

ON MONDAY, OCTOBER 27, 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 (6:40 PM)**

**ATTORNEY STARKEY
ADMINISTRATOR KENNEDY
TOWNSHIP CLERK EDEN**

RESOLUTION 483R-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: REILLY

YES: BRODERICK, GRISANTI, REILLY & GIBLIN

ABSENT: 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: 10/27/03

**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, OCTOBER 27, 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.

CERTIFICATE OF APPRECIATION:

MAYOR KAFTON: He stated that tonight they would be honoring some of the members of the Jackson Memorial High School 782nd Air Force Junior ROTC. He explained that every month they have a Mayor's Teen Dance that is held for the 6th and 7th graders and is a great success. It is held at the Senior Center and approximately 225 kids attend. The ROTC has helped make this a success because the members not only act as chaperones, but they talk and dance with the kids and become their friends. He then presented the certificates to the ROTC members.

MAYOR KAFTON: He spoke about the Halloween parade on Sunday and stated that the Jackson Women of Today presented the Township Committee with a certificate, which thanked them for their support of the Jackson Women of Today.

MEMBER OF JACKSON WOMEN OF TODAY: She stated that the award that the Township Committee received was from the United States Women of Today. It was a special Presidential award given to non-members for their support. When they came here they were very impressed with our town. She thanked all the residents that were at the Halloween Parade who were talking to them. She said that the Jackson Women of Today really appreciates the hospitality that was shown to the President and the Presidential Assistant of the United States Women of Today. Mayor Kafton added that the Jackson Women of Today do a wonderful job. He then asked the residents to make donations to the Jackson Women of Today's food pantry because it is desperately needed with the holiday season coming up.

COMMITTEE COMMENTS

COMMITTEEMAN BRODERICK: He began by thanking everyone for coming and telling them to get home safely. He went on to thank the Jackson Women of Today for being there for them and supporting this community. He dittoed Mr. Kafton and asked everyone to donate because the holiday season is upon us. He then commented on Election Day coming up and asked everyone to get out and vote. He explained that there are a couple of important issues on the ballot as well as the people to elect for the next term. In closing he asked the residents to be sure they are educated voters and to make sure they go out and vote.

COMMITTEEMAN GRISANTI: He began by thanking the Jackson Women of Today for the great work that they do. He stated since he was one of the Police liaisons he is proud to announce that this month they started the Cops in the Schools program. There was a grant from the Federal Government allowing them to dedicate four police officers to our schools. There is one in each middle school and two in the high school. Their role is not strictly law enforcement, but also to get to know the kids. He explained that the Township Committee is fully funding that program because of the situation with the Board of Education. He went on to talk about the Mayor's Golf Tournament and stated that it was a successful day.

COMMITTEEMAN REILLY: He thanked everyone for coming out. He congratulated the Air Force Junior ROTC and thanked the U.S. Women of Today and the Jackson Women of Today for everything they do. As far as the election coming up, he stated he would like to see everyone come out. There is not enough voter turn out and it is our most important right because it guarantees our freedom. He again asked everyone to come out and vote on Tuesday, November 4th.

DEPUTY MAYOR GIBLIN: He asked the Jackson Women of Today to come up and he asked his fellow Committeemen to join him. He spoke about the representatives from the United States Women of Today who attended the Halloween Parade on Saturday. He stated that they were totally enamored with Jackson. He then read from the certificate (Imagination Award) that was presented to the Township Committee from the United States Women of Today for their support of the Jackson Township Women of Today. In closing he reminded everyone that next week is Election Day and asked everyone to get out and vote.

REPRESENTATIVE OF JACKSON WOMEN OF TODAY: She thanked the 72nd Junior ROTC from Jackson Memorial High School for stocking their shelves every month in the food Pantry. She then thanked all the organizations who help them throughout the year.

MAYOR KAFTON: He joked with Deputy Mayor Giblin by saying it was nice of him to present that award, but it would be nice if he could come to the food pantry and help pass out food. Deputy Mayor Giblin agreed to work in November. He went on to speak about the Mayor’s Golf Tournament and stated that they raised over \$90,000, which will go back to non-profit organizations in our area. He explained that the Metedeconk National Golf Course is generous enough to sponsor and open up their golf course every two years for the Mayor’s golf outing. He thanked everyone involved in putting this together. He went on to say that he just found out that four of our cheerleading squads will be going to the State Competition and wished them luck. He said that we are sending cheerleading squads every year and that Pop Warner really does have a great program. In closing, he reminded everyone that Election Day is on Tuesday and asked everyone to come out and vote.

BILLS AND CLAIMS

MOTION TO APPROVE BILLS AND CLAIMS BY: GIBLIN

MOTION SECONDED BY: GRISANTI

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

ABSTENTIONS: GRISANTI (LUCAS BROS)

CHECK#	VENDOR	AMOUNT
064088	JACKSON TOWNSHIP P/R ACCOUNT	494,904.21
064089	JACKSON TOWNSHIP P/R ACCOUNT	37,307.74
064243	ACTION OFFICE SUPPLIES INC.	505.16
064244	ADAMS, REHMANN, HEGGAN & ASSOC	23,918.35
064245	ALAN’S FABULOUS FLORALS	117.99
064246	ELLEN ALCHEVSKY	89.47
064247	ARCH WIRELESS	10.95
064248	ARDOM BEARING GROUP, INC.	77.82
064249	ASBURY PARK PRESS, INC.	778.64
064250	AUTOMATED BUILDING CONTROLS	375.00
064251	BENTLEY & SIMON JUDICIAL ROBES	382.75
064252	ROGER & DORIS BERG	1,621.88
064253	BINDER MACHINERY COMPANY, INC.	92.80
064254	DIANE BLACK	193.70
064255	BRICK STARTER & ALTERNATOR, INC.	318.00
064256	C & J DOLLAR DISCOUNT STORE	189.00
064257	CABLEVISION	59.95
064258	JOHN & SUSAN CASTENSEN	1,058.10

064259	KIMBERLY S. CASTEN	3,333.33
064260	CASSVILLE GARDEN CENTER	84.00
064261	CDW GOVERNMENT, INC.	1,617.45
064262	CERTIFIED ABASTRACT CORP.	1,627.79
064263	CHERRY VALLEY TRACTOR SALES	421.89
064264	CMF, INC.	14,565.08
064265	COHENS MODERN PRINT SVCE. INC.	89.00
064266	METROPOLITAN INSURANCE CO.	611.46
064267	JANICE CONNOR, PETTY CASH	93.02
064268	COUNTRYWIDE – TAX DEPT	2,173.45
064269	COUNTY LINE HARDWARE	7.14
064270	CT&E ENVIRONMENTAL SERVICES	4,366.00
064271	DAYBREAK MARKETING SERVICES	876.18
064272	DELTA DENTAL PLAN OF N.J. INC.	17,582.94
064273	DELL MARKETING L.P.	1,989.35
064274	DEPTCOR/BUREAU OF	130.00
064275	DOWNS FORD, INCORPORATED	506.01
064276	EDWARDS TIRE COMPANY, INC.	990.12
064277	ELITE HEATING & COOLING, INC.	75.00
064278	RICKY & DONNA FISHER	1,252.44
064279	FLOWERS BY CREATIVE DESIGN	214.11
064280	FOSTER & COMPANY, INC.	214.20
064281	GENERAL CODE PUBLISHERS CORP.	1,108.32
064282	GENERAL SALES ADMINISTRATION	161.20
064283	GEN-EL INDUSTRIES INC.	2,314.20
064284	GERALD A GIAMPAGLIA, TRUSTEE	1,651.99
064285	GOOD FRIEND ELECTRICAL	44.17
064286	GPANJ	30.00
064287	GRAINGER-TRENTON	443.25
064288	GREATER MEDIA PUBLICATIONS	150.00
064289	I & G FARMS INC.	398.00
064290	IKON OFFICE SOLUTIONS	892.80
064291	INDUSTRIAL WELDING SUPPLY INC.	246.75
064292	INSTITUTE FOR PROFESSIONAL DEV.	99.00
064293	JACKSON TWP. BOARD OF ED.	295.80
064294	JACKSON TWP. GENERAL TRUST FUND	421,992.53
064295	JACKSON TWP. MUN. UTILITIES AUTH	10,148.73
064296	JACKSON SPORTING GOODS	522.90
064297	JCA ASSOCIATES, INC.	5,343.25
064298	JERSEY CENTRAL POWER & LIGHT	17,650.04
064299	JERSEY CENTRAL POWER & LIGHT	1,999.00
064300	A-1 JDK SPECIALTIES	75.00
064301	JOHN LUCAS CHEV OLDS	47.44
064302	JOHN & FLORENCE KARAKARIS	122.11
064303	KAYE WELL DRILLING, INC.	4,074.75
064304	J.J. KELLER & ASSOCIATES, INC.	447.02
064305	JOHN KENNEDY – PETTY CASH	196.92
064306	GEORGE & HELEN KIM	3,972.92
064307	LAKWOOD AUTO SUPPLY INC.	115.97
064308	LAW ENFORCEMENT TARGETS INC.	1,410.00
064309	LERTCH WRECKING COMPANY	9,400.00
064310	L.J. MAKRANCY & SONS	5,583.00
064311	SUSAN LOTITO	900.00
064312	LOWE’S COMPANIES, INC.	144.25
064313	HENRY J. MANCINI & ASSOCIATES	6,000.00
064314	MCGOVERN, PROVOST, COLRICK	1,040.75
064315	ROSEMARIE & JOSEPH MENDITTO	686.79
064316	MGL FORMS-SYSTEMS	408.55
064317	NATION WIDE PROPERTY	3,899.66
064318	DAREN NEWFIELD	272.00
064319	NEW JERSEY NATURAL GAS	2,813.71
064320	N.J. SHORE A.S.A. UMPIRE ASSOC.	2,793.50

064321	NEW JERSEY STATE LEAGUE OF	720.00
064322	NOREIKA GAS INC.	80.38
064323	NORMAN'S GLASS & AUTO SVCS, INC.	305.74
064324	OCEAN COUNTY NEWSPAPERS, INC.	1,617.61
064325	OCEAN COUNTY RECYCLING	73.24
064326	OCEAN COUNTY HEALTH DEPARTMENT	1,956.60
064327	OCEAN COUNTY COLLEGE	1,140.00
064328	OLD DOMINION BRUSH CO. INC.	1,000.00
064329	SUSAN PALLADINO	134.38
064330	PEDRONI FUEL COMPANY, INC.	3,820.38
064331	PITNEY BOWES, INC.	257.00
064332	PL CUSTOM BODY & EQUIPMENT	109.95
064333	QUARTERMASTER UNIFORMS &	7.95
064334	QUEST TECHNOLOGIES	1,150.00
064335	QUICKIE PRINT & COPY SHOP	1,724.00
064336	QUILL CORPORATION	115.98
064337	JOSEPH & DOREEN RAO	304.11
064338	CAROL C. REID	304.11
064339	RELIABLE CORPORATION	268.28
064340	RUSSO, DELANOY, MARTINO & RYAN	2,083.00
064341	RUTGERS, THE STATE UNIVERSITY	5.00
064342	RUTGERS UNIVERSITY	100.00
064343	SAMZIES UNIFORMS	85.00
064344	SHOPRITE/PERLMART, INC.	35.68
064345	STRAUSS AND ASSOCIATES	4,785.40
064346	SUPPLY SAVER	686.60
064347	THE PHOTO CENTER, INC.	322.00
064348	TOTAL LUBRICATION SVC & SUPPLY	1,272.00
064349	TRANSAXLE CORPORTION	504.00
064350	TRENTON BRAKES, INC.	1,093.89
064351	TREASURER, STATE OF NEW JERSEY	36,551.00
064352	TRENDWAY CORPORATION	5,633.82
064353	MICHAEL CEPPALUNI dba/UNITED	370.00
064354	VAN SANT EQUIPMENT	232.12
064355	VAN WICKLE AUTO SUPPLY	377.70
064356	VERIZON	VOID .00
064357	VERIZON	VOID .00
064358	VERIZON	4,529.62
064359	WALTER R. EARLE CORPORATION	318.24
064360	WAL-MART COMMUNITY	116.80
064361	WEST PUBLISHING CORPORATION	151.00
064362	WESTWOOD COMPUTER CORP.	508.52
064363	JEFFREY & LYNNE WOLFF	1,488.95
064364	WOODHUE LTD	2,433.75
064365	ZEP MANUFACTURING COMPANY	342.40

ORDINANCES, SECOND READING:

31-03

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY ESTABLISHING A FOUR (4) TON WEIGHT LIMIT ON CERTAIN STREETS WITHIN THE TOWNSHIP OF JACKSON

PUBLIC HEARING OPENED: NO ONE CAME FORWARD.

MOTION TO CLOSE PUBLIC HEARING BY: BRODERICK

MOTION SECONDED BY: GRISANTI

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

**MOTION TO APPROVE ORDINANCE 31-03 ON SECOND READING,
ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED
NEWSPAPER AS REQUIRED BY LAW BY: GRISANTI
MOTION SECONDED BY: BRODERICK
YES: BRODERICK,GRISANTI, REILLY, GIBLIN & KAFTON**

MAYOR KAFTON: For the public’s edification he explained that this is for Anderson Road, Winterberry Blvd, Buttonwood Dr., Grand Blvd. and Patterson Road.

ORDINANCE 31-03

**BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF JACKSON IN THE COUNTY OF OCEAN, IN THE STATE OF
NEW JERSEY,** the following:

1. Vehicles Over Designated Weight Limit Excluded From Certain Streets:
Vehicles over the gross vehicle weight (G.V.W.) are hereby excluded from the streets or parts of streets described except for the pick up and delivery of materials on such street.

<u>Name of Street</u>	<u>Tons</u>	<u>Location</u>
Anderson Road	4	Entire Length
Winterberry Boulevard	4	Entire Length
Buttonwood Drive	4	Entire Length
Grand Boulevard	4	Entire Length
Patterson Road	4	Entire Length

2. 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.

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

This Ordinance shall take effect immediately upon final passage and publication as required by law and approval by the Commissioner of the New Jersey Department of Transportation.

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 October 14, 2003, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 27th day of October 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**



32-03

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY ESTABLISHING THE SALARIES FOR ALL OF THE VARIOUS OFFICIALS AND EMPLOYEES OF THE TOWNSHIP FOR THE YEAR 2003 AND THEREAFTER

ATTORNEY STARKEY: He explained that they are withdrawing this Ordinance because there will be additional changes made to it. Instead of having an Ordinance on for this week and then another on for next week they will be combined into a single Ordinance so the Township won't have to incur the expense of publication, etc.

COMMITTEEMAN GRISANTI: He stated that these salary changes are because of union negotiations.

MOTION TO WITHDRAW ORDINANCE 32-03 BY: GIBLIN

MOTION SECONDED BY: GRISANTI

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

ORDINANCE 32-03

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, as follows:

SECTION 1. For the year 2003 and for each year thereafter, the salaries set forth in Schedule A which is annexed thereto and is made a part thereof, are hereby established for the officials and employees whose titles are set forth therein.

SECTION 2. The provisions of this Ordinance shall be effective for the year 2003 and for each year thereafter except as may be amended or supplemented by subsequent ordinances.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed to be valid and effective.

SECTION 5. This ordinance shall take effect immediately upon final passage and publications 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, New Jersey, held on October 14, 2003 and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on October 27, 2003 or as soon thereafter as this matter can be reach, at the meeting room of the Municipal building in said township at which time all persons interested shall be given an opportunity to be so 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.

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

33-03

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON AMENDING CHAPTER 24 OF THE ADMINISTRATIVE CODE ENTITLED "EXTRA-DUTY ASSIGNMENTS"

PUBLIC HEARING OPENED: NO ONE CAME FORWARD.

MOTION TO CLOSE PUBLIC HEARING BY: GIBLIN

MOTION SECONDED BY: GRISANTI

YES: BRODERICK, GRISANTI, REILLY & GIBLIN

ABSTENTIONS: KAFTON

MOTION TO APPROVE ORDINANCE 33-03 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED NEWSPAPER AS REQUIRED BY LAW BY: GRISANTI

MOTION SECONDED BY: BRODERICK

YES: BRODERICK, GRISANTI, REILLY & GIBLIN

ABSTENTIONS: KAFTON

ORDINANCE 33-03

WHEREAS, the Township seeks to establish rates for extra-duty assignments by Township Police Officers for private or quasi-public duty; and

WHEREAS, the Township also seeks to require pre-payment of such costs by all parties obtaining the benefit of such services;

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

I. Chapter 24 shall be amended as follows:

- 1. Section 24-42 of the Code shall be amended so that the first paragraph shall read as follows:**

Whenever the Public Safety Director or his designee determines that extra-duty assignments shall be performed for a party requesting private or quasi-public duty, the Public Safety Director or his designee shall enter into an agreement providing for extra-duty assignments at the rate of sixty dollars (\$60) per hour, which includes compensation for individual police officers at the rate of forty-five dollars (\$45) per hour and fifteen dollars (\$15) per hour for the Township as administrative costs. Such agreement shall be in accordance with the following standards:

- 2. Section 24-42, Subsection H(1) of the Code shall be amended so that the last sentence, which reads as follows, shall be deleted:**

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.

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 OCTOBER 14, 2003, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 27TH day of OCTOBER,

2003, at 7:30 P.M. or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning this Ordinance.

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

**ANN MARIE EDEN,
TOWNSHIP CLERK**

34-03

TITLE: BOND ORDINANCE PROVIDING FOR VARIOUS ROADWAY IMPROVEMENTS BY AND IN THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; REAPPROPRIATING \$474,066.69 IN EXCESS BOND PROCEEDS NOT NEEDED FOR THEIR ORIGINAL PURPOSE FROM VARIOUS BOND ORDINANCES TO FINANCE THE COSTS THEREOF

PUBLIC HEARING OPENED: NO ONE CAME FORWARD.

MOTION TO CLOSE PUBLIC HEARING BY: GRISANTI

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

MOTION TO APPROVE ORDINANCE 34-03 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 34-03

WHEREAS, the Township Committee of the Township of Jackson, in the County of Ocean, State of New Jersey (the “Township”), finally adopted various bond ordinances, specifically Bond Ordinance Number 10-99 on April 12, 1999, Bond Ordinance Number 16-00 on August 14, 2000, as amended and supplemented by Bond Ordinance Number 10-02 on March 11, 2002 and Bond Ordinance Number 19-01 on June 11, 2001 (collectively the “Ordinances”); and

WHEREAS, following the effective date of the Ordinances, the Township issued bonds to fully fund same and to finance certain improvements or purposes authorized therein; and

WHEREAS, the Township has determined that the certain capital improvements or purposes set forth in the Ordinances have either been completed in full or discontinued

as a result of events occurring subsequent to the adoption of the Ordinances, as applicable; and

WHEREAS, there currently remains on deposit in the Township capital accounts excess bond proceeds allocable to the Ordinances (the “Excess Proceeds”), but no longer necessary to complete the certain improvements or purposes authorized therein; and

WHEREAS, in accordance with its statutory powers set forth in section 39 of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”), the Township Committee has determined that it is in the best interest of the Township to reappropriate the Excess Proceeds to finance all or a portion of the cost of various roadway improvements to Dawn Cypress Lane, Beam Avenue, West Connecticut Concord, East Connecticut Concord, Pine Hill Avenue, Juniper Lane, Laurelton Avenue, Beacon Avenue, Tilford Street and Louisiana Parkway, which improvements to such roadways is an improvement or purpose for which bonds may be issued, thereby, decreasing the amount of additional Township debt to finance such current capital needs; and

WHEREAS, the Township Committee now desires to reappropriate the Excess Proceeds to undertake all or a portion of the cost of the various roadway improvements.

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

SECTION 1. The following amount of Excess Proceeds of the Ordinances are no longer necessary for the improvements or purposes for which they were authorized and issued:

<u>Bond Ordinance Number</u>	<u>Excess Proceeds Amount</u>	<u>Section Reappropriated From</u>
10-99	\$ 60,091.33	Section 3(a)(iv)
16-00		Section 5(a)(ii)
as amended by		
10-02	21,653.37	
19-01	295,235.03	Section 3(a)(i)
19-01	<u>97,086.96</u>	Section 3(a)(ii)
Total	\$474,066.69	

SECTION 2. The total amount of \$474,066.69 in Excess Proceeds is hereby reappropriated pursuant to N.J.S.A. 40A:2-39, and shall be used to finance the cost of the undertaking by the Township of a general capital improvement or purpose for which bonds may be issued and, which general improvement or purpose is set forth in Section 3(a) of this bond ordinance.

SECTION 3. (a) The improvement hereby authorized and purpose for which said Excess Proceeds are to be reappropriated is various roadway improvements by and in the Township, including but not limited to, all or a portion of the following roadways, Dawn Cypress Lane, Beam Avenue, West Connecticut Concord, East Connecticut Concord, Pine Hill Avenue, Juniper Lane, Laurelton Avenue, Beacon Avenue, Tilford Street and Louisiana Parkway, all such roadway improvements shall include, but are not limited to excavation, milling, reconstruction, repairing and resurfacing of said roadways using Class B Pavement (as defined under the Local Bond Law), roadway painting, drainage improvements to said roadways and, as applicable, the restoration/construction of curbs, sidewalks and driveway aprons along such roadways. Such improvement or purpose shall also include, all engineering and design work, surveying, preparation of plans and specifications, permits and all work, materials, equipment, labor and appurtenances necessary therefore or incidental thereto.

(b) The estimated cost of the improvement or purpose authorized in Section 3(a) of this bond ordinance is \$474,066.69.

SECTION 4. In the event the United States of America, the State of New Jersey and/or the County of Ocean make a contribution or grant in aid to the Township for the improvement or purpose authorized hereby, and which contribution or grant in aid shall be received by the Township, said contribution or grant in aid shall be applied to the payment of debt service on the bonds issued for such improvement or purpose and shall be used for no other improvement or purpose.

SECTION 5. The capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the

Division of Local Government Services, New Jersey Department of Community Affairs, is on file in the office of the Clerk and is available for public inspection.

SECTION 6. The following additional matters are hereby determined, declared, recited and stated:

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

(b) The period of usefulness of said improvement or purpose, within the limitations of said Local Bond Law is 8.34 years.

(c) An aggregate amount not exceeding \$95,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose herein before described.

SECTION 7. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds the proceeds of which are reappropriated by this bond ordinance.

SECTION 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING
DATED: October 14, 2003**

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

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

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

TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON

PUBLIC NOTICE

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Jackson, in the County of Ocean, State of New Jersey on October 14, 2003. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Township Municipal Building, Jackson, in said County on October 27, 2003 at 7:30 p.m. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

- Title:** **BOND ORDINANCE PROVIDING FOR VARIOUS ROADWAY IMPROVEMENTS BY AND IN THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; REAPPROPRIATING \$474,066.69 IN EXCESS BOND PROCEEDS NOT NEEDED FOR THEIR ORIGINAL PURPOSE FROM VARIOUS BOND ORDINANCES TO FINANCE THE COSTS THEREOF**
- Purpose(s):** Reappropriating excess bond proceeds from various bond ordinances to provide for various roadway improvements in and by the Township.
- Reappropriation of Excess Bond Proceeds:** \$474,066.69
- Section 20 Costs:** \$95,000
- Useful Life:** 8.34 years

ANN MARIE EDEN,
Clerk of the Township of Jackson

TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON

PUBLIC NOTICE

BOND ORDINANCE #34-03

STATEMENTS AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township Committee of the Township of Jackson, in the County of Ocean, State of New Jersey on October 27, 2003 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning

the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR VARIOUS ROADWAY IMPROVEMENTS BY AND IN THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY; REAPPROPRIATING \$474,066.69 IN EXCESS BOND PROCEEDS NOT NEEDED FOR THEIR ORIGINAL PURPOSE FROM VARIOUS BOND ORDINANCES TO FINANCE THE COSTS THEREOF

Purpose(s): Reappropriating excess bond proceeds from various bond ordinances to provide for various roadway improvements in and by the Township.

Reappropriation of Excess Bond Proceeds: \$474,066.69

Section 20 Costs: \$95,000

Useful Life: 8.34 years

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

**35-03
TITLE: BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 07-03 (WHICH PROVIDES FOR VARIOUS 2003 CAPITAL IMPROVEMENTS) HERETOFORE FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY ON MAY 12, 2003, TO AMEND PART OF THE DESCRIPTION THEREOF**

PUBLIC HEARING OPENED: NO ONE CAME FORWARD.

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

**MOTION TO APPROVE ORDINANCE 35-03 ON SECOND READING,
ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED NEWSPAPER AS REQUIRED BY LAW BY: GRISANTI
MOTION SECONDED BY: BRODERICK
YES: BRODERICK,GRISANTI, REILLY, GIBLIN & KAFTON**

MAYOR KAFTON: He explained that this is their first major step toward an aggressive road program here in Jackson. A lot of the developments haven't been paved in years. They are going to try to do this all in house so it will be a lot less costly and more roads can be done over time.

ORDINANCE 35-03

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

SECTION 1. The bond ordinance of the Township of Jackson, in the County of Ocean, State of New Jersey (the "Township"), heretofore finally adopted by the Township Committee on May 12, 2003, numbered 07-03, entitled, "BOND ORDINANCE PROVIDING FOR VARIOUS 2003 CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (THE "TOWNSHIP"); APPROPRIATING \$6,210,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,790,473 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF," (hereinafter, the "Original Ordinance"), is hereby amended and supplemented to the extent and with the effect as follows.

SECTION 2. Section 3(a)(i) of the Original Ordinance is hereby amended to the extent and with the effect as follows:

<u>"Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
...				
(i) improvements to Manhattan Street, Castle Avenue and Sycamore Place, including, but not limited to, as applicable, excavation, milling, reconstruction, repairing and resurfacing of such roadways using Class B pavement (as defined by the Local Bond Law), roadway painting, drainage improvements to such roadways and the restoration/construction of curbs, sidewalks and driveway aprons along such roadways; and . . ."	\$500,000	\$476,190	\$23,810	10 years

SECTION 3. The Capital Budget of the Township is hereby amended, as necessary, to conform with the provisions of this amendatory bond ordinance. To the extent of any inconsistency herewith, a resolution in the form promulgated by

the Local Finance Board, showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 4. The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under the Original Ordinance, as amended hereby.

SECTION 5. Except as expressly amended and supplemented hereby, the Original Ordinance shall remain in full force and effect.

SECTION 6. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING
DATED: October 14, 2003**

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

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

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

TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON

PUBLIC NOTICE

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Jackson, in the County of Ocean, State of New Jersey on October 14, 2003. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Township Municipal Building, Jackson, in said County on October 27, 2003 at 7:30 p.m. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 07-03 (WHICH PROVIDES FOR VARIOUS 2003 CAPITAL IMPROVEMENTS) HERETOFORE FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY ON MAY 12, 2003, TO AMEND PART OF THE DESCRIPTION THEREOF

Purpose: To amend and supplement Bond Ordinance Number 07-03 to add Castle Avenue and Sycamore Place to the description contained in Section 3(a)(i) therein.

Useful Life: 9.95 years (not amended)

No additional appropriations or authorizations made.

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

TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON

PUBLIC NOTICE

BOND ORDINANCE #35-03

STATEMENTS AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township Committee of the Township of Jackson, in the County of Ocean, State of New Jersey on October 27, 2003 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 07-03 (WHICH PROVIDES FOR VARIOUS 2003 CAPITAL IMPROVEMENTS) HERETOFORE FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY ON MAY 12, 2003, TO AMEND PART OF THE DESCRIPTION THEREOF

Purpose: To amend and supplement Bond Ordinance Number 07-03 to add Castle Avenue and Sycamore Place to the description contained in Section 3(a)(i) therein.

Useful Life: 9.95 years (not amended)

No additional appropriations or authorizations made.

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

ORDINANCE FIRST READING

36-03

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF A RIGHT-OF-WAY, SIDEWALK EASEMENT AND OVERHEAD UTILITY EASEMENT OVER TAX BLOCK 96.04, LOT 7 FOR THE PURPOSE OF WIDENING ANDERSON AND PATTERSON ROADS

**MOTION TO APPROVE ORDINANCE 36-03 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, NOVEMBER 10, 2003 BY: GRISANTI
MOTION SECONDED BY: BRODERICK
YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON**

ORDINANCE 36-03

WHEREAS, the Township Committee of the Township of Jackson has determined that improvements and signalization are necessary at the intersection of Route 571 with Anderson and Patterson Roads; and

WHEREAS, the Township Committee has further determined that Anderson and Patterson Roads must be widened in connection with the aforesaid improvements to be made; and

WHEREAS, the Township Committee requires that a right-of-way, sidewalk easement and overhead utility easement be acquired from the owners of the property located at Tax Block 96.04, Lot 7, 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, Exhibit A attached hereto contains descriptions of the right-of-way, sidewalk easement and utility easement which the Township of Jackson must acquire in order to complete the above-referenced project; and

WHEREAS, Henry J. Mancini, MAI, has prepared an appraisal of the above-referenced property to be acquired by the Township and has valued this property at \$1,600.00; and

WHEREAS, the Township has offered the property owners, Wieslaw and Beata E. Zukowski, the sum of \$1,600.00 for the acquisition of the right-of-way, sidewalk easement and utility easement, and the property owners have accepted this offer;

WHEREAS, the Township's CFO has certified the availability of funds in the amount of \$1,600.00 for this acquisition;

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 prepare any and all necessary documents for the Township's acquisition of the right-of-way, sidewalk easement and utility easement over Tax Block 96.04, Lot 7, more specifically described in Exhibit A hereto.
2. The Mayor is hereby authorized to execute and the Township Clerk to attest to any and all necessary documents for the Township's acquisition of the above-referenced right-of-way, sidewalk easement and utility easement.
3. The sum of \$1,600.00 is hereby approved as full and complete consideration for the acquisition.

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 27th day of October, 2003. The Ordinance will be considered for second and final reading at a meeting of the Township Committee which is scheduled for the 10th day of November, 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.

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

37-03

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON AUTHORIZING THE LEASING OF TOWNSHIP PROPERTY KNOWN AS BLOCK 148.02, LOT 2 FOR PURPOSES OF A PARK & RIDE FACILITY

**MOTION TO APPROVE ORDINANCE 37-03 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, NOVEMBER 10, 2003 BY: GIBLIN
MOTION SECONDED BY: BRODERICK
YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON**

COMMITTEEMAN GIBLIN: He explained that it is an exciting day that our Park and Ride Facility will finally be built. He stated that they look forward to the long term relationship with Academy Bus to benefit all residents who commute to New York City.

ORDINANCE 37-03

WHEREAS, the Township has determined that property owned by the Township and located on the street known as Progress Place, on the northerly side of Route 195, known as Block 148.02, Lot 2, is not needed for public use; and

WHEREAS, sealed bids have been advertised and received for the leasing of such property; and

WHEREAS, only one bid was received, from Academy Lines, LLC; and

WHEREAS, the Township desires to lease the property to Academy Lines, LLC, for a term of five (5) years, pursuant to the provisions of N.J.S.A. 40A:12-14, for purposes of a construction and operation of a park & ride bus facility;

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 The Township Committee hereby authorizes the leasing of property known as Block 148.02, Lot 2, to Academy Lines, LLC, for a term of five (5) years, for the construction and operation of a park & ride bus facility.
- II Academy Lines, LLC, in accordance with its sealed bid submitted to the Township, shall be responsible for all construction of said facility, which construction shall constitute the rental payment for use of said property.
- III The Mayor and Township Clerk are hereby authorized to sign any necessary documentation to effect the lease of said property to Academy Lines, LLC.

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 October 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 10th day of November, 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, RMC
TOWNSHIP CLERK**

38-03

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 FRIARS CHASE DEVELOPMENT AND REGULATING THE USE OF SAID ROADWAYS, STREETS, DRIVEWAYS AND PARKING LOTS BY MOTOR VEHICLES

**MOTION TO APPROVE ORDINANCE 38-03 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, NOVEMBER 10, 2003 BY: GIBLIN
MOTION SECONDED BY: BRODERICK
YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON**

ORDINANCE 38-03

NOW THEREFORE be it Ordained, Friars Chase, L.L.C., of P.O. Box 81, Jackson Township, New Jersey 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 Friars Chase Development located in the Township of Jackson, County of Ocean and the following regulations shall be enforceable:

REGULATION(S):

- 1. General Parking:
Reserved
- 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>
Sherwood Court	Entire length

B. Stop Intersections:

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

Intersection

Stop Sign on:

Sherwood Court and Leesville Road

Sherwood Court

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>
Sherwood Court	25	Entire Length
Arrowshead Circle	25	Entire Length
Canterbury Court	25	Entire Length

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

4. Tow-Away Zones:

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

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

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

Effect of Ordinance:

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

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of Jackson, in the County of Ocean, State of New Jersey, held on October 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 10th day of November, 2003, at 7:30 P.M. or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning this Ordinance.

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

PUBLIC HEARING OPENED, RESOLUTIONS ONLY: NO ONE CAME FORWARD.

MOTION TO CLOSE PUBLIC HEARING, RESOLUTIONS ONLY BY: BRODERICK

MOTION SECONDED BY: GRISANTI

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

RESOLUTION 486R-03

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, STATE OF NEW JERSEY REQUESTING MODIFICATIONS TO THE NOTIFICATION PROCEDURES AND REQUIREMENTS OF MEGAN'S LAW

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: BRODERICK

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

COMMITTEEMAN REILLY: He asked for some clarification on this Resolution. He wanted to know exactly what the modifications are. He spoke to Director DePasquale about it and he wasn't aware of it.

DEPUTY MAYOR GIBLIN: He explained that he believed that it is dealing with restrictions on sex offenders living in a certain proximity to schools, playgrounds, etc.

ATTORNEY STARKEY: He explained that when the legislature adopted Megan's law there were court rulings that have been perceived to water down requirements of that law and not be so stringent on the offenders. He doesn't believe that there is a specific bill in front of the legislators regarding this, but this resolution is calling for the legislators to take action to strengthen those portions of the bill that have been watered down by the courts.

DIRECTOR DEPASQUALE: He explained that he had no prior knowledge of this resolution, but they are still required by whatever the law is to follow the law the way it is now. He believes that this is a procedure that towns are going through to let the legislature know that there are some things that they would like to see done.

WHEREAS, the governing body of the Township of Jackson recognizes the benefits as a result of the adoption of "Megan's Law" by the New Jersey Legislature; and

WHEREAS, said requirements have been modified by the Courts; and

WHEREAS, it is the belief of this governing body that additional modifications are necessary to protect the children of our community; and

WHEREAS, it is the governing body's belief that they should be notified if a classified sex offender has moved into the municipality; and

WHEREAS, this governing body has a strong belief that there should be restrictions against said individuals being allowed to live within certain distances from a school, park, playground or any other recreational area where children would be frequently present.

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

1. That the Mayor and Committee of the Township of Jackson hereby formally requests the Legislature to enact legislation to modify the notification requirements of "Megan's Law" to include those hereinabove set forth in this resolution
2. That upon the adoption of the within resolution, the Clerk is authorized and directed to forward certified copies to Governor James McGreevey, Senator Robert W. Singer, Assemblymen Joseph R. Malone and Ronald S. Dancer and any other interested parties.

DATED: 10/27/03

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

RESOLUTION 501R-03

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING AWARD OF CONTRACT TO ACADEMY LINES, LLC FOR THE CONSTRUCTION AND OPERATION OF A PARK & RIDE FACILITY ON PROPERTY KNOWN AS BLOCK 148.02, LOT 2

MOTION TO APPROVE BY: GIBLIN

MOTION SECONDED BY: GRISANTI

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

MAYOR KAFTON: He explained that this was awarded to Academy Bus this past week as the sole contract bidder.

WHEREAS, the Township solicited sealed bids for a contract for the construction and operation of a park & ride bus facility to be located on Block 148.02, Lot 2, also known as Progress Place; and

WHEREAS, Academy Lines, LLC submitted the only bid for such construction and operation, including the construction of such facility at no charge in exchange for a rental of such property for a term of five (5) years; 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, the Township has determined that Academy Lines, LLC submitted the lowest and only bid for the project; and

WHEREAS, the Township Attorney has recommended that the bid for a Contract for construction and operation of a park & ride bus facility be awarded to Academy Lines, LLC; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Jackson, County of Ocean and State of New Jersey, that a Contract for Construction and Operation of a Park & Ride Bus Facility, to be located on Block 148.02, Lot 2, also known as Progress Place, is hereby awarded to Academy Lines, LLC. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

DATED: 10/27/03

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

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

RESOLUTION 484R-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.

OVERPAYMENT REFUNDS

OCTOBER 27, 2003

BLOCK LOT	NAME	<u>YEAR</u> <u>AMOUNT</u>
5.01 21.08	KEVIN M & TERESA L. FLYNN	2002 \$ 214.11
6 44.02	JOHN & FLORENCE KARAKARIS	2003 \$ 122.11
34 8.05	RICKY & DONNA FISHER	2003 \$1,252.44
39 24	JOHN & SUSAN CARSTENSEN	2003 \$1,058.10
45.01 3	NATIONWIDE PROPERTY TRANSFER SERVICES, INC.	2003 \$3,899.66
49.01 21	CAROL C. REID	2002 \$ 304.11
51.06 1.01	JEFFREY & LYNNE WOLFF	2003 \$1,488.95
66.09 3.204	COUNTRYWIDE TAX SERVICES CORPORATION	2003 \$ 572.30
66.09 3.220	COUNTRYWIDE TAX SERVICES CORPORATION	2003 \$ 288.51
66.09 3.227	COUNTRYWIDE TAX SERVICES	2003 \$ 320.84
75.01 47.69	ROSEMARIE & JOSEPH A. MENDITTO	2003 \$ 686.79
79.09 4	GEORGE & HELEN KIM	2003 \$2,424.15
109.03 2	CERTIFIED ABSTRACT CORP.	2002 \$1,548.77
118.07 6	COUNTRYWIDE TAX SERVICES CORPORATION	2003 \$ 991.80
118.10 11	GERALD A. GIAMPAGLIA, TRUSTEE	2003 \$1,651.99
125.24 31	ROGER & DORIS BERG	2003 \$1,621.88
128.09 1	MCGOVERN, PROVOST & COLRICK, PA – TRUST ACCOUNT	2003 \$1,040.75
135.05 11	JOSEPH P. & DOREEN E. RAO	2002 \$ 304.11

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

DATED: 10/27/03

RESOLUTION 485R-03

TITLE: APPROVE TOWNSHIP COMMITTEE MEETING MINUTES FROM SEPTEMBER 22, 2003

MOTION TO APPROVE BY: BRODERICK

MOTION SECONDED BY: GRISANTI

YES: BRODERICK, REILLY, GIBLIN & KAFTON

ABSTENTIONS: GRISANTI

TOWNSHIP CLERK EDEN: She stated on the agenda 485R-03 refers to the minutes of September 8th, which is incorrect. The minutes which were received by you and are being voted on tonight are the Minutes of September 22nd.

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:

SEPTEMBER 22, 2003

- 1. Copies of this resolution to any interested parties.

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

DATED: 10/27/03

RESOLUTION 487R-03

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO US HOMES OF THE CASH BONDS ISSUED FOR BUTTERFLY PATH ESTATES A/K/A VARIOUS BLOCKS AND LOTS

MOTION TO APPROVE BY: BRODERICK

MOTION SECONDED BY: GRISANTI

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, US Homes has requested the Release of Cash Bonds pertaining to Butterfly Path Estates, various Block and Lots in Jackson Township as follows; and

<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Amount</u>
82.01	30.04	4 Prince Way	\$1,000.00
82.01	30.06	8 Prince Way	\$1,000.00
82.01	30.15	240 Butterfly Road	\$1,000.00
82.01	30.16	250 Butterfly 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 October 9, 2003 and October 20, 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 US Homes. 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: 10/27/03

RESOLUTION 488R-03

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO A & M HARRISON OF THE CASH BOND ISSUED FOR 30 OLIVIA WAY IN ROYAL WOODS, PHASE III A/K/A BLOCK 111, LOT 87.28

MOTION TO APPROVE BY: BRODERICK

MOTION SECONDED BY: GRISANTI

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, A & M Harrison has requested the Release of a Cash Bond for winter conditions in the amount of \$1,500.00 pertaining to 30 Olivia Way in Royal Woods, Phase III a/k/a Block 111, Lot 87.28, 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 October 9, 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 A & M Harrison. 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: 10/27/03

RESOLUTION 489R-03

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO WILLIAM L. CARR OF THE CASH BOND ISSUED FOR 485 VATH STREET A/K/A BLOCK 20, LOT 23.02

MOTION TO APPROVE BY: BRODERICK

MOTION SECONDED BY: GRISANTI

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, William L. Carr has requested the Release of a Cash Bond for winter conditions in the amount of \$1,000.00 pertaining to 485 Vath Street a/k/a Block 20, Lot 23.02, 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 October 9, 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 \$1,000.00 heretofore posted with the Township may and hereby is released to William L. Carr. The Mayor and Township Clerk are

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

DATED: 10/27/03

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

RESOLUTION 491R-03

TITLE: APPROVE APPOINTMENT OF CLERK IN THE DEPARTMENT OF PUBLIC WORKS

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 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 interim basis pending background compliance and approval by the New Jersey Department of Personnel effective October 27, 2003:

Ann Marie Malter

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, Director of Public Works, Municipal Administrator and any other interested parties.

DATED: 10/27/03

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

RESOLUTION 492R-03

TITLE: APPROVE APPOINTMENT OF BUILDING INSPECTOR

MOTION TO APPROVE BY: BRODERICK

MOTION SECONDED BY: GRISANTI

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, a vacancy exist in the Inspections Department for the appointment of a Building Inspector on a full time 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 Building Inspector on a full time temporary basis pending background compliance and certification by the New Jersey Department of Personnel effective October 28, 2003:

John Pinkava

2. Said appointment shall be at a salary of \$43,000 per annum.
3. Copies of this resolution to appointee, Personnel Manager, Chief Financial Officer, Municipal Administrator, Construction Code Official and any other interested parties.

DATED: 10/27/03

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

RESOLUTION 493R-03

TITLE: APPROVE 2003 SALARIES FOR DEPARTMENT HEADS, CONFIDENTIALS AND VARIOUS EMPLOYEES OF THE TOWNSHIP OF JACKSON (WITHDRAWN)

TOWNSHIP CLERK EDEN: She explained that due to the fact that they withdrew Ordinance 32-03 on the salaries, she was revoking Resolution 493R-03, which would have approved the salaries of Department Heads and Confidentials. This resolution will be postponed to another meeting.

ATTORNEY STARKEY: He explained that just like the Ordinance this Resolution will be revised and put back on the agenda probably the 2nd meeting in November.

DATED: 10/27/03

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

RESOLUTION 494R-03

TITLE: APPROVE APPOINTMENT OF SCHOOL TRAFFIC GUARD

MOTION TO APPROVE BY: BRODERICK

MOTION SECONDED BY: GRISANTI

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, a vacancy exists for School Traffic Guard and the Director of Public Safety has recommended an individual to be appointed to fill said vacancy; and

WHEREAS, Public Law 1997, Chapter 82 permits a municipality to appoint School Traffic Guards for a term not exceeding one (1) year.

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. Pursuant to Public Law 1979, Chapter 82, the following individual is hereby appointed as School Traffic Guard of the Township of Jackson for a period commencing immediately as follows:

Marie Varriale

2. In addition, the above appointee may be utilized in the period of time to August 31, 2004 when needed in connection with school and recreational summer programs where the services of Traffic Guards are required.
3. Appointee shall be paid a salary of \$9.95 per hour.
4. Copies of this Resolution to Municipal Administrator, Director of Public Safety, Personnel Manager, Chief Financial Officer, appointee and any other interested parties.

DATED: 10/27/03

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

RESOLUTION 495R-03

TITLE: APPROVE CHIEF FINANCIAL OFFICERS REPORT FOR AUGUST 2003

MOTION TO APPROVE BY: BRODERICK

MOTION SECONDED BY: GRISANTI

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 **AUGUST** is hereby approved.
2. Copies of this Resolution to Treasurer, Administrator, Township Attorney, and any other interested parties.

DATED: 10/27/03

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

RESOLUTION 496R-03

TITLE: AUTHORIZE ADDITIONAL PAYMENT OF \$1,795.00 FOR ACQUISITION OF RIGHT-OF-WAY ON PROPERTY KNOWN AS BLOCK 96.04, LOT 8 FOR THE PURPOSE OF WIDENING ANDERSON AND PATERSON ROADS

MOTION TO APPROVE BY: BRODERICK

MOTION SECONDED BY: GRISANTI

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, by Ordinance No. 26-03 and pursuant to the Eminent Domain Act, the Township Committee of the Township of Jackson authorized the acquisition of a right-of-way over Tax Block 96.04, Lot 8 for the purpose of widening Anderson and Patterson Roads; and

WHEREAS, Ordinance No. 26-03 further authorized Kevin N. Starkey, Esq. to Institute condemnation proceedings and approved the sum of \$5,205.00 as full and complete consideration for the taking;

WHEREAS, the owner of the property located at Tax Block 96.04, Lot 8 rejected the Township's offer of \$5,205.00 for the acquisition of the right-of-way over the property and, thereafter, the office of Starkey, Kelly, Blaney, Bauer & White entered into negotiations with the property owner pursuant to the Eminent Domain Act; and

WHEREAS, the office of Starkey, Kelly, Blaney, Bauer & White, on behalf of the Township of Jackson, and Gaetano Frascella, the owner of the property located at Tax Block 96.04, Lot 8, have achieved an amicable resolution of the within matter by agreeing to the Township's payment of \$7,000.00 as full and complete consideration for the taking; and

WHEREAS, the Township's CFO has certified the availability of additional funds in the amount of \$1,795.00 for this acquisition; and

WHEREAS, Exhibit A attached hereto contains a description of the above referenced right-of-way;

NOW, THEREFORE, BE IT RESOLVED 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 prepare any and all necessary documents for the Township's acquisition of the right-of-way over Tax Block 96.04, Lot 8, more specifically described in Exhibit A hereto.
2. The Mayor is hereby authorized to execute and the Township Clerk to attest to any and all necessary documents for the Township's acquisition of the above referenced right-of-way.
3. The sum of \$7,000.00 is hereby approved as full and complete consideration for the acquisition.
4. The Finance Department shall issue a check in the amount of \$1,795.00 payable to the Starkey, Kelly, Blaney, Bauer & White attorney trust account for the acquisition of the right-of-way.

DATED: 10/27/03

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

RESOLUTION 497R-03

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE COMMENCEMENT OF DRAW DOWN PROCEEDINGS AGAINST PERFORMANCE BONDS POSTED BY HORIZON 2000 DEVELOPERS FOR PROPERTIES KNOWN AS: (I) GRANDE AUTUMN; (II) SMITH'S RUN; (III) SMITH'S RUN II; AND (IV) SPARROW COURT

MOTION TO APPROVE BY: BRODERICK

MOTION SECONDED BY: GRISANTI

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

DEPUTY MAYOR GIBLIN: For the public's edification he explained that Resolutions 497R-03, 498R-03, 499R-03 and 500R-03 are the first step in taking a serious and hard look at some of the developers in town who failed to fill their obligations to new homeowners as well as the taxpayers who access their roads and not completing their projects. Some of these projects were built out many years ago and there are conditions there, mainly the top grading put on the pavement that has not been done. Our Township Engineer has compiled a list and there will probably be more added. They will take whatever steps that are needed to ensure that these irresponsible builders up hold their obligations to the homeowners and taxpayers. They have been battling this for years and with the assistance of Mr. Burke, our Township Engineer, they are taking a proactive step in solving this problem and holding builders responsible.

WHEREAS, the Horizon 2000 Developers has posted performance bonds in varying amounts to secure proper construction of the following development projects in Jackson Township:(i) Grande Autumn; (ii) Smith's Run; (iii) Smith's Run II; and (iv) Sparrow Court (collectively, the "Horizon 2000 Developments"); and

WHEREAS, the Township Engineer has reported that, despite repeated inspections and punch lists, Horizon 2000 has failed to properly complete each of the Horizon 2000 Developments; and

WHEREAS, the Township Engineer has recommended that the Township commence draw down proceedings against the performance bonds for each of the Horizon 2000 Developments; and

WHEREAS, the Township Committee desires to act upon the recommendation of the Township Engineer.

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

1. The Township Engineer and Township Attorney are hereby authorized to commence draw down proceedings against the performance bonds posted by Horizon 2000 Developers for the following development projects: (i) Grande Autumn; (ii) Smith's Run; (iii) Smith's Run II; and (iv) Sparrow Court.
2. That upon the adoption of this Resolution, the Clerk is authorized and directed to forward a certified copy of it to the Township Engineer, the Chief Financial Officer and Horizon 2000 Developers.

DATED: 10/27/03

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

RESOLUTION 498R-03

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE COMMENCEMENT OF DRAW DOWN PROCEEDINGS AGAINST PERFORMANCE BONDS FOR PROPERTY KNOWN AS WELLINGTON MANOR

MOTION TO APPROVE BY: BRODERICK

MOTION SECONDED BY: GRISANTI

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, a performance bond has been posted with the Township to secure proper construction of the following development project in Jackson Township: Wellington Manor; and

WHEREAS, the Township Engineer has reported that, despite repeated inspections and punch lists, the developer has failed to properly complete the construction on Wellington Manor; and

WHEREAS, the Township Engineer has recommended that the Township commence draw down proceedings against the performance bond for Wellington Manor; and

WHEREAS, the Township Committee desires to act upon the recommendation of the Township Engineer.

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

1. The Township Engineer and Township Attorney are hereby authorized to commence draw down proceedings against the performance bonds posted for the development project known as Wellington Manor.
2. That upon the adoption of this Resolution, the Clerk is authorized and directed to forward a certified copy of it to the Township Engineer, the Chief Financial Officer and Hampton Knolls, Inc.

DATED: 10/27/03

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

RESOLUTION 499R-03

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE COMMENCEMENT OF DRAW DOWN PROCEEDINGS AGAINST PERFORMANCE BONDS FOR PROPERTY KNOWN AS PADDOCK ESTATES

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

WHEREAS, a performance bond has been posted with the Township to secure proper construction of the following development project in Jackson Township: Paddock Estates; and

WHEREAS, the Township Engineer has reported that, despite repeated inspections and punchlists, the developer has failed to properly complete the construction on Paddock Estates; and

WHEREAS, the Township Engineer has recommended that the Township commence draw down proceedings against the performance bond for Paddock Estates; and

WHEREAS, the Township Committee desires to act upon the recommendation of the Township Engineer.

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

- 1 The Township Engineer and Township Attorney are hereby authorized to commence draw down proceedings against the performance bonds posted for the development project known as Paddock Estates.

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

DATED: 10/27/03

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

**RESOLUTION 500R-03
TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON,
OCEAN COUNTY, NEW JERSEY AUTHORIZING THE
COMMENCEMENT OF DRAW DOWN PROCEEDINGS
AGAINST PERFORMANCE BONDS FOR PROPERTY KNOWN
AS TRAILS END**

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

WHEREAS, a performance bond has been posted with the Township to secure proper construction of the following development project in Jackson Township: Trails End; and

WHEREAS, the Township Engineer has reported that, despite repeated inspections and punch lists, the developer has failed to properly complete the construction on Trails End; and

WHEREAS, the Township Engineer has recommended that the Township commence draw down proceedings against the performance bond for Trails End; and

WHEREAS, the Township Committee desires to act upon the recommendation of the Township Engineer.

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

1. The Township Engineer and Township Attorney are hereby authorized to commence draw down proceedings against the performance bonds posted for the development project known as Trails End.
2. That upon the adoption of this Resolution, the Clerk is authorized and directed to forward a certified copy of it to the Township Engineer and the Chief Financial Officer.

DATED: 10/27/03

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

RESOLUTION 502R-03

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING REDUCTION TO THE PERFORMANCE GUARANTEES FOR PARAMOUNT HOMES' THE PREMIER AT CEDAR KNOLLS, A/K/A BLOCK 135.01, LOTS 22.03 & 22.07

MOTION TO APPROVE BY: BRODERICK

MOTION SECONDED BY: GRISANTI

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, Paramount Homes has requested a Reduction of the Performance Guarantee to the Premier at Cedar Knolls, a/k/a Block 135.01, Lots 22.03 & 22.07, Jackson Township; and

WHEREAS, the following Performance Guarantee is currently in place:

1. Performance Surety Bond #996710 issued by American Motorists Insurance Company in the amount of \$885,808.74
2. Cash Guarantee in the amount of \$95,089.86

WHEREAS, Ernest J. Peters, P.E., Township Engineer, CME Associates, has reviewed and approved the reduction of the Performance Guarantee in a letter report dated October 14, 2003 in the following amount:

1. Reduction of the Performance Bond to not less than \$289,942.74.
2. Reduction of the Cash Guarantee to not less than \$32,215.86.

WHEREAS, the Township Committee of the Township of Jackson has considered the application and the report of the Township's 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 is hereby reduced from \$885,080.74 to not less than \$289,942.74 and the Cash Guarantee from \$95,089.86 to not less than \$32,215.86. 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: 10/27/03

RESOLUTION 503R-03

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING REDUCTION TO THE PERFORMANCE GUARANTEES FOR US HOMES' MAJESTIC ESTATES A/K/A BLOCK 80, LOT 11

MOTION TO APPROVE BY: BRODERICK

MOTION SECONDED BY: GRISANTI

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

WHEREAS, US Homes has requested a Reduction of the Performance Guarantee to Majestic Woods Estates, a/k/a Block 80, Lot 11, Jackson Township; and

WHEREAS, the following Performance Guarantee is currently in place:

1. Performance Surety Bond #929 215 093 issued by The Continental Insurance Company in the amount of \$1,099,077.66.
2. Cash Guarantee in the amount of \$122,119.74.

WHEREAS, Ernest J. Peters, P.E., Township Engineer, CME Associates, has reviewed and approved the reduction of the Performance Guarantee in a letter report dated October 14, 2003 in the following amount:

1. Reduction of the Performance Bond to not less than \$329,723.30.
2. Reduction of the Cash Guarantee to not less than \$36,635.92.

WHEREAS, the Township Committee of the Township of Jackson has considered the application and the report of the Township's 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 is hereby reduced from \$1,099,077.66 to not less than \$329,723.30 and the Cash Guarantee from \$122,119.74 to not less than \$36,635.92. The Mayor and

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

DATED: 10/27/03 ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

RESOLUTION 504R-03

TITLE: ACCEPTANCE OF GIFT FROM SIX FLAGS FACTORY OUTLET CENTER DONATING TRASH RECEPTACLES AND WOODEN/CAST IRON BENCHES TO THE TOWNSHIP OF JACKSON

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

WHEREAS, Six Flags Outlet Center has offered to donate thirty-five (35) brown trash receptacles and fifteen (15) wooden/cast iron benches to be placed in and around the Jackson Justice Complex, Lake Enno and the Jackson Township Municipal Building; and

WHEREAS, the Township Committee believes that these items will be of great value to the Township and Township Resident's.

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 Mayor is hereby authorized to accept the equipment listed above for use by the Township of Jackson.
2. The Mayor is hereby authorized to send a letter of appreciation to Six Flags Outlet Center for its donation to the Township of Jackson.

DATED: 10/27/03 ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

PUBLIC HEARING, ANY TOPIC

ED KROPENICK, 10 JUDITH WAY: He began by saying he would like to speak about the change of government proposed by VOTE. The last time the idea of a change in government came up they had a Study Commission. They had two college professors here, one from Rutgers and the other from Ryder. He explained that through conversations with them they realized that the most important thing about a change of government is to try and figure out what form of government you want. In the Faulkner Act there are 14 different forms of government. When he signed this petition he was under the impression that there would be a Charter Study Commission to give the people an option. When he received the ballot in the mail he saw the question on it. This is ludicrous because the people don't get to choose. When this came up years ago he came to every meeting even though he wasn't on the board. He got acquainted with the two professors who put things in lay mans language. They told him if you want to change the form of government it is like buying a new pair of shoes, the foot has to fit the shoe or you will have cramps, blisters, etc. We would need to go by the population and your tax revenues. Jackson is surrounded by Lakewood, Toms River and Howell who all have Industrial Parks, which Jackson doesn't have. There should have been more then one type of government presented to the people so they could decide. He believes this smells

like back room politics. He begged everyone who signed that petition not to vote for it because he believes they got taken for a ride.

GARY BLACK, 76 LEWIS LANE: He explained that he was here tonight and is going to put politics a side and discuss something he had discussed at a previous meeting. He did a little more research on what he now calls "terror cam". It is the idea of putting cameras in the classrooms and making this available over the internet. One thing he wasn't correct about when he previously spoke, is there are passwords. With class size going up to 30 children and each of those children having contact with approximately 3 adults, which makes 90 adults for just one classroom. That is a lot of adults having access. The chances of the password getting out to a pedophile is rather high. There is also the risk of this getting out to hostile entities against our government. During the average day it is not inconceivable that someone could learn a child's image and match it up to a name. The possibility of someone developing a database of a child's image, name and possibly an address is very possible. He explained that he is up there because he would like to see both parties come together and put the brakes on this. He then thanked both parties for voting on the expansion to Megan's law. He went on to say that he had a copy of a document from the New Jersey Sex Offender Internet Registry. This document lists an individual he is familiar with. He added that this person is not involved politically. He was convicted of aggravated sexual assault with a juvenile female. He knows this person, but he can't give his name, but he has at least one child on Jackson sports. If terror cam comes to life this monster can build a database and set up his future conquest. Anyone who believes a sex offender can be cured believes in Santa Clause or the Easter Bunny. In closing he stated that they are either in favor of stopping this to protect our children or they are going to let this happen and let this monster get a hold of this.

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

DISCUSSION AGENDA:

RE: OCEAN COUNTY NATURAL LANDS TRUST – Block 10, Lot 62.04

ATTORNEY STARKEY: He explained that he spoke with Steven Brewder from the Ocean County Planning Board, who sent this letter to them. He gave Mr. Starkey the name of the owner of the property. There is more history of this property that he would like to research. He feels that before they vote on it he should research it so he can give them a recommendation.

CONCLUSION: Mayor Kafton told Township Clerk Eden that before this goes on the next agenda, check with Attorney Starkey and make sure he has the appropriate information.

RE: DPW STORAGE BUILDING – CONSTRUCTION OPTIONS

DEPUTY MAYOR GIBLIN: He stated he would like this be withheld for further discussion with Committeeman Broderick, Mr. Burke, Mr. Panunzio later on this week.

RE: LAND DONATION TO FIRE DEPARTMENT

COMMITTEEMAN BRODERICK: He explained that he had forwarded the Mayor copies of e-mails of a request that he has received from the fire department of Kierych and Larson Road. They are looking to build an ultra modern facility to encompass a number of bays for a number of units. They have incorporated into the package designs that they have looked at around the country as well as an informational map on the want they would like to do. This would be at a location currently owned by the fire department on Brewers Bridge Road, past the strip mall where Foodtown is and on the left hand side as you are going toward Howell. They own a good portion of frontage there and the Township owns a couple of small lots behind that. They are asking the Township to donate to them the land necessary to encompass them building this, as they will go no further unless they acquire this land. There is also a large piece of land just to the right of

the Township owned land that the fire department is currently in contract with the owner. They have also agreed to keep the Kierych Drive firehouse in an operational mode with a unit there. This would be operational for the Senior communities at Westlake and Winding Ways. If it fits the requirements the insurance companies will give discounts to homes and businesses within a 1½ mile radius of the new firehouse. He added that he spoke to a number of fire commissioners and told them that the township has been discussing the possibility of having paid first aid. The fire commissioners stated that they would be more than happy to enter into discussions about having a paid first aid responding unit in that firehouse. Mr. Grisanti asked about Larsen Road. Mayor Broderick explained that they did try and sell it, but were unsuccessful. Mr. Grisanti added that maybe the Township could look into purchasing that facility and making it a recreational center. Mr. Reilly wanted to clarify that the township would give the fire department that land and they would have to raise the money to build on it? Mr. Broderick stated that they have about \$80,000 in funding. They have been planning for this for a couple of years.

CONCLUSION: Committeeman Broderick stated that he will get more information about the Larson Road location and if they are still willing to sell it, etc.

RE: R/C RACING/JACKSON HOBBY SHOP – Update

TOWNSHIP CLERK EDEN: She began by saying that R/C Racing was upset about Jackson Hobby Shop obtaining a vendors license to sell parts. She explained that since then Mr. Sedano from R/C racing called her and they no longer have a problem with Jackson Hobby Shop having a vendors table. Therefore, they don't have a problem with the township issuing a vendor's license. She stated she wanted to bring this before the Committee because it is township owned land that they are leasing. Deputy Mayor Giblin stated that this vendors license should be a renewable license and to make sure it doesn't go beyond the period that R/C Racing is leasing the land.

CONCLUSION: The Mayor explained that the Township Committee doesn't have a problem with it as long as R/C Racing doesn't have a problem with it.

RE: OCEAN COUNTY COOPERATIVE PRICING – MUNICIPAL SERVICES AGREEMENT

TOWNSHIP CLERK EDEN: She explained that we are currently in an agreement with them and that agreement will expire. If the Township Committee would like to continue with this she will prepare a resolution for November 10th.

CONCLUSION: The Committee agreed to continue this agreement.

RE: NOVEMBER 4TH GENERAL ELECTION –

TOWNSHIP CLERK EDEN: She reminded everyone that the November 4th is Election Day and the polls are open from 6:00 AM to 8:00 PM.

RE: EQUIPMENT FOR SPECIAL NEEDS PLAYGROUND

ADMINISTRATOR KENNEDY: He explained that a while back they had a discussion regarding the special needs playground at the Justice Complex. This is available to purchase under State contract. They would adopt a resolution at the next meeting this would give the authorization to purchase this from the capital ordinance under Recreation where money was set aside. Township Clerk Eden asked how much this was for? Administrator Kennedy stated that it was \$32,388. Mayor Kafton added that this playground will be put up at the Justice Complex next to the tot lot.

ADMINISTRATOR KENNEDY: He explained that he wanted to go back and minimize the amount that they had mentioned earlier regarding the street paving. The bid came in at \$334,000 and they authorized \$476,000. They will have money left to do additional streets. The thing that they didn't do for the benefit of the public was to make them aware that they utilized the money from proceeds from Ordinances that they had. Mayor Kafton added that it was money that came in from contracts that were under the bid specifications. He stated that he would get together with Mr. Burke to go over some other roads that they could possibly do.

ADMINISTRATOR KENNEDY: He stated that they did take a tour of the Golvaty House with Mr. Grisanti before the meeting. He said he will get together with Mr. Burke

and look to come back with a recommendation for an architect to take a look at that house.

MAYOR KAFTON: He thanked the Political Science students who came out and sat in on this meeting and the also the students from the high school that taped the meeting.

MOTION TO ADJOURN BY: GRISANTI

MOTION SECONDED BY: GIBLIN

YES: BRODERICK, GRISANTI, REILLY, GIBLIN & KAFTON

8:35 PM

RESPECTFULLY SUBMITTED,

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

AME/tvc