964.

During the performance of this contract, the Contractor agrees to comply with the requirements of P.L. 1975, c. 127 (N.J.A.C. 17:27), all requirements of the State of New Jersey Worker Health and Safety Act (N.J.A.C. 12:110 et seq.) as amended and the United States Occupational Safety and Health Act (OSHA) (29 CFR 1910), as amended with regard to worker and jobsite safety.

No bidder may withdraw his bid for a period of sixty (60) days after the date set forth for the opening thereof. The successful bidder will be required to furnish a surety company bond in the full amount of the contract price indemnifying the Township of Jackson, in the State of New Jersey, for all proceedings, suits or actions of any kind of description and conditional for the faithful performance of the work.

The Township Committee of the Township of Jackson reserves the right to reject any or all bids, if in its opinion, it is in the best interest of the Township to do so.

Ann Marie Eden, RMC.
Jackson Township Municipal Clerk

RESOLUTION 373R-03

TITLE: APPOINTMENT OF REHABCO, INC. AS COORDINATOR OF AFFORDABLE HOUSING REHABILITATION FOR THE PERIOD COMMENCING JANUARY 1, 2003 THROUGH DECEMBER 31, 2003

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, the position of Coordinator of Affordable Housing Rehabilitation is to be appointed by the Township Committee; and

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

WHEREAS, the maximum amount of this contract is undetermined and the Chief Financial Officer has certified that a maximum of \$ 99,000.00 is available for this purpose in an appropriation in the General Trust Fund, Account #G-12-56-851-805.

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

1. That the Mayor and Township Committee of the Township of Jackson hereby appoint Rehabco, Inc. to the position of Coordinator of Affordable Housing. Said appointee shall be paid on a fee basis in accordance with the attached Schedule “A”.
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 once in an official publication as required by law.
5. That upon the adoption of this Resolution, the Clerk is authorized and directed to forward a certified copy of it to the Administrator, Chief Financial Officer, and said appointee.

DATED: 08/11/03

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

RESOLUTION 374R-03

TITLE: APPROVE INSTALLMENT AGREEMENT ON BLOCK 116, LOT 6

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, an installment agreement has been requested by the owner of Block 116 Lot 6 due to financial hardship, and;

WHEREAS, the Tax Collector has reviewed the matter and received the required 25% down of the entire delinquency and recommends approval of a three year plan with payments of approximately \$425.00 per month starting in August of 2003.

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

1. The Tax Collector is directed to enter into an installment agreement on behalf of the Township after receipt of the \$1375.00 down as required, with payments of approximately \$425.00 per month for three years starting in August of 2003.
2. This agreement is contingent upon all payments being made in a timely manner and current taxes being kept up to date. If any payments are missed or any other terms are not met, the agreement will be considered in default and the Tax Collector will proceed with the collection process including, but not limited to, a tax sale.

Copy to: Tax Collector
 Finance

DATED: 08/11/03

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

RESOLUTION 375R-03

TITLE: AUTHORIZE CANCELLATION OF TAXES ON BLICK 75.28, LOT 16 & BLOCK 75.01, LOT 31.03

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, The above listed Block and Lots were removed from the tax records due to prior subdivisions and have appeared erroneously on the 2003 tax list, and;

WHEREAS, The lots have taxes billed for the second half of 2003, which need to be cancelled.

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

1. The Tax Collector is directed to cancel 2003 taxes on the three parcels in the amounts listed below.

| | |
|--------------|-------------|
| 75.28/ 16 | \$ 1,342.80 |
| 75.01/ 31.03 | \$ 1,342.80 |

2. The Tax Assessor will delete the parcels so they do not appear on the 2004 tax list.

Copy to: Tax Collector
 Finance
 Tax Assessor
 Taxpayer(via Collector)

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

DATED: 08/11/03

RESOLUTION 376R-03

TITLE: AUTHORIZE CANCELLATION OF TAXES ON COUNTY OWNED PROPERTY

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, on 8/28/02 the County acquired Block 148.02 Lot 7, Block 150.02 Lot 7 and Block 151.01 Lot 23 from the Estate of Harvey Jones, and;

WHEREAS, the County is exempt from taxes beginning with the year subsequent to acquisition, in this case being 2003, and;

WHEREAS, there were taxes billed on the above lots for 2003, which now need to be cancelled.

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

1. The Tax Collector is directed to cancel 2003 taxes on the three parcels in the amounts listed below.

148.02/ 7 \$ 4,593.38
 150.02/ 7 \$ 2,544.75
 151.01/ 23 \$ 3,759.75

2. The Tax Assessor is to exempt the parcels on the 2004 tax list.

Copy to: Tax Collector
 Finance

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

DATED: 08/11/03

RESOLUTION 377R-03

TITLE: RESOLUTION APPOINTING CME ASSOCIATES AS SPECIAL PROJECT ENGINEER FOR IMPROVEMENTS TO VATH STREET, BASSO STREET AND JORDAN AVENUE

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

COMMITTEEMAN REILLY: He asked for clarification on this resolution because he is not sure of the need for this. They are already our township engineers, so he asked why they need to appoint them as special project engineers? Attorney Starkey explained that their contract doesn't cover these services. This resolution is authorizing them to undertake something that was not covered in the original contract because at the beginning of the year they weren't sure if they would have the money to do this. This is a capital improvement and therefore, always authorized separately. Committeeman Reilly stated he will abstain from this until he gets further clarification. Committeeman Grisanti added that Mr. Reilly approved this during the Executive Session.

WHEREAS, the Township has determined the need to appoint an engineer to perform construction observation and contract administration relating to the improvements to Vath Street, Basso Street and Jordan Avenue; 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 \$45,000.00 and the Chief Financial Officer has certified that sufficient funding exists for this professional services contract which is in the Capital Fund under Ordinance #07-03, Account #X-04-55-989-902.

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

1. That Ernest J. Peters, Jr., PE, CME Associates, is hereby appointed to the position of Special Projects Engineer to perform construction observation and contract administration relating to the project known as "Improvements to Vath Street, Basso Street and Jordan Avenue" for the Township of Jackson.
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 a contract to said appointee.

4. A Notice of this appointment shall be advertised as required by law.
5. That upon the adoption of this resolution, the Clerk is authorized and directed to forward a certified copy of it to the Administrator, Chief Financial Office and Ernest J. Peters, Jr., CME Associates.

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

DATED: 08/11/03

RESOLUTION 378R-03

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON OCEAN COUNTY, NEW JERSEY AUTHORIZING THE EXECUTION OF A WATER SYSTEM AGREEMENT BETWEEN THE TOWNSHIP OF JACKSON AND THE OCEAN COUNTY LIBRARY COMMISSION

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, the Township of Jackson desires to enter into a Water System Agreement with the Ocean County Library Commission as outlined in the attached Use Agreement; and

WHEREAS, N.J.S.A. 40:8A-1 et seq. allows governmental bodies to enter into such agreements for the provision of services to their constituents; and

WHEREAS, it is the desire of the Jackson Township Committee to authorize this Water System/Use Agreement with the Ocean County Library Commission.

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 Township Committee of Jackson Township hereby authorizes the Mayor and Township Clerk to execute the attached Water System/Use Agreement commencing August 12, 2003 through August 13, 2010 and may be renewed for similar periods of seven (7) years by the Commission upon furnishing the Township of Jackson ninety (90) days notice of intent to so renew prior to the expiration of each seven year term.

2. That upon the adoption of the within resolution, the Clerk is authorized and directed to forward a certified copy of it together with the fully-executed Water System/Use Agreement to the following:

- Ocean County Board of Chosen Freeholders
- Ocean County Library Commission
- Township Administrator
- Chief Financial Officer
- Daniel Burke, P.E., Jackson Township Municipal Engineer
- Steven F. Nemeth, Esq.,
- Any other interested parties

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

DATED: 08/11/03

RESOLUTION 379R-03

TITLE: APPROVE CHIEF FINANCIAL OFFICER'S REPORT FOR JUNE 2003

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, the Chief Financial Officer has submitted a monthly report; and

WHEREAS, the Township Clerk has submitted this report 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, State of New Jersey as follows:

1. The CHIEF FINANCIAL OFFICER’S Report for the month of **JUNE, 2003** is hereby approved.

Copies of this Resolution to Treasurer, Administrator, Township Attorney, and any other interested parties.

DATED: 08/11/03 ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

RESOLUTION 380R-03

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY APPROVING MORTGAGE SUBORDINATION FOR BERT AND DONNA COTTRELL FOR PROPERTY LOCATED AT 125 SUSAN DRIVE AND DESIGNATED AS LOT 6, BLOCK 128 ON THE TAX MAP OF JACKSON TOWNSHIP

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

WHEREAS, Bert and Donna Cottrell are the owners of property located 125 Susan Drive and designated as Lot 6, Block 128 on the Tax Map of Jackson Township; and

WHEREAS, the property is encumbered by a first mortgage held by Chase Manhattan Mortgage Corp. in the approximate amount of \$94,050.00; and

WHEREAS, the Township of Jackson holds a second mortgage on the property in the amount of \$12,000.00; and

WHEREAS, Bert and Donna Cottrell have received a mortgage commitment from Citifinancial in the amount of \$22,659.00; and

WHEREAS, an appraisal prepared by Emanuel Shamam, a Certified Appraiser, dated May 19, 2003, estimates the property has a fair market value of \$211,000.00, which exceeds the amount of the proposed new mortgages;

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 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 the mortgage to be issued to Chase Manhattan Mortgage Corp. in the approximate amount of \$94,050.00.

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.

DATED: 08/11/03

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

RESOLUTION 381R-03

TITLE: APPROVE APPOINTMENT TO ZONING BOARD OF ADJUSTMENT

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, certain vacancies exist on the Zoning Board of Adjustment ; and

WHEREAS, the Mayor and Township Committee are authorized, pursuant to the Municipal Code of the Township of Jackson to appoint members to the Zoning board of Adjustment for terms set forth in said code ; and

WHEREAS, it is the desire of the Mayor and township Committee to fill said vacancies ;

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

1. The following individuals are hereby appointed to the Jackson Township Zoning Board of Adjustment commencing August 11, 2003.

Larry Hartman to fill the unexpired term of Ronald E. Hampton – term expires 6/7/04.

Peter Clute as Alternate #1 to fill unexpired term of Larry Hartman – term expires 6/7/04.

2. Appointees shall perform such duties and responsibilities as set forth by State Statute and the Municipal Code of the Township of Jackson.
3. Appointees shall serve without compensation.
4. Copies of this resolution to Municipal Administrator, Zoning Board of Adjustment, appointee and any other interested parties.

DATED: 08/11/03

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

PUBLIC HEARING, ANY TOPIC:

MICHAEL SPANO, 1008 LAKEHURST AVENUE: He stated that it has come to his attention that they are thinking about relocating the dump to Lakehurst Avenue and the homeowners are concerned. They lived through this twenty or so years ago, and now

there are more homes there. They would have to go through the problems of traffic, etc. He added that the reason the Committee is doing this is because the Westlake residents are complaining about it. He asked them to look at a non-residential area to put this in where there won't be children playing on the streets. Mayor Kafton explained that they are looking to expand because there is only one location to drop everything off at. They are looking for another drop off location that will be used as a transfer station. He later added that he will sit down with the Director of Public Works to see what he is proposing and to see if it makes sense for their area and if need be they will get together with the residents in that area and take a look at it. He stated that he won't deny any one the right to speak, but if they are here regarding this they can leave their name and number with Ann Marie Eden (Township Clerk) and they will be kept informed on what is going to happen. He thanked them all for coming out to express their concerns. Deputy Mayor Giblin added that this is only a preliminary plan that they are looking at.

MRS. REISINGER, 700 DALTON LANE: She explained that she lives directly behind the landfill. Twenty-two years ago someone had the same idea, it starts with leaves and branches and then before you know it the landfill will be reopened again and they will have to live with the smell, etc. She explained that twenty-two years ago there weren't many residents like there are now, but they still went to court and won. They don't want to go through that again. She then added that according to the State that landfill can't be reopened again. Deputy Mayor Giblin said she is correct and they aren't even sure if the transfer station could go there, but they are just exploring all the options at this point. Mayor Kafton explained they will take the residents in the surrounding area into consideration. The only thing being done now is that it is being looked at and they are questioning the State if it is even a possibility. Committeeman Reilly stated he understands the trepidation that some of the people have because they went through an environmental catastrophe there. He believes that it is probably best if they look this over again.

ELAINE LEIGHTON, 661 OLLIE BURKE ROAD: She explained that she was there twenty-two years ago also and it is more than just a concern about this turning into a landfill. They have been given all kinds of promises. The contaminated water had given her daughter permanent kidney damage. That system was replaced, but the DEP suggested that there be no more building because the system could not accommodate the houses that were put in and there is still more building going on. There is no consideration for the people that are living there now. How can they believe or trust that this won't turn into something bigger and better and this Committee won't go behind their backs? Mayor Kafton stated she is right, they don't know, but they have a great option of voting him out of office. He said as he sits there in front of them he is telling them that they will keep the residents informed of everything that is going on. He explained that he also has family in that area and understands all the problems that went on there. If it looks like this is going to be a problem, they won't put it there because this Committee is here to represent them. In closing, Ms. Leighton told Mayor Kafton that she would much rather vote him in because she appreciates him standing up for them then vote him out because he let them down.

WILLIAM SANTOS, LEMING ROAD: He began by saying that he read the "Mayor's Report" which was in the Jackson Times every couple of weeks. Then he read the same article in the Senior Citizen's newsletter. He explained that he wanted to ask a couple of questions pertaining to this. He stated Mr. Kafton has written that "he and Mr. Grisanti turned in their township cell phones months ago". Mr. Santos asked if months ago meant when Mr. Slattery filed his public information's request? He said he has been looking at the bills that Mr. Slattery had requested and Mayor Kafton's name keeps coming up month after month. Mayor Kafton stated he turned in his cell phone about 6 months after he got on the Committee because he found that he didn't need it and went out and bought his own phone. Mayor Kafton said that he has never used a township cellular phone, but he has used the radio and there is no charge for that. He explained that he turned his phone in and it was probably transferred to someone in the Police Department. Attorney Starkey added that some of the records are inaccurate. They are

not township records they are the telephone company's records. They don't always keep up with the transfer of the names. He doesn't know which ones, but he can certainly get the information of which records are not accurate. He explained that he has had a number of discussions with Mr. Slattery's attorney regarding these records. One of the issues that has come up in litigation is the issue that Mr. Santos is pointing out now. He has also told the attorney that he will clarify those discrepancies, which is a telephone company problem not a township problem. The bills the township verified were correct, it was the names on the bills that may not have been accurate. Mr. Starkey added that this is in litigation and should not be discussed in this forum. Mr. Santos then stated that someone in this municipal government is using that phone under Mr. Kafton's name. He stated that he will give them the benefit of the doubt that it is a telephone company error, but the township paid those records and then provided them under a public information request to a resident and now they are stating they are incorrect. He added that Mr. Slattery has been asking for this information for months and has been stone-walled, he doesn't understand what the cover up is. He later added that Mayor Kafton made this a public issue in two separate forums. He explained that when he was the Administrator he knew who had cell phones and what they did with them. Apparently, they don't know what is going on with the cell phones because they have dozens of bills that are inaccurate. Mayor Kafton stated that Mr. Santos is on a witch-hunt for this Township Committee. When he was on the Township Committee in 1997 he did his best to track down the abuse that Mr. Slattery had with township cell phones, but he couldn't find the bills because they were buried somewhere. He stated that he was taught a good lesson, not to use a township cell phone. He said that Mr. Slattery had to pay those bills himself to cover it up. Mr. Santos said that was a lie because he was here back then and he knows what happened. The Mayor later added that Mr. Santos can paint this as he is just a taxpayer looking out for the taxpayers money, but the fact is, he was the Administrator here and Mr. Slattery was a Committeeman they know the process and they are just playing games with the taxpayer's money and that is wrong. Mr. Grisanti explained that he turned in his phone around April 2002 because he got tired of carrying two phones and he bought his own Nextel. He went on to say that it is a shame that Mr. Slattery, a Committeeman for 6 years, sent in this public information request, he believes to set up the Township Clerk. Not once did he ever get up to the microphone in this public forum and question them on those bills. Instead, he filed litigation, which is costing the taxpayers a lot of money. Mr. Santos said that Mr. Slattery exercised his right because of their refusal to comply with the provisions of the law. Deputy Mayor Giblin said that he never used his Nextel, he doesn't know how to use it, but he has never turned it in. Mr. Santos replied that they are paying forty dollars a month for a phone Mr. Giblin doesn't know how to use. Mr. Giblin explained that it is part of a contract and he has used it as a walkie talkie, but never made a phone call on there. He told Mr. Santos to ask Mr. Reilly about the cell phone he had lost the month before the lawsuit was filed. Mr. Santos stated that he knows Mr. Reilly lost his phone because Mayor Kafton made that clear in his article. Committeeman Reilly explained that he did misplace his phone or something else happened to it. He offered to pay for the full cost of the phone and had never used it prior to that.

MAYOR KAFTON: He introduced Marty Speilman at the microphone and Marvin Krakower who just entered the meeting as School Board Members.

MARTY SPEILMAN, 37 SCHULL ROAD: He explained that on behalf of the Board of Education and the children of Jackson he wanted to thank the Township Committee for granting them \$250,000 dollars to improve the quality of life for the children of Jackson and the school system. Mayor Kafton thanked him for their cooperation. The Mayor then went on to say that Mr. Slattery is employed with the school system and asked if he had a cell phone? Mr. Speilman stated that he could ask Mr. Hanlon (President of the School Board) for that information. Committeeman Reilly stated that he felt that statement by Mayor Kafton was in poor taste to talk about Mr. Slattery, without him being here. Mayor Kafton replied Mr. Slattery doesn't come to the meetings he would rather attack them in the newspapers.

GARY BLACK, 76 LEWIS LANE: He read something in the U.S. News that really scared him. He explained that maybe Republicans and Democrats should jump up and make sure that this doesn't happen in New Jersey. There was a school system in Mississippi that put cameras directly into the classrooms. These cameras are going to be hooked up directly into the internet. There is so much danger in putting school children on the internet, their images will be there along with their names and possibly addresses. This is an answer to the prayer of any pedophile in existence. They claim to be doing this so parents can watch their children in school or if they are sick they can get the homework. He can't believe that these people aren't looking at the safety part of this. He would like to start a movement today on a municipal level to ban this. Republican or Democrat, both parties should get involved and talk to legislators to stop this before it starts here in New Jersey. It is a shame that New Jersey is the only State that you actually can be jailed for pointing out a pedophile.

RICHARD BORYS, 800 GREEN VALLEY ROAD: He stated that Mr. Black is wrong. He works for a manufacturer who does this and it is in four schools in New Jersey. It goes out over the internet and is encoded/decoded and you can't get to that information unless you have a specific address. There is no way of doing what Mr. Black was implying can be done.

GARY BLACK, 76 LEWIS LANE: He stated that he was going by the article he read in the U.S. newspaper. A statement from a teacher said that there wasn't even a password. There was nothing in the article that stated anything about a security code. He hopes Mr. Borys is right. Mayor Kafton suggested that Mr. Borys could provide Mr. Black with more information. He stated he wasn't here for a political argument, but rather for the protection of the children.

BOB RYLEY, 19 GARDINA PLACE: He explained that he was out of the room when the discussion on the infamous cell phone bills started, but stop him if something was already covered. He addressed Mr. Starkey and asked if one of the issues in the complaint, which is a public document, is that the township held police records? The original request filed with the Clerk requested all cell phone bills including the police department. Mr. Ryley then asked if the judge ruled that Mr. Slattery was not entitled to police department records and if there was a determination whether or not unlisted phone numbers could be given out? He later added that township's problem is they can't find a way to determine which numbers are unlisted on hundreds of pages of phone bills. Mr. Slattery's lawyer hasn't recommended a solution on how the Township should have done this either. He stated that people are concerned about children on the internet and pedophilia, but phone numbers that reveal who the police department is talking to should also be a concern. It is easy to get up here and say the Mayor is withholding information. He then asked the Clerk if the Mayor or any Committeemen told her what to release or not to release? Clerk Eden responded "No" she was not told what to release. Mr. Starkey began by saying that it was alleged that the township did withhold police records. He then explained that the judge has not issued a ruling at this time on any aspect of the case. He did make some comments and he noted that the township did produce the police records with the confidential information removed. Mr. Starkey stated that one of the issues is that the law states that unlisted phone numbers should not be produced and that is the subject of our dispute on how to determine which phone numbers are unlisted. The court is appointing an expert to see if they can solve the problem. The lawyers (both sides) and the judge can't figure out how to disclose this information.

KATHY SEDANO, AGOSTINA DRIVE: She thanked Dan Burke and the Committeemen for their hard work and perseverance. She is thrilled they have the money to pay for the road. In closing, she stated that Mr. Burke has been truly excellent, he called and kept her updated so she could pass the information on to her neighbors.

Mayor Kafton thanked Ms. Sedano for her diligence and also everyone on her block for their patience. Deputy Mayor Giblin clarified that when they accepted the money they also authorized acceptance of bids.

DORA KARKER, DOUGLAS DRIVE: She asked the attorney if this cell phone case is in litigation? Attorney Starkey stated it was in litigation before Judge Serpentelli in Ocean County Superior Court. Ms. Karker then asked how could all this discussion be going on when this case was in litigation? Attorney Starkey stated he usually advises the Committee not to speak, but he has been listening to what has been discussed and it is almost a reiteration of what was discussed in open court. Mayor Kafton stated that he has gotten tired of reading in the paper the allegations about this Committee doing wrong when they haven't even used their cell phones. Ms. Karker explained that they are tired of hearing this bickering all the time. It was so nice two weeks ago when people saw eye to eye. Committee Grisanti stated that the opposition does this intentionally, they file a lawsuit knowing that it will stifle us from responding, so they are free to go all over town and say what they want and print in the paper whatever they want, but because of a pending lawsuit we are stifled on the advice of counsel. He expressed how tired he is of playing that game and he will respond when he feels it is appropriate. He is not going to let them get away with this by filing a litigation and costing the taxpayers money. Deputy Mayor Giblin explained for the public's edification that there is a lawsuit filed every year. Last year the lawsuit was over meals, the year before it was an ethics charge against Mr. Grisanti and this year it is the cell phones. Hopefully, the public will see that there is a general pattern that exists every August or September. The same group puts out this witch-hunt.

DORA KARKER, DOUGLAS DRIVE: She said she asked about the litigation not for any particular reason, but because she looked at the agenda and said "oh good we are going to get home early tonight".

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

DISCUSSION AGENDA:

RE: GYPSY MOTHS

TOWNSHIP CLERK EDEN: She explained that she received in the mail correspondence from the State of New Jersey Department of Agriculture. They confirmed that gypsy moths have been detected in the township. If the township agrees the Department of Agriculture will conduct a gypsy moth mass survey at no charge. This will determine whether aerial treatment is needed. The Department will develop spray contracts, supervise spray operations and apply for federal cost sharing funds, which will amount to about 50% reimbursement. We have to notify them by September 4th. She provided the Committee with copies. Deputy Mayor Giblin stated he has lived in this town his whole life and he remembers when he was little the helicopters flying overhead spraying. He stated since the 70s the infestation has been wiped out or curtailed. He would like to nip this in the bud and move forward. The Consensus of the Committee was to move forward on this.

COMMITTEEMEN REILLY: He began by speaking about the cell phone records. He always advocated the release of the public records unredacted because he has nothing to hide and hoped the rest of the Committee had nothing to hide. Committeeman Grisanti asked Mr. Reilly if he understands they can't release that information unredacted because it would be breaking the law? Mr. Reilly stated he understands that there is a litigation in progress regarding what can or cannot be released. Deputy Mayor Giblin explained that Mr. Slattery didn't just ask for the records of the Township Committee because if that was the case it would have been a very simple request. Mayor Kafton stated that if they released those records like Mr. Reilly says they should have that would be jeopardizing

the safety of the police department. He stated that this Committee has nothing to hide, but they do have to abide by the law. Deputy Mayor Giblin asked Attorney Starkey if Mr. Santos, AKA Mr. Slattery, would like to know the Township's Committee's cell phone records would that be a problem? Attorney Starkey stated it would be less of a problem, but they still can't release outgoing numbers on those cell phones. Mr. Giblin explained that he doesn't use his, Mr. Kafton only used his for 6 months. It is unfortunate that this is a political witch-hunt that occurs every year that costs the taxpayers money. Committeeman Grisanti stated that if Mr. Slattery really wanted that information he could go to his Godson, who is a Committeemen, who has access to all the information we have access to. Mr. Reilly stated that he can't give it to Mr. Slattery when it is under litigation.

MOTION TO ADJOURN BY: GRISANTI

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

8:45 PM

RESPECTFULLY SUBMITTED,

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

AME/tvc