

ON THURSDAY, JANUARY 21, 2010, AT 7:30 P.M., THE JACKSON TOWNSHIP COUNCIL HELD ITS RESCHEDULED MEETING IN THE MUNICIPAL BUILDING

NOTE: ON JANUARY 21, 2010, THERE WAS NO EXECUTIVE SESSION

PLEDGE OF ALLEGIANCE

ROLL CALL:

**COUNCILMAN BRESSI
COUNCILMAN MARTIN
COUNCILWOMAN UPDEGRAVE
COUNCIL VICE PRESIDENT RIVIERE
COUNCIL PRESIDENT KAFTON**

**ATTORNEY FORAN
TOWNSHIP CLERK EDEN**

ALSO IN ATTENDANCE:

ADMINISTRATOR DEL TURCO

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 Council has been advertised in the manner prescribed by law. This statement shall be entered into the Minutes of this meeting.

PRESENTATION – JOINT RECYCLING PROGRAM BETWEEN THE TOWNSHIP OF JACKSON (PAT WOOD) AND THE BOARD OF EDUCATION (THERESA WATERS)

THERESA WATERS of the Board of Education spoke of a program they are excited to unveil in the Elementary School division. They are always looking for ways to reduce their paper usage, and that is very difficult in the Elementary grades. The Board of Education, in collaboration with the Jackson Public Works Department, developed an interactive paper recycling program for all six elementary schools, using bins for recycling. They asked children to create a logo or mascot to represent their school. The artwork will be reviewed at each high school for a winner, and the logo printed on each bin. Each of the six elementary schools will have their personalized bin in the classrooms. Each classroom will have a paper patrol, responsible for paper going into the bin and the bin brought to the weekly pick up area. They wanted to acknowledge all artwork that was submitted. During the month of April, artwork will be displayed in various locations around town, including Town Hall, the library, Stop and Shop, and other businesses, and the lobbies of each elementary school to support the children's excitement about recycling. For the past six months, the schools average five tons of paper and cardboard being recycled per month. It is important to keep the recycling project going and to reduce their paper consumption any way they can. All monies collected by their recycling efforts will then be brought into the township and school district to fund further programs for all the schools. There is a newly formed Eco Club at Jackson Memorial High School. Thirty students were pooling their ideas, one of which is a greenhouse on the high school property. They will also participate in the Adopt-A-Highway program. She thanked the Public Works Department for developing this program for the school. April First will begin the celebration month for Earth Day.

PAT WOOD said part of the Tonnage Grant received each year is education, and that is stressed. This is a great program; they are adding bins to every classroom at a cost of \$3,000, which will be returned tenfold. There will be a commercial on the local cable station and channel 77 about recycling. All the efforts are appreciated.

COMMENTS BY THE TOWNSHIP COUNCIL MEMBERS:

COUNCILMAN BRESSI noted the Jackson Youth Advisory Council had a program in the Senior Center at no cost to the taxpayers. It was a wonderful atmosphere provided by volunteers, and the children enjoyed it very much.

Regarding the catastrophe in Haiti, we will be looking at ways to help; it is the American way.

COUNCILMAN MARTIN attended the Youth Advisory social as well; it was a great time. His children enjoyed it. He also attended the Martin Luther King celebration at St. Aloysius this past Monday. He commended the Jackson clergy for their wonderful job.

COUNCILWOMAN UPDEGRAVE thanked all the volunteers in town. She thanked Ms. Wood for reaching out to the school and implementing this idea, which brings more revenue into the town. All municipalities, including Jackson, are in dire straits regarding funding for services. She welcomed any recommendations from residents so programs won't have to be eliminated and to save jobs and money.

COUNCIL VICE PRESIDENT RIVERE thanked Ms. Waters and Ms. Fiero from the Board of Education. She attended the social at the Senior Center and said it was most enjoyable. The first meeting of the Safe Roads Advisory Committee will be next month. She heard from the resident members, and with herself, Ken Bressi, and the Chief of Police's designee, she hopes this Committee gets off the ground soon.

COUNCIL PRESIDENT KAFTON thanked Ms. Waters and Ms. Wood. He said Scott Sargent is also present from the Board of Education and thanked them for always attending these meetings. Council President Kafton said the pizza social given by the Youth Advisory Council was fantastic and well-attended.

He asked anyone who had fund raising ideas for Haiti to let them know, and his shop in town donated 20% of today's proceeds for Haitian relief efforts.

ORDINANCES, SECOND READING (NONE THIS EVENING)

ORDINANCES, FIRST READING:

01-10

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 86 OF THE TOWNSHIP CODE, ENTITLED "RENT CONTROL FOR APARTMENTS AND MOBILE HOME PARKS"

**MOTION TO APPROVE ORDINANCE 01-10 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON FEBRUARY 9, 2010 BY: MARTIN
MOTION SECONDED BY: RIVERE**

COUNCILMAN BRESSI said a cap is definitely needed. He is not in favor of vacancy decontrol especially in mobile home parks. He would rather see a 5% negotiated rent increase rather than 10% and he will definitely vote for a cap.

COUNCILMAN MARTIN said 10% is in line with other townships. There was no cap before.

COUNCIL PRESIDENT KAFTON asked about capital improvements for mobile home parks, and said the landlord or park owner can ask for a rent increase for paving

roads or other improvements. What is being done here is when a resident moves out, the new resident can pay up to 10% more than what was paid before.

COUNCILMAN BRESSI said vacancy decontrol gives a landlord the basis to force a tenant out. 10% would still encourage that and he wanted to see 5%.

COUNCILMAN MARTIN disagreed and thought it should be 10%; it is actually lower than other towns. There is a measure in the ordinance against landlords forcing tenants out; if a landlord is found to do that, he faces a penalty of no decontrol not only for that unit, but also for the entire complex, for one year. Subsequent violations are for longer periods of time.

COUNCILMAN BRESSI said residents that sent letters didn't even know this was happening.

COUNCILMAN MARTIN said there were twelve changes to the Mobile Home Advisory Park code, eleven of which everyone approved of, and one in controversy. There were two special meetings with the Mobile Home Advisory Committee to answer questions. It was well-advertised, and discussed at Rent Control meetings.

COUNCILMAN BRESSI said out of the 50-60 letters he has, residents were saying they did not know of those discussions. Others may have heard, but did not understand the effects. He still felt the cap should be 5%.

COUNCILWOMAN UPDEGRAVE wanted to ensure the mobile home parks are aware the tenants can't be hurt in any way. The cap is good, she said the lower the better. She is always concerned about any abuse of the law. A lot of people attended the meetings, but they received letters of concern and opposition.

COUNCILMAN MARTIN said he should have put the cap in to begin with. They gave this a chance to work for a year, and now feels he should have put the cap in.

COUNCILWOMAN UPDEGRAVE asked if there are any repercussions for the \$1,000 fine. Councilman Martin said that is the maximum.

COUNCIL VICE PRESIDENT RIVERE said if the 10% is offensive, the public will have an opportunity to speak during the second reading.

COUNCIL PRESIDENT KAFTON asked how the landlord got increases in the past. Councilman Martin said he applied to the Rent Control Board for an increase. At the time the CPI was over 5% and for Mobile Home Parks it was over 7%. After the code changed, they lowered the cap on CPI increases. This was outside capital improvements.

COUNCIL PRESIDENT KAFTON stated Councilman Bressi brought up some legitimate questions, adding this is the first reading and suggested a vote.

(Motion previously given by Martin/Rivere)

YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON

TOWNSHIP CLERK EDEN clarified the ordinance would be introduced for second reading with the 10% cap. If that number changes after discussion at the meeting, the ordinance would be re-introduced.

ORDINANCE 01-10

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

SECTION 1. The Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 86, entitled “Rent Control for Apartments and Mobile Home Parks,” so as to revise § 86-8B, entitled “Vacancy Decontrol,” to revise subparagraph A, which shall read in its entirety as follows:

- A. Vacancy Decontrol. Upon the voluntary, uncoerced vacation or court ordered eviction of any tenant for which rent increases are controlled by Chapter 86, and upon compliance with this section, at the time of re-rental of a unit pursuant to this section, a landlord may negotiate a rental with the proposed new tenant at a level mutually agreeable between the landlord and the proposed tenant. The negotiated rent increase for a mobile home rental space shall not, however, exceed ten (10%) percent of the former base rent.

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

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. This ordinance shall take effect after second reading 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 Council of the Township of Jackson, in the County of Ocean, State of New Jersey, held on **January 21, 2010** and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **9th day of February 2010**, at 7:30 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 95 W. Veterans Highway, Jackson, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

ANN MARIE EDEN, RMC
Township Clerk, Township of Jackson

02-10

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE TOWNSHIP CODE OF THE TOWNSHIP OF JACKSON SO AS TO DELETE CHAPTER 48, ENTITLED “CLAIMS FOR DAMAGES”

**MOTION TO APPROVE ORDINANCE 02-10 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON FEBRUARY 9, 2010 BY: MARTIN
MOTION SECONDED BY: UPDEGRAVE
YES: BRESSI, MARTIN, UPDEGRAVE, RIVIERE, & KAFTON**

COUNCILWOMAN UPDEGRAVE explained towns can use their own form for tort claims.

ORDINANCE 02-10

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

SECTION 1. The Township Code of the Township of Jackson is hereby amended and supplemented so as to delete Title 48, entitled “Claims for Damages,” in its entirety and replace it with the word “Reserved.”

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

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Date: _____

MAYOR MICHAEL REINA

NOTICE

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ANN MARIE EDEN, RMC
Township Clerk, Township of Jackson

03-10

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 80 OF THE TOWNSHIP CODE, ENTITLED “OPEN SPACE TRUST FUND”

**MOTION TO APPROVE ORDINANCE 03-10 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON FEBRUARY 9, 2010 BY: RIVERE
MOTION SECONDED BY: MARTIN
YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON**

COUNCIL VICE PRESIDENT RIVERE noted this ordinance is a result of the voter referendum for the change to two cents instead of three cents per \$100 valuation.

ORDINANCE NO. 03-10

SECTION 1. The Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 80 entitled “Open Space Trust Fund” so as to amend Section 80-2 entitled “Funding”, which shall read in its entirety as follows:

80-2.

Beginning in 2010, a special tax rate shall be added to the total Township rate in the amount of \$0.02 per \$100 of the annual assessment valuations and tax rate, the revenue from which shall be deposited into the Open Space Trust Fund. The Township may, in its discretion, deposit additional municipal monies into the Open Space Trust Fund, which deposits shall then be subject to all of the provisions governing the Open Space Trust Fund. The Open Space Trust Fund shall also be authorized to accept donations and testamentary bequests.

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

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law and in accordance with N.J.S.A. 40:69A-181(b).

Date: _____

MAYOR MICHAEL REINA

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Jackson, in the County of Ocean, State of New Jersey, held on **January 21, 2010**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **9th day of February, 2010**, at 7:30 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 95 W. Veterans Highway, Jackson, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

ANN MARIE EDEN
Jackson Township Clerk

PUBLIC HEARING OPENED, RESOLUTIONS ONLY

DAN GROSS, 18 POINTE CIRCLE asked how the positions are filled for the Jackson MUA (Resolutions 060R-10 and 061R-10). Council President Kafton said someone could notify Council they are interested and send a resume. Mr. Gross asked if the candidates have experience in that field. Council President Kafton said the only requirement is that you are a Jackson resident. Councilman Martin said they look at the resumes and discuss it amongst themselves, and then during the public portion, someone will make a motion to nominate a candidate they are comfortable with.

Speaking of the tort claim form, which is used when someone wants to sue the town, he asked if the attorney normally does that. Attorney Foran said this has to do with a form the Town would normally adopt, and this is the form we are adopting. If they don't fill out our form, that could be grounds to have the case dismissed.

Resolution 058R-10, property seized by the police becoming township property, Mr. Gross asked if it couldn't be auctioned and was told that is the process prior to auction. Clerk Eden said in this case, this is unclaimed cash that people have not claimed. Councilwoman Updegrave said they have 60 days to get in touch with the Police Department, and after 60 days, the Police can take this action.

SEAN GIBLIN, 515 S. COOKS BRIDGE ROAD asked about 060R-10, appointing Alternate No. 1 to the Jackson MUA, and that this is 'discussed among the Council', and he hoped this wasn't a violation of the Sunshine Law. Councilman Martin said not at all, no more than two people at a time discuss this and no decisions are made in advance. Mr. Giblin read the mission statement of the MUA, and asked Mr. Foran if there is any disqualifying factor or conflict of interest based on the business they run, in sitting on this Board. Attorney Foran said there could be a possibility, depending on the nature of the business, and it is a matter for the MUA attorney to address. There is a difference between disqualifying themselves for conflict of interest and having to recuse oneself from an issue. Council President Kafton asked if there is a concern he needed to know about. Mr. Giblin said the bedding process should include any conflicts of interest. Councilman Bressi excused himself from any comment as his wife is a clerk at the MUA. Mr. Giblin said many times you need to look at the public's perception.

**MOTION TO CLOSE PUBLIC HEARING, RESOLUTIONS ONLY BY: MARTIN
MOTION SECONDED BY: UPDEGRAVE
YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON**

RESOLUTION 055R-10

TITLE: AMEND TEMPORARY OPERATING BUDGET CY 2010

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON

WHEREAS, in accordance with N.J.S.A. 40A:4-19, "the governing body may and, if any contracts, commitments or payments are to be made prior to the adoption of the budget, shall by resolution adopted within the first 30 days of the beginning of the fiscal year, make appropriations to provide for the period between the beginning of the fiscal year and the adoption of the budget; and

WHEREAS, The total of appropriations so made shall not exceed 26.25% of the total of the appropriations made for all purposes in the budget for the preceding fiscal year excluding in both instances, appropriations made for interest and debt redemption charges capital improvement fund and public assistance; and

WHEREAS, nothing herein contained shall prevent or relieve the governing body from making appropriations during the last 10 days of the year preceding the beginning of the fiscal year for all interest and debt redemption charges maturing during the fiscal year".

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

1. The following annexed schedule totaling \$8,961,750.47 for the 2010 Temporary Municipal Operating Budget of the Township of Jackson is hereby made for the above stated reasons.
2. This resolution shall take effect upon majority affirmative vote of Jackson Township's Council members.
3. Copies of this executed resolution to the Administrator, Chief Financial Officer and Auditor.

DATED: 1/21/10

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

RESOLUTION 056R-10

TITLE: TO AMEND 2009 BUDGET- TRANSFER RESOLUTION #4

MOTION TO APPROVE BY: BRESSI

MOTION SECONDED BY: MARTIN

YES: BRESSI, MARTIN, UPDEGRAVE, RIVIERE, & KAFTON

**APPROPRIATION TRANSFERS DURING LAST TWO MONTHS
OF THE FISCAL YEAR OR THE FIRST THREE MONTHS OF THE CURRENT YEAR**

WHEREAS, under the provisions of N.J.S.A. 40A:4-58, "Should it become necessary, during the last 2 months of the fiscal year, or the first three months of the current year to expend for any other purposes specified in the budget an amount in excess of the respective sums appropriated therefore and there shall be an excess in any appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, the governing body may, by resolution setting forth the facts, adopted by not less than 2/3 vote of the full membership thereof, transfer the amount of such excess to those appropriations deemed to be insufficient; no transfers may be made to appropriations for contingent expenses or deferred charges."

WHEREAS, certain appropriations listed herein have amounts in excess necessary to fulfill its purpose and others have insufficient funding for the calendar year.

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

1. The following annexed transfer schedule (#4) for the 2009 Municipal Operating Budget of the Township of Jackson are hereby made for the above stated reasons:
2. This resolution shall take effect upon two-thirds affirmative vote by the full governing body of the Township of Jackson.
3. Copies of this resolution to the Administrator, Chief Financial Officer and Auditor.

DATED: 1/21/10

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

**RESOLUTION 057R-10
TITLE: CONSENT TO THE APPOINTMENT OF MEMBER TO THE
EMERGENCY MEDICAL SERVICES ADVISORY BOARD**

**MOTION TO APPROVE BY: BRESSI
MOTION SECONDED BY: RIVERE
YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON**

WHEREAS, under date of November 10, 2009, a vacancy exists on the Emergency Medical Services Advisory Board; and

WHEREAS, the Mayor, with the advice and consent of Council, is authorized to make said appointment pursuant to Chapter 3-167 of the Administrative Code of the Township of Jackson; and

WHEREAS, the Mayor desires to fill said vacancies on this board.

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

1. That pursuant to N.J.S.A. 40:69A-36(B), the Township Council does hereby consent to the appointment of the following individual to fill the unexpired term of Kenneth J. Bressi on the Emergency Medical Services Advisory Board for a term commencing immediately and ending June 30, 2010:

Kathy Patrick

2. Appointee shall serve without compensation.

3. Copies of this resolution to Municipal Administrator, Appointee and any other interested parties.

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

DATED: 1/21/10

**RESOLUTION 060R-10
TITLE: APPOINT ALTERNATE NO. 1 MEMBER TO THE JACKSON
TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

**MOTION TO APPROVE DEBRA GAROFANO BY: MARTIN
MOTION SECONDED BY: UPDEGRAVE
YES: MARTIN, UPDEGRAVE
NO: RIVERE, & KAFTON
NOT VOTING: BRESSI
MOTION FAILED**

**MOTION TO NAME JOYCE CLADEK BY: RIVERE
MOTION SECONDED BY: KAFTON (AFTER STEPPING FROM THE CHAIR)
YES: RIVERE, KAFTON
NO: UPDEGRAVE
ABSTAIN: MARTIN
NOT VOTING: BRESSI
MOTION PASSES**

WHEREAS, a vacancy will exist on the Jackson Township Municipal Utilities Authority for Alternate No. 1 as of January 31, 2010 due to the expiration of the term of Debra Garofano (Alternate #1); and

WHEREAS, Chapter 3, Section 148 of the Administrative Code of the Township of Jackson provides for the appointment of members to the Jackson Township Municipal Utilities Authority for a term of five (5) years; and

WHEREAS, it is the desire of this Township Council to fill said vacancy.

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

1. Joyce Cladek is hereby appointed as Alternate #1 of the Jackson Township Municipal Utilities Authority for a five (5) year term commencing February 1, 2010 and ending January 31, 2015.
2. Appointee shall perform such duties and responsibilities as set forth by the State Statute and the Municipal Code of the Township of Jackson.
3. Certified copies of this Resolution to Municipal Administrator, Executive Director Jackson Township Municipal Utilities Authority, appointee and any other interested parties.

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

DATED: 1/21/10

RESOLUTION 061R-10

TITLE: APPOINT MEMBER TO THE JACKSON TOWNSHIP MUA

MOTION TO APPOINT BILL ALLMANN BY: MARTIN

MOTION SECONDED BY: RIVERE

YES: MARTIN, UPDEGRAVE, RIVERE

ABSTAIN: KAFTON

NOT VOTING: BRESSI

MOTION PASSES

WHEREAS, a vacancy will exist on the Jackson Township Municipal Utilities Authority as of January 31, 2010 due to the expiration of the term of William J. Allmann (member); and

WHEREAS, Chapter 3, Section 148 of the Administrative Code of the Township of Jackson provides for the appointment of members to the Jackson Township Municipal Utilities Authority for a term of five (5) years; and

WHEREAS, it is the desire of this Township Council to fill said vacancy.

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

1. William Allmann is hereby appointed as a member of the Jackson Township Municipal Utilities Authority for a five (5) year term commencing February 1, 2010 and ending January 31, 2015.
2. Appointee shall perform such duties and responsibilities as set forth by the State Statute and the Municipal Code of the Township of Jackson.
3. Certified copies of this Resolution to Municipal Administrator, Executive Director Jackson Township Municipal Utilities Authority, appointee and any other interested parties.

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

DATED: 1/21/10

RESOLUTION 064R-10

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO NEXTEL WEST CORP. OF THE PERFORMANCE BOND ISSUED FOR BLOCK 120.06, LOTS 25.03 & 34-37

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: RIVERE

YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON

WHEREAS, Nextel West Corp. has requested a Release of the Performance Guarantee, which consists of \$5,586.00 in the form of a Performance Bond #674011545 issued by Liberty Mutual Insurance Company, pertaining to Block 120.06, Lots 25.03 & 34-37, Jackson Township; and

WHEREAS, Al Yodakis of T&M Associates, Township Engineer, has reviewed and approved the release of said performance bond in letter report dated January 5, 2010, which letter report is made a part hereof; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Jackson, County of Ocean and State of New Jersey, that the Performance Guarantee, which consists of Performance Bond 674011545 issued by Liberty Mutual Insurance Company in the amount of \$5,586.00 heretofore posted with the Township may and hereby is released. The developer has sent a letter to the Township stating that they are formally abandoning the site and have no intentions of construction. Therefore, it is also the recommendation of the engineer that a maintenance guarantee not be required since no bonded improvements are installed.

1. 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.
2. Copies of this resolution to Administration, Finance, Applicant/Developer and 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: 1/21/10

RESOLUTION 065R-10

TITLE: AUTHORIZING THE ADOPTION OF A NOTICE OF TORT CLAIM FORM

MOTION TO APPROVE BY: BRESSI

MOTION SECONDED BY: RIVERE

YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON

WHEREAS, pursuant to N.J.S.A. 59:8-6, a municipality may adopt a form which specifies the information to be contained in claims filed against the municipality under the Tort Claims Act; and

WHEREAS, the Township of Jackson desires to adopt the Notice of Tort Claim form attached hereto as its official Notice of Tort Claim Form.

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

1. That the Notice of Tort Claim form attached hereto and made a part hereof as Schedule A is hereby adopted as the official Notice of Tort Claim form for the Township of Jackson.
2. That this resolution shall take effect immediately.

3. That a certified copy of this resolution be provided to Scibal Associates.

DATED: 1/21/10

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

RESOLUTION 068R-10

**TITLE: CONSENT TO THE APPOINTMENT OF CARLOS FERREIRA, ESQ.
AS CONFLICT/ALTERNATE PUBLIC DEFENDER**

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: RIVERE

YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON

WHEREAS, P. L. 1997, Chapter 256 requires municipalities within the State of New Jersey to appoint Conflict/Alternate Public Defenders to act in the absence of the Municipal Public Defender; and

WHEREAS, there exists a need for Legal Services as Conflict /Alternate Public Defender of the Township of Jackson in accordance with N.J.S.A. 2B:24-3; and

WHEREAS, the Township accordingly needs to appoint an additional Conflict/Alternate Public Defender in accordance with the requirements of said law; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. allows the award of contracts for "Professional Services" without competitive bidding under certain guidelines pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, this appointment is made without competitive bidding for "Professional Services" to be performed by a person authorized by law to practice a recognized profession although the Township did receive proposals for said appointment; and

WHEREAS, said contract shall provide for the payment of \$200.00 per client in the event the Township calls upon said Conflict/Alternate Public Defender for the term established herein; and

WHEREAS, this contract will not exceed the bid threshold of \$17,500.00; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the 2010 municipal budget for legal services; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, requires that the resolution and contract be made available for public inspection.

WHEREAS, the Mayor, with the advice and consent of the Township Council, desires to appoint Carlos Ferreira, Esq. as Conflict/Alternate Public Defender for a term commencing January 1, 2010 and ending June 30, 2010.

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

1. That Carlos Ferreira, Esq., 111 Clifton Avenue, Suite 13, Lakewood, NJ 08701 is hereby appointed Township Conflict/Alternate Public Defenders for a term commencing January 1, 2010 and ending June 30, 2010 and shall perform all legal services under the contract authorized herein.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to a contract agreement with Carlos Ferreira, Esq. Said contracts will provide for the payment of \$200.00 per client in the event that the Township calls upon said Conflict/Alternate Public Defender during the term of this contract.
3. That this contract is awarded as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(l)(a)(i) of the Local Public Contracts Law because it is for

services to be performed by person(s) authorized by law to practice a recognized profession.

4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That the within resolution shall be effective nunc pro tunc to January 1, 2010.

That a certified copy of this resolution shall be provided by the Township Clerk to the Township Administrator, Chief Financial Officer, Purchasing Agent, Municipal Court, Appointee and any other interested party.

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

DATED: 1/21/10

RESOLUTION 070R-10

TITLE: RESOLUTION OF THE COUNCIL OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN AUTHORIZING THE REFUND OF CERTAIN NON-RESIDENTIAL DEVELOPMENT FEES PURSUANT TO THE NEW JERSEY 2009 STIMULUS ACT, P.L. 2009, C.90

MOTION TO APPROVE BY: BRESSI

MOTION SECONDED BY: UPDEGRAVE

YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE

ABSTAIN: KAFTON

WHEREAS, on July 17, 2008 the Governor signed P.L. 208 c.46 that created the 2.5% Statewide Non-Residential Fee and also invalidated all municipal ordinances regarding affordable housing obligations or fees for non-residential developers; and

WHEREAS, on July 27, 2009, the Governor signed the NJ 2009 Stimulus Act P.L. 2009, c.90 that exempted certain non-residential developers from being required to pay the 2.5% statewide development fee, as well as suspended the fee for certain non-residential developers; and

WHEREAS, as part of the Stimulus Act, the State established a procedure for a non-residential developer that had an approval prior to July 17, 2008, but that sought a certificate of occupancy after July 17, 2008 and that paid or was obligated to pay the 2.5% statewide development fee to be able to claim a refund and/or exemption pursuant to the Stimulus Act; and

WHEREAS, three non-residential filed a claim for a refund pursuant to the Stimulus Act for fee actually paid or for fees that are presently pending; attached as Schedule A is a list of the non-residential developers and the amount of the payments actually made to the Township pursuant to the 2.4% Statewide Non-Residential Developer Fee; and

WHEREAS, the Township adopted its original development fee ordinance affecting residential and non-residential developers in October 1993. However, there was a policy shift in April 2004, when the Township adopted the first growth share ordinance that required residential and non-residential developers to provide affordable housing, or payments in lieu thereof, pursuant to ratios established by COAH based upon COAH's original 3rd round rules that were pending at the time; and

WHEREAS, the Township adopted its original development fee ordinance affecting residential and non-residential developers in October 1993. However, there was a policy shift in April 2004, when the Township adopted the first growth share ordinance that required residential and non-residential developers to provide affordable housing, or payments in lieu thereof, pursuant to ratios established by COAH based upon COAH's original 3rd round rules that were pending at the time; and

WHEREAS, once the growth share ordinance was implemented it was the Township's policy to no longer have developers be obligated under the development fee ordinance if they satisfied the criteria set forth in the new growth share ordinance due to the fact that as the effective dates of the adoption of the growth share ordinance all non-residential developers were obligated to comply with the growth share ordinance and not the development fee ordinance; and

WHEREAS, the Stimulus Act also provides a procedure for municipalities to seek reimbursement from the State for any development fee actually refunded or excepted in the Act; and

WHEREAS, the Act also provides that if the State does not have sufficient funds to reimburse municipalities that seek reimbursement from the State by April 1, 2010, then the growth share obligation generated by the non-residential development will not be counted as part of the municipality's third round growth share obligation.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Jackson, County of Ocean, State of New Jersey that the Council does hereby take the following actions:

1. To direct the CFO to immediately refund all development fees actually paid by all of the non-residential developers listed on Schedule "A" attached hereto.
2. All of the non-residential developers listed on Schedule A are not required to satisfy any obligation to make developer fee payments or otherwise provide for any affordable housing pursuant to Township Ordinances or State Statutes.
3. Authorize the Township officials and Professionals to seek reimbursement from the State for the funds actually refunded or otherwise were due and owing to the Townships for the non-residential developers as listed on Schedule A as a result of and pursuant to the Stimulus Act.
4. A certified copy of this resolution shall be provided by the Clerk's Office to each of the following:
 - a. Phil DelTurco, Township Administrator/Municipal Liaison
 - b. George Gilmore, Township Attorney
 - c. John Maczuga, Affordable Housing Planner
 - d. John F. Russo Jr., Esq., Affordable Housing Counsel
 - e. Sharon Pinkava, CFO
 - f. Planning Board
 - g. Rehabco, Affordable Housing Admin
 - h. Philip Caton, Court Master

DATED: 1/21/10

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

RESOLUTION 073R-10

TITLE: AUTHORIZING THE EXECUTION OF A LETTER OF INTENT AGREEMENT WITH CROWN ATLANTIC COMPANY, LLC, FOR LEASE AMENDMENT NO. 2 FOR A PORTION OF BLOCK 40, LOT 36, IN THE TOWNSHIP OF JACKSON

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: BRESSI

COUNCIL VICE PRESIDENT RIVERE said the new agreement pays to Jackson Township 50% of the gross revenues derived from the tower; with the addition of Metro PCS, will equal \$92,000 per year. She asked if the \$92,000 per year is the gross portion,

and Administrator Del Turco said it would be a net increase of \$55,000 per year, the \$92,000 is gross. Administrator Del Turco thanked Mr. Mayerowitz and Mr. Sonderman for their negotiations with Crown Castle.

YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON

WHEREAS, on April 14, 1992, the Township of Jackson entered into a Land Lease Agreement with Bell Atlantic Mobile Systems, Inc., for a portion of Block 40, Lot 36, for the installation and maintenance of utility wires, poles, conduits, and pipes; and

WHEREAS, by the First Amendment to the Land Lease Agreement, dated August 16, 2001, the Township consented to the assignment of the Land Lease to the Crown Atlantic Company, LLC (“Crown”) and a sharing of any subsequent sublease revenues; and

WHEREAS, the parties have negotiated a Second Amendment to the Land Lease Agreement, the terms of which are contained in a Letter of Intent Agreement, which is attached hereto as Schedule A; and

WHEREAS, the Second Amendment includes five (5) five-year renewals, and provides the Township with fifty (50%) percent of the rental revenues received by Crown; and

WHEREAS, the Township Council desires to authorize the execution of the attached Letter of Intent Agreement.

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

1. That the Mayor is hereby authorized to execute the Letter of Intent Agreement which is attached hereto as Schedule A.
2. That a certified copy of this resolution be provided by the Township Clerk to Crown.

DATED: 1/21/10

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

BILLS AND CLAIMS

MOTION TO APPROVE BILLS AND CLAIMS BY: UPDEGRAVE

MOTION SECONDED BY: RIVERE

YES: BRESSI, MARTIN, UPDEGRAVE (abstain from 60 Acre), RIVERE & KAFTON (abstain from CON 40)

CHECK#	VENDOR	AMOUNT
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01/22/10
08:40:04

JACKSON TOWNSHIP
Check Register By Check Date

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Range of Checking Accts: First to Last Range of Check Dates: 01/21/10 to 01/21/10
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check # Check Date Vendor Amount Paid Reconciled/Void Ref Number

AFF HSNQ 3RD RD AFFORDABLE HOUSING 3RD RD OF
101 01/21/10 JAC97 JKSN TWP AFFORDABLE HOUSING 223,409.57 3482

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
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Direct Deposit:	0	0	0.00	0.00
Total:	1	0	0.00	223,409.57

CAPITAL

61136	01/21/10	FRE10	FRENCH & PARRELLO ASSOC., P.A.	805.00	3477
61137	01/21/10	GIL02	GILMORE & MONAHAN, P.A.	180.00	3477
61138	01/21/10	REH04	REHABCO, INC.	1,458.00	3477
61139	01/21/10	RUS10	RUSSO & CASSIDY, LLC	6,330.00	3477

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	4	0	0.00	8,773.00
Direct Deposit:	0	0	0.00	0.00
Total:	4	0	0.00	8,773.00

CURRENT

81524	01/21/10	JAC15	JACKSON TOWNSHIP P/R ACCOUNT	755,962.26	3470
81525	01/21/10	52602	526 LAND, LLC	781.29	3474
81526	01/21/10	ACM01	A.C. MOORE, INC.	147.14	3474
81527	01/21/10	ALL06	ALLIED DIESEL SERVICE, INC.	89.22	3474
81528	01/21/10	ALL12	ALL PRO TRANSMISSIONS	142.50	3474
81529	01/21/10	ALS01	AL'S AUTO REPAIRS INC.	135.00	3474
81530	01/21/10	ARR01	ARROW LOCKSMITH & SECURITY INC	5.00	3474
81531	01/21/10	ASB01	ASBURY PARK PRESS, INC.	0.00	01/21/10 VOID
81532	01/21/10	ASB01	ASBURY PARK PRESS, INC.	912.48	3474
81533	01/21/10	ATT09	AT&T MOBILITY	243.63	3474
81534	01/21/10	BAC05	BAC TAX SERVICES CORP	18,504.24	3474
81535	01/21/10	BAY06	BAYWAY LUMBER	332.67	3474
81536	01/21/10	BER20	THOMAS BERGSTROM	3,056.63	3474
81537	01/21/10	BEV01	BEYER BROTHERS CORP.	469.74	3474
81538	01/21/10	BIL01	BIL-JIM CONSTRUCTION CO., INC.	5,177.75	3474
81539	01/21/10	BIS01	GRACE BISIGNANO	223.89	3474
81540	01/21/10	BLU11	BLUE STAR OF NJ INC.	593.00	3474
81541	01/21/10	BOC02	JAMIE BOCCIA	376.00	3474
81542	01/21/10	BRO43	ERIK BRODOWSKI	141.00	3474
81543	01/21/10	BRO44	MELISSA BROWN	141.00	3474
81544	01/21/10	BUR32	LORI BURNS	141.00	3474
81545	01/21/10	BUT04	BUTLER OFFICE INTERIORS	2,574.45	3474
81546	01/21/10	CAR26	CARL'S FENCING INC.	317.87	3474
81547	01/21/10	CAT13	KAREN CATANESE	141.00	3474
81548	01/21/10	CDW01	CDW GOVERNMENT, INC.	378.00	3474
81549	01/21/10	CHI22	CHILDWORK/CHILDSPRAY	447.48	3474

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Check Register by Check Date

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Check #	Check Date	Vendor	Amount Paid	Reconciled/void	Ref Number
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81551	01/21/10	CIT01 CITTA,HOLZAPFEL & ZABARSKY	1,098.50		3474
81552	01/21/10	CLA01 CLARK, CATON & HINTZ CORP.	405.38		3474
81553	01/21/10	CLA16 CLAYTON'S TREE NURSERY & AGWAY	400.16		3474
81554	01/21/10	CME01 CME ASSOCIATES	3,159.50		3474
81555	01/21/10	COA07 COASTAL WINDOW TINTING,L.L.C.	370.00		3474
81556	01/21/10	COL18 COLLEGE TV INC.	317.00		3474
81557	01/21/10	COM19 COMPLETE SECURITY SYSTEMS INC	1,350.00		3474
81558	01/21/10	CON31 CONTRACTOR SERVICE	578.84		3474
81559	01/21/10	CON38 CONNER STRONG COMPANIES,INC.	2,220.54		3474
81560	01/21/10	COR14 CORE MECHANICAL, INC.	560.00		3474
81561	01/21/10	COR39 BERNARD & DONNA W CORMAN	671.81		3474
81562	01/21/10	COS01 COSTCO WHOLESALE 229	54.10		3474
81563	01/21/10	COU35 COURAGE TO CHANGE	87.84		3474
81564	01/21/10	DEL06 DELL MARKETING L.P.	2,228.00		3474
81565	01/21/10	DEM14 ERICA DEMATO	141.00		3474
81566	01/21/10	DEP02 DEPTCOR/BUREAU OF	416.15		3474
81567	01/21/10	DOW01 DOWNS FORD, INCORPORATED	895.58		3474
81568	01/21/10	DRA03 DRAEGER SAFETY DIAGNOSTICS,INC	139.95		3474
81569	01/21/10	DSI01 DSI MEDICAL SERVICES,INC.	111.45		3474
81570	01/21/10	EDM01 EDMUNDS & ASSOCIATES, INC.	16,755.00		3474
81571	01/21/10	EJS01 E.J. SCHUSTERS, INC.	410.89		3474
81572	01/21/10	EMT01 EMTEC INC.	934.85		3474
81573	01/21/10	EXC01 EXCAVATING MATERIALS &	585.88		3474
81574	01/21/10	EZP01 NJ E-Z PASS CUSTOMER SVC CTR.	200.00		3474
81575	01/21/10	FAR05 FARRO'S FAR OUT TEE'S,INC.	651.41		3474
81576	01/21/10	FER18 LIZABETH FERULLO	235.00		3474
81577	01/21/10	FIR40 FIRST AMERICAN REAL ESTATE TAX	82,570.59		3474
81578	01/21/10	FLA07 Sheila Flamm	41.00		3474
81579	01/21/10	FLU02 Denise Fluck	41.00		3474
81580	01/21/10	GAC01 STEFANIE GACHINEIRO	141.00		3474
81581	01/21/10	GAL15 GALLOWAY ENTERPRISES	28,440.00		3474
81582	01/21/10	GIL02 GILMORE & MONAHAN, P.A.	0.00	01/21/10 VOID	0
81583	01/21/10	GIL02 GILMORE & MONAHAN, P.A.	6,094.73		3474
81584	01/21/10	GLO03 GLORY'S DISCOUNT MARKET, INC.	50.06		3474
81585	01/21/10	GOO01 GOOD FRIEND ELECTRICAL	106.00		3474
81586	01/21/10	GUA03 VICTOR GUARINO JR	468.78		3474
81587	01/21/10	HEA15 STEPHANIE HEALY	141.00		3474
81588	01/21/10	HIG08 MARIANNE HIGGINS	141.00		3474
81589	01/21/10	HOM08 THE HOME DEPOT	980.96		3474
81590	01/21/10	HUN03 HUNTER JERSEY PETERBILT	1,405.11		3474
81591	01/21/10	IKO01 IKON OFFICE SOLUTIONS	796.60		3474
81592	01/21/10	INT22 INTERNATIONAL SALT COMPANY	30,512.56		3474
81593	01/21/10	INT31 INTERPORT MAINTENANCE CO.,INC.	1,825.00		3474
81594	01/21/10	JAC12 JACKSON TWP. BOARD OF ED.	5,913,989.00		3474
81595	01/21/10	JAG02 ERIC & TINA JAGO	293.95		3474
81596	01/21/10	JCP01 JERSEY CENTRAL POWER & LIGHT	0.00	01/21/10 VOID	0
81597	01/21/10	JCP01 JERSEY CENTRAL POWER & LIGHT	0.00	01/21/10 VOID	0
81598	01/21/10	JCP01 JERSEY CENTRAL POWER & LIGHT	0.00	01/21/10 VOID	0
81599	01/21/10	JCP01 JERSEY CENTRAL POWER & LIGHT	22,953.11		3474
81600	01/21/10	JDM01 JDM PLANNING ASSOCIATES,LLC	2,730.00		3474
81601	01/21/10	JEV01 JAIME VARGAS	1,650.00		3474
81602	01/21/10	JOH15 JOHNNY ON THE SPOT	567.65		3474
81603	01/21/10	KEL20 JACQUELYN KELLER	235.00		3474

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Check Register By Check Date

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
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81606	01/21/10	LAN31 CATHERINE LANGE	141.00		3474
81607	01/21/10	LAR06 KELLY LARSON	141.00		3474
81608	01/21/10	LAW02 LAWYERS DIARY & MANUAL	84.25		3474
81609	01/21/10	LOW02 LOWE'S COMPANY INC.	239.04		3474
81610	01/21/10	MAJ04 MAJESTIC OIL CO.INC.	482.16		3474
81611	01/21/10	MAN31 LAUREN MANCINI	413.00		3474
81612	01/21/10	MAZ04 MAZZA RECYCLING, INC.	25,150.22		3474
81613	01/21/10	MCC04 MCCRYSTAL REPORTING SERVICE	200.00		3474
81614	01/21/10	MER10 MERIDIAN OCCUPATIONAL HEALTH	105.00		3474
81615	01/21/10	MGL01 MGL PRINTING SOLUTIONS	921.25		3474
81616	01/21/10	MON37 MONMOUTH TELECOM	1,363.06		3474
81617	01/21/10	MON44 MONTE CONTRACTING INC.	840.00		3474
81618	01/21/10	MOT03 MOTOROLA	726.00		3474
81619	01/21/10	MOT10 MOTOROLA	105.20		3474
81620	01/21/10	MUS08 CHARLES MUSTO	41.00		3474
81621	01/21/10	NAP02 NAPCO/R.S.KNAPP CO.INC	31.68		3474
81622	01/21/10	NEX01 NEXTEL COMMUNICATIONS	3,959.06		3474
81623	01/21/10	NJA08 NJASRO	420.00		3474
81624	01/21/10	NJI03 NJ-TAAI	30.00		3474
81625	01/21/10	NJL01 NJLM	165.00		3474
81626	01/21/10	NJN03 NEW JERSEY NATURAL GAS	0.00	01/21/10 VOID	0
81627	01/21/10	NJN03 NEW JERSEY NATURAL GAS	8,759.33		3474
81628	01/21/10	NJP02 NEW JERSEY PLANNING OFFICIALS	25.00		3474
81629	01/21/10	NJS02 NJSJM	2,795.00		3474
81630	01/21/10	NJS07 NEW JERSEY STATE SFTY CNCL INC	600.00		3474
81631	01/21/10	NOR18 NORMAN'S GLASS & AUTO SVCS, INC	253.13		3474
81632	01/21/10	OCE02 OCEAN COUNTY BOARD OF HEALTH	4,259.00		3474
81633	01/21/10	OFF06 OFFICE NEEDS	453.94		3474
81634	01/21/10	OFF07 OFFICE FURNITURE PLUS, INC	608.00		3474
81635	01/21/10	ORN01 GRACE ORNER	11.49		3474
81636	01/21/10	PAR32 JERRIANN PARLOW	235.00		3474
81637	01/21/10	PED01 PEDRONI FUEL COMPANY, INC.	30,136.90		3474
81638	01/21/10	PIN19 PTNA M. INC.	356.92		3474
81639	01/21/10	POL19 JOHN POLLOCK	94.00		3474
81640	01/21/10	PRE14 STEVEN PREZWODEK	41.00		3474
81641	01/21/10	REM01 REMINGTON, VERNICK & VENA ENG.	1,755.75		3474
81642	01/21/10	ROB11 CHERYL ROBINSON	1,133.54		3474
81643	01/21/10	RUT14 RUTGERS, THE STATE UNIVERSITY	135.00		3474
81644	01/21/10	RWV01 RWV LAND/LIVESTOCK CO. INC.	2,410.63		3474
81645	01/21/10	SAF09 SAFETY PLAY, INC.	244.00		3474
81646	01/21/10	SEE01 SEELY EQUIPMENT & SUPPLY	678.03		3474
81647	01/21/10	SEW08 DIANE SENDECKI	141.00		3474
81648	01/21/10	SHO13 SHOPRITE/PERLMART, INC.	134.93		3474
81649	01/21/10	SMI20 RYLLA SMITH	141.00		3474
81650	01/21/10	SNA01 SNAP-ON INDUSTRIAL	703.10		3474
81651	01/21/10	SPR02 SPRINT	1,371.78		3474
81652	01/21/10	STA17 STAPLES BUSINESS ADVANTAGE	732.11		3474
81653	01/21/10	SVO01 MELISSA SVOBODA	141.00		3474
81654	01/21/10	TCT03 TCTANJ	150.00		3474
81655	01/21/10	TEL03 TELE-MEASUREMENTS INC.	1,535.00		3474
81656	01/21/10	TMO1 T & M ASSOCIATES, INC.	4,452.72		3474
81657	01/21/10	TMO2 T & M ASSOCIATES	620.00		3474

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JACKSON TOWNSHIP
Check Register By Check Date

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
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81660	01/21/10	TRE12 TREASURER, STATE OF NEW JERSEY	11,395.00		3474
81661	01/21/10	TRE25 TRENDWAY CORPORATION	422.28		3474
81662	01/21/10	TRE34 TREC-STATE OF NJ	1,325.00		3474
81663	01/21/10	TRIO4 TRICO	783.92		3474
81664	01/21/10	TUSO1 TUSCANY ITALIAN SPECIALTY FOOD	1,350.35		3474
81665	01/21/10	UPS02 UNITED PARCEL SERVICE	17.16		3474
81666	01/21/10	USA03 USA MOBILITY WIRELESS, INC.	8.96		3474
81667	01/21/10	VAN25 KAREN VANDERBURGH	188.00		3474
81668	01/21/10	VER03 VERIZON WIRELESS	1,898.51		3474
81669	01/21/10	VER04 VERIZON	0.00	01/21/10 VOID	0
81670	01/21/10	VER04 VERIZON	2,359.93		3474
81671	01/21/10	VER03 NORTHSTAR VETS	424.53		3474
81672	01/21/10	WAL30 CHRISTINA WALDRON	141.00		3474
81673	01/21/10	WEL13 WELLS FARGO HOME MORTGAGE	21,691.12		3474
81674	01/21/10	WES01 WEST-THOMSON CORPORATION	137.00		3474
81675	01/21/10	WIN11 KELLY WINTHROP, LLC	135.00		3474

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	145	7	0.00	7,072,322.08
Direct Deposit:	0	0	0.00	0.00
Total:	145	7	0.00	7,072,322.08

DEV FEES-COAH	DEV FEES - COAH (NEW)			
106	01/21/10	ALL48 ALLMAN PROPERTIES	3,260.00	3480
107	01/21/10	CLA01 CLARK, CATON & HINTZ CORP.	434.75	3480
108	01/21/10	CON40 CONCORD ESTATES	4,469.00	3480
109	01/21/10	GIL02 GILMORE & MONAHAN, P.A.	405.60	3480
110	01/21/10	JPM01 JP MORGAN CHASE BANK, NA	12,720.00	3480
111	01/21/10	REH04 REHABCO, INC.	1,458.00	3481

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	6	0	0.00	22,747.35
Direct Deposit:	0	0	0.00	0.00
Total:	6	0	0.00	22,747.35

DEVELOPERS-OF	DEVELOPERS-OCEAN FIRST			
62590	01/21/10	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	5,580.00	3472
62591	01/21/10	BRO13 BROOKSIDE MEADOWS LLC	419.89	3475
62592	01/21/10	CMF01 CMF, INC.	0.00	01/21/10 VOID
62593	01/21/10	CMF01 CMF, INC.	709.38	3475
62594	01/21/10	EST02 ESTATE OF HENRY A SCHANNEN, JR	1,867.90	3475
62595	01/21/10	GER10 GERTNER RIORDAN LLC	0.00	01/21/10 VOID
62596	01/21/10	GER10 GERTNER RIORDAN LLC	2,318.32	3475
62597	01/21/10	JAC08 JACKSON TOWNSHIP CURRENT FUND	1,864.00	3475
62598	01/21/10	KRU01 SYDNEY KRUPNICK	4,306.97	3475
62599	01/21/10	LGR01 LGK REALTY CORP.	500.00	3475
62600	01/21/10	MAD02 MAD SCIENCE OF CENTRAL NJ, LLC	525.75	3475
62601	01/21/10	OWE01 OWEN LITTLE & ASSOCIATES INC.	0.00	01/21/10 VOID

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
62602	01/21/10	OWE01 OWEN LITTLE & ASSOCIATES INC.	3,647.64		3475
62603	01/21/10	PL002 JOHN J. PLOSKONKA	626.75		3475
62604	01/21/10	REI25 HELENE REISS	812.50		3475
62605	01/21/10	REM01 REMINGTON,VERNICK & VENA ENG.	0.00	01/21/10 VOID	0
62606	01/21/10	REM01 REMINGTON,VERNICK & VENA ENG.	3,882.56		3475
62607	01/21/10	SPR06 SPRINT SPECTRUM LP	636.56		3475
62608	01/21/10	TM02 T & M ASSOCIATES	0.00	01/21/10 VOID	0
62609	01/21/10	TM02 T & M ASSOCIATES	0.00	01/21/10 VOID	0
62610	01/21/10	TM02 T & M ASSOCIATES	0.00	01/21/10 VOID	0
62611	01/21/10	TM02 T & M ASSOCIATES	0.00	01/21/10 VOID	0
62612	01/21/10	TM02 T & M ASSOCIATES	0.00	01/21/10 VOID	0
62613	01/21/10	TM02 T & M ASSOCIATES	0.00	01/21/10 VOID	0
62614	01/21/10	TM02 T & M ASSOCIATES	0.00	01/21/10 VOID	0
62615	01/21/10	TM02 T & M ASSOCIATES	0.00	01/21/10 VOID	0
62616	01/21/10	TM02 T & M ASSOCIATES	26,159.92		3475
62617	01/21/10	WEI03 SOLOMON WEINBERG	53.00		3475
62618	01/21/10	WIL25 WILLOW POINT @ VISTA CENTER	5,249.04		3475

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	17	12	0.00	59,160.18
Direct Deposit:	0	0	0.00	0.00
Total:	17	12	0.00	59,160.18

DOG DOG ACCOUNT - NEW

419	01/21/10	MGL01 MGL PRINTING SOLUTIONS	1,309.00		3476
420	01/21/10	NJS04 N.J.STATE DEPT. OF HEALTH	9.00		3476
421	01/21/10	TRE01 TREC - ADVANCED COMPUTER	1,689.61		3476

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	3	0	0.00	3,007.61
Direct Deposit:	0	0	0.00	0.00
Total:	3	0	0.00	3,007.61

GENERAL TRUST

60908	01/21/10	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	96.36		3471
60909	01/21/10	FAR05 FARRO'S FAR OUT TEE'S,INC.	308.59		3478
60910	01/21/10	JAC08 JACKSON TOWNSHIP CURRENT FUND	1,335.00		3478
60911	01/21/10	RCS02 R.C.SHEA & ASSOCIATES	1,000.00		3478
60912	01/21/10	SHE05 SHERWIN WILLIAMS COMPANY, INC.	765.35		3478

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	5	0	0.00	3,505.30
Direct Deposit:	0	0	0.00	0.00
Total:	5	0	0.00	3,505.30

PARKS REC

62822	01/21/10	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	586.13		3473
62823	01/21/10	ACM01 A.C. MOORE, INC.	245.28		3479

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
62824	01/21/10	ADV07 ADVENTURE AQUARIUM	360.00		3479
62825	01/21/10	CJ01 C & J DOLLAR DISCOUNT STORE	65.00		3479
62826	01/21/10	CLA31 CLASSIC TOURS	815.00		3479
62827	01/21/10	COM42 DONALD CONNOR	26.25		3479
62828	01/21/10	CUR07 JOSEPH CURRIE	41.00	01/21/10 VOID	3479
62829	01/21/10	CUR08 SHAUN CURRIE	26.25		3479
62830	01/21/10	HUX01 JAMES HUXFORD	41.00		3479
62831	01/21/10	LAY01 MATTHEW LAYTON	26.25		3479
62832	01/21/10	LEW01 LINDA LEWIS	26.25		3479
62833	01/21/10	ORI01 ORIENTAL TRADING COMPANY, INC.	336.74		3479
62834	01/21/10	PAN13 LICIA PANELLA	50.00		3479
62835	01/21/10	PAP04 JAMES M. PAPANDEA	127.21		3479
62836	01/21/10	PARI4 PARTY ZONE ENTERTAINMENT	325.00		3479
62837	01/21/10	PIN19 PINA M. INC.	117.95		3479
62838	01/21/10	SAN25 NATE SANTANA	26.25	01/21/10 VOID	3479
62839	01/21/10	SCH26 SCHOOL SPECIALTY INC.	1,568.78		3479
62840	01/21/10	SHO13 SHOPRITE/PERLMART, INC.	212.04		3479
62841	01/21/10	SS01 S & S ARTS & CRAFTS	523.80		3479
62842	01/21/10	STA62 GREGORY STAFFORDSMITH	26.25		3479
62843	01/21/10	USS02 U.S.S.A. PAYROLL INC.	2,340.00		3479
62844	01/21/10	CUR07 JOSEPH CURRIE	41.00		3479
62845	01/21/10	SAN25 NATE SANTANA	26.25		3479

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	22	2	67.25	7,912.43
Direct Deposit:	0	0	0.00	0.00
Total:	22	2	67.25	7,912.43

Report Totals	Paid	Void	Amount Void	Amount Paid
Checks:	203	21	67.25	7,400,837.52
Direct Deposit:	0	0	0.00	0.00
Total:	203	21	67.25	7,400,837.52

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Fund Description	Fund	Budget Total	Revenue Total
	0-01	6,763,768.32	620.00
	0-17	9.00	0.00
Year Total:		6,763,777.32	620.00
	9-01	291,577.47	0.00
	C-04	8,773.00	0.00
	G-02	16,356.29	0.00
	T-12	3,505.30	0.00
	T-13	7,912.43	0.00
	T-17	2,998.61	0.00
	T-20	246,156.92	0.00
Year Total:		260,573.26	0.00
Total of All Funds:		7,341,057.34	620.00

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Project Description	Project No.	Project Total
7200065237 WILLOW POINT	C10703	5,249.04
7200063717 HARRISON	P30099	64.85
7200063774 HENRY SCHANNEN	P30220-2	1,867.90
7200063817 SYDNEY KRUPNICK	P30335	4,306.97
7200063830 ROAD INSPECTION	P30358	82.83
7200063838 CUSTOM ESTATES II	P30371	110.00
7200063908 JORDAN EST	P30543	145.00
7200063912 LGK REALTY CORP.	P30556	500.00
7200063949 TOLL/WESTLAKE/SEC4A	P30608	110.00
7200063998 FARMINGDALE WOODS	P30702	626.75
7200064113SPRINT SPECTRUM L.P.	P30862	636.56
7200064155 TOLL BROS SEC 6C	P30917	393.75
7200064193 HILDA TARBOX	P30981	132.98
7200064198-WESTLAKE SEC6F	P30988	201.25
7200064206-SEC1A SOUTH KNOLLS	P31000	375.58
7200064207- SOUTH KNOLLS/SEC1B	P31001	307.33
7200064208-SOUTH KNOLLS/SEC1C	P31002	288.58
7200064223-MAPLEWOOD ESTATES	P31031	205.14
7200064227 WOODS AT BELAIRE	P31040	421.25
7200064230 COOKSLANDING	P31044	4,057.24
7200065153 WESTGATE	P31069	708.75
7200065173 ORLEANS CORP	P31078	1,455.22
7200065157 ORLEANS	P31079	566.75
7200065342 SOUTH KNOLL 2A,B,C	P31152	27.50
7200135389	P31160	1,291.97
7200135382 SOUTH KNOLL SEC2D	P31161	556.83
7200135432-WESTLAKE II	P31168	201.25

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Project Description	Project No.	Project Total
7200135495 K HOV @ JCKS	P31180	127.50
7200135541 HAWKINS RIDGE	P31197	18.75
7200135560-SOUTH KNOLLS	P31205	646.00
7200135582-CAMELOT	P31214	63.75
7200135591 FOUR SEASONS AT MED	P31220	92.75
7200135612 PROGRESS PROPERTIES	P31226	220.00
7200135679 STRATHALLAN @ JCKN	P31241	302.50
7200135872-K.HOV @ JCKN/SEC5	P31298	1,445.25
7760145677 LEIGH REALTY CO.	P31350	91.25
7760145730-PARA CLASSICS@ROYAL	P31387	863.36
7760145838 AL HEYER	P31436	45.00
7760145913-BARTLEY	P31488	337.50
PROSPECT PLAZA	P31496	540.00
JPLAZA	P31519	1,316.25
CONCORD ESTATES	P31523	55.00
SAKOUTIS	P31533	225.00
ROBERT ANN EVANS	P31540	22.60
16701/5.01 CVS	P31556	3,151.00
lambrou	P31559	945.00
CHASE BANK	P31565	173.75
1037 commodore blvd	P31580	540.00
LIBERTY COMMONS 1 NO HOPE CHAP	P31589	1,867.50
7200065093 CLEARING	TWP00002	1,050.00
7200065363-JF KIELY	TWP0E06	360.00
P&A CONSTRUCTION CO.	TWP0E129	4,860.00
7200135492 D&D UTILITY	TWP0E16	180.00
7200135652 NJNG	TWP0E46	180.00

Project Description	Project No.	Project Total
JT SUBDIVISION ACCT	TWPSD001	5,273.90
7200064276MEADOWS DEVELOPMENT	230462	419.89
7200064383 640 WCOMMODORE BLVD	231009	252.00
7200065250 PINE BELT LONDON	231117	822.00
7200065261 GPU TOWER ATT WIRES	231121	512.50
7200065260 ATT WIRELESS	231122	530.00
7200135469	231175	53.00
7200135524-COOKS LANDING	231189	903.83
7200136033	231334	525.75
7760145887-WILLIAMS TL VAR2672	231472	3.53
7760145911-MANHATTAN REAL EST	231485	1,361.70
General Dev Plan Swanborne, LLC	231512	225.00
380 NEW CENTRAL	231542	662.50
HARMONY BANK	231551	281.25
OMNI POINT	231572	400.29
430 CASSVILLE ROAD	231581	125.06
34 JEFFERSON COURT	231583	262.50
commercial site	231584	989.50
KENNEL ADDITION	231587	360.00
135 MANHATTAN STREET	231590	330.00
NJNG SUBSTATION	231594	255.00
Total of All Projects:		59,160.18

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

RESOLUTION 050R-10

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & 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 Council to have these overpayments returned to the respective taxpayers;

NOW, THEREFORE, BE IT RESOLVED by the Township Council 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 made apart hereof.

- 2. Copies of this Resolution to the Tax Collector.

DATED:1/21/10

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

RESOLUTION 051R-10

TITLE: APPROVE CHIEF FINANCIAL OFFICERS REPORT

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON

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

WHEREAS, the Township Clerk has submitted this report to the Township Council for their approval;

NOW, THEREFORE, BE IT RESOLVED by the Township Council 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 December 2009 is hereby approved.
- 2. Copies of this Resolution to Treasurer, Administrator, Township Attorney, and any other interested parties.

DATED: 1/21/10

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

RESOLUTION 052R-10

TITLE: RESOLUTION APPROVING A DISABLED VETERAN EXEMPTION ON BLOCK 701 LOT 681

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON

WHEREAS, The Department of Veteran Affairs determined that Aadu Voorand at 10 Balmoral Drive, Block 701 Lot 681 has a service connected disability that is totally disabling effective 8/18/09, and Mr. Voorand has owned the above listed parcel since 1/26/07, and;

WHEREAS, Mr. Voorand has made application to the Township as a totally disabled veteran, which has been approved by the Tax Assessor as of 1/06/10, and;

WHEREAS, it is Township policy to grant the exemption for the current year, and up to two preceding years.

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

- 1. The Tax Collector is directed to cancel taxes as follows:
 - 2009 - \$2,686.69
 - 2010 - \$3,726.39 – 1st half 2010 taxes (until parcel is formally exempt)

- 2. The Tax Collector is directed to process a refund for any overpayment due to the cancellation of taxes.
- 3. The parcel is to be exempted on the 2011 tax list.

Copy to: Collector, Assessor, Finance

DATED: 1/21/10

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

**RESOLUTION 053R-10
TITLE: APPROVE BINGO/RAFFLE LICENSE**

**MOTION TO APPROVE BY: RIVERE
MOTION SECONDED BY: UPDEGRAVE
YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON**

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

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

- 1. The following application(s) are hereby approved:
 - #RA-1312 - OPTIMIST CLUB
 - #RA-1313 – CRAWFORD-RODRIGUEZ PTN
 - #RA-1314– CRAWFORD-RODRIGUEZ PTN
- 2. Copies of the Resolution to interested parties.

DATED: 1/21/10

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

**RESOLUTION 054R-10
TITLE: APPROVE JACKSON TOWNSHIP COUNCIL MEETING MINUTES OF JULY 28, 2009.**

**MOTION TO APPROVE BY: RIVERE
MOTION SECONDED BY: UPDEGRAVE
YES: MARTIN, UPDEGRAVE, RIVERE, & KAFTON
ABSTAIN: BRESSI**

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Township of Jackson, County of Ocean, that;

- 1. The following Minutes are hereby approved by the Jackson Township Council:
 - JULY 28, 2009
- 2. Copies of this resolution to any interested parties.

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

DATED: 1/21/10

RESOLUTION 058R-10

TITLE: AMEND RESOLUTION NO. 521R-09 AUTHORIZING PROPERTY SEIZED BY THE JACKSON TOWNSHIP POLICE DEPARTMENT TO BECOME THE PROPERTY OF THE TOWNSHIP OF JACKSON

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON

WHEREAS, the Jackson Township Police Department previously received approval to take possession of monies abandoned/seized during police investigations; and

WHEREAS, Resolution No. 521R-09 itemized case numbers with values to become the possession of the Jackson Township Police Department; and

WHEREAS, it is necessary to amend the itemized information contained in Resolution No. 521R-09 due to (a) the return of certain funds, (b) corrections in amount seized, (c) additional cases and/or (d) mathematical errors; and

WHEREAS, the items listed below reflect the correct information whereby amending previously approved Resolution No. 521R-09 relative to monies abandoned/seized, etc. during a police investigation:

<u>Date</u>	<u>Case #</u>	<u>Name</u>	<u>Property</u>
2008	08-015332	Unknown (found property)	\$ 148.00 (new - added to list)
1998	98-000001	Unknown (found property)	\$ 183.00
2003	03-013078	Unknown (found property)	\$ 194.00
2003	03-031931	Unknown (found property)	\$ 16.00
2003	03-000001	Unknown (found property)	\$ 84.00
2003	03-015003	Ihab Saleh (unclaimed)	\$ 404.00 (*) - previously noted
			\$187.42
2001	01-018918	James Martin (unclaimed)	\$ 187.42 - previously noted
			\$404.00
2005	05-037328	Unknown (unclaimed)	\$ 20.00
2002	02-017272	Gonzales Mauricio	\$ 300.00
2003	03-053710	Joseph Cruz	\$ 5.00
2005	05-066612	Edward Madei	\$ 20.00
2003	03-003339	Joshua Mandala	\$ 130.00
2004	04-057765	Drew Eriksen	\$ 207.00
2001	01-007093	Derrick Brimage	\$1,360.00
2000	00-001456	Ricky Boyd	\$1,130.00
2000	00-038381	Sheria West	\$ 85.00
2000	00-038381	Evanna Teal	\$ 261.00
2000	00-038381	Kareem Washington	\$ 84.00
2000	00-030557	Walter Rodriguez	\$ 182.00
2003	03-037462	Unknown/found property	\$ 51.11
1996	96-025854	Unknown/found property	\$ 51.00
2001	01-0007504	Unknown/found property	\$ 2.49

Adjusted Total\$4,701.22 (total deposit)

(*) \$404.00 returned to Owner per Police Department)

; and

WHEREAS, pursuant to N.J.S.A. 46:30(B)-50 (Uniform Unclaimed Property Act) the Jackson Township Police Department provided written notice to the above listed individuals indicating that the Jackson Township Police Department is in possession of unclaimed property; and

WHEREAS, the 60 day period of limitation has lapsed in accordance with the Uniform Unclaimed Property Act; and

WHEREAS, any property unclaimed after the 60 day period of limitation will become the possession of the Jackson Township Police Department and will be disposed of pursuant to applicable law and deposited in the Jackson Township General Trust Account entitled "Forfeiture Fund" pursuant to N.J.S.A. 40A:14-157; and

WHEREAS, it is the desire of the Jackson Township Council to act upon the request of the Jackson Township Police Department as follows:

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

1. That the above listed "amended" unclaimed property originally held as evidence, now becomes the sole property of the Jackson Township Police Department and shall be disposed of pursuant to applicable law and deposited in the Jackson Township General Trust Account No. T-12-56-851-000-802 "Forfeiture Fund".
2. Copies of this resolution to Administrator, Chief Financial Officer, Chief of Police and any other interested parties.

DATED:1/21/10

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

RESOLUTION 059R-10

TITLE: AMEND RESOLUTION NO. 287R-09 APPOINTING MEMBERS TO THE PATHFINDERS

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON

WHEREAS, the Township Council previously appointed members to the Pathfinders in July 2009 by way of Resolution No. 287R-09; and

WHEREAS, Tom Stevens, Chairman, is recommending the Council make additional appointments to this board effective immediately; and

WHEREAS, pursuant to Chapter 3-152(D) of the Administrative Code of the Township of Jackson, it is the desire of the Township Council to appoint additional members based upon the recommendation of Tom Stevens, Chairman of the Pathfinders.

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

1. The Jackson Pathfinders of the Township of Jackson which shall serve under the direction and supervision of the Director of Recreation and shall be organized and consist of such volunteers and other personnel as may be authorized by the Township Council.
2. The Township Council does hereby authorize the appointment of additional members to the Jackson Pathfinders for a term commencing immediately and ending June 30, 2010:
 - Anthony Santa Maria
 - Dan Green
 - Patricia Stevens
4. Appointees shall serve without compensation.

5. Copies of this resolution to Municipal Administrator, Director of Recreation, appointees and any other interested parties.

DATED: 1/21/10

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

RESOLUTION 062R-10

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO SLW BUILDERS, INC. OF THE CASH BOND ISSUED FOR 169 PERRINEVILLE ROAD, A/K/A BLOCK 11404, LOT 59

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON

WHEREAS, SLW Builders, Inc. has requested the release of a Cash Bond for winter conditions in the amount of \$500 pertaining to 169 Perrineville Road, a/k/a Block 11404 Lot 59, Jackson Township; and

WHEREAS, the Township Council of the Township of Jackson has considered the application;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of Jackson, County of Ocean and State of New Jersey, that the Cash Bond for winter conditions in the amount of \$500 heretofore posted with the Township may and hereby is released to SLW Builders, Inc.

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

DATED: 1/21/10

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

RESOLUTION 063R-10

TITLE: AUTHORIZE RELEASE OF A CASH GUARANTEE POSTED BY SUMMIT BANK FOR SOUTH FORK III, PHASE II A/K/A 98.01, LOTS 16.02 – 16.04

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON

WHEREAS, Summit Bank has requested the Release of the Cash Guarantee, which consists of \$14,810.00, pertaining to South Fork III, Phase II a/k/a Block 98.01, Lots 16.02-16.04, Jackson Township; and

WHEREAS, Al Yodakis of T&M Associates, Township Engineer, has reviewed and approved the release of said cash bond in letter report dated January 5, 2010, which letter report is made a part hereof; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Jackson, County of Ocean and State of New Jersey that the Cash Bond, in the amount of \$14,810.00 heretofore posted with the Township may and hereby is released on the condition that the applicant:

1. Reimburses 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.

2. Copies of this resolution to Administration, Finance, Applicant/Developer and 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: 1/21/10

RESOLUTION 066R-10

TITLE: AUTHORIZE RENEWAL OF MINING LICENSE TO CLAYTON SAND COMPANY FOR BLOCK 19001, LOTS 11.02 & 12, BLOCK 19101, LOTS 3, 6 & 7 AND BLOCK 19301, LOT 17 FOR A TWO (2) YEAR PERIOD

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON

WHEREAS, Clayton Sand Company has applied for renewal of Mining License to mine premises known as the Glidden Mine (Block 19001, Lots 11.01 and 12, Block 19101, Lots 3, 6 & 7 and Block 19301, Lot 17 (Toms River Road and Bowman Road) pursuant to Chapters 56 and 109-71 of the Jackson Code; and

WHEREAS, Clayton Sand Company 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.

WHEREAS, Clayton Sand Company has requested a two (2) year mining license for the above referenced premises pursuant to Chapter 109, Section 71 of the Administrative Code of the Township of Jackson; and

WHEREAS, Township Engineer, T & M Associates has no objection to the renewal of this license as indicated in a letter dated December 17, 2009 providing the applicant submit (upon receipt) a copy of their current Ocean County Soil Erosion and Sediment Control Certification (which expires on March 27, 2010) and NJ Mine Registration Certificate (which expires on March 31, 2010).

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

1. The Township Clerk is hereby authorized to issue a two (2) year mining license to the applicant, Clayton Sand Company.

2. Said license is issued for a period commencing April 1, 2009 and terminating on March 31, 2011.

3. Said 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 retaining the required insurance in accordance with Chapter 56.
- c. The applicant retaining the required bonding in accordance with Chapter 56.
- d. The applicant adheres to all guidelines/requirements as set forth in Chapter 109, Section 71.

e. The applicant obtaining all other local, County and State permits.

4. That upon the adoption of this resolution, the Clerk is authorized and directed to forward a certified copy of it to Clayton Sand Company.

DATED: 1/21/10

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

RESOLUTION 067R-10

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE COMMENCEMENT OF DRAW DOWN PROCEEDINGS AGAINST THE PERFORMANCE BOND POSTED FOR SHAITAROFF MINOR SUBDIVISION A/K/A BLOCK 6, LOT 32.02

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON

WHEREAS, a Performance Guarantee in the form of cash in the amount of \$3,558.60 has been posted with the Township to secure proper construction of the development project in Jackson Township known as the Shaitaroff Minor Subdivision; and

WHEREAS, the Township Engineer has reported that the developer has not submitted a schedule for roadway improvements. Despite repeated requests the developer has been unresponsive; and

WHEREAS, Albert Yodakis, T&M Associates, Township Engineer has recommended that the Township hold the developer in default and take action against the performance guarantee; and

WHEREAS, the Township Council desires to act upon the recommendation of the Township Engineer; and

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

1. Shaitaroff Minor Subdivision is hereby declared in default in the performance, construction and completion of the items covered in the aforesaid performance guarantee.
2. That the Township Engineer and Township Attorney are hereby authorized to commence draw down proceedings against the performance guarantee posted for the development project known as Shaitaroff Minor Subdivision.
3. That upon the adoption of this Resolution, the Clerk is authorized and directed to forward a certified copy of it to the Developer, Township Attorney, Administration and the Chief Financial Officer.

DATED: 1/21/10

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

RESOLUTION 069R-10

TITLE: APPROVE APPOINTMENT OF DEPUTY REGISTRAR AND ALTERNATE DEPUTY REGISTRAR

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON

WHEREAS, the Office of Deputy Registrar and Alternate Deputy Registrar are vacant as of January 1, 2010; and

WHEREAS, pursuant to N.J.S.A. 26:8-14, the Deputy Registrar and Alternate Deputy Registrar shall be appointed by the Township Council for a term not to exceed three years; and

WHEREAS, it is the desire of the Township Council to fill said vacancy.

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

1. Dina Kalinauskas is hereby appointed Deputy Registrar for a term commencing January 21, 2010 and ending January 21, 2013.
2. Brenda Gregory hereby appointed Alternate Deputy Registrar for a term commencing January 21, 2010 and ending January 21, 2013
3. Fees paid to the Deputy Registrar and Alternate Deputy Registrar are paid in accordance with State Statutes.
4. Copies of this resolution to appointees, Board of Health, Municipal Administrator, and any other interested parties.

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

DATED: 1/21/10

RESOLUTION 071R-10

TITLE: AUTHORIZE THE EXECUTION OF A MUNICIPAL ALLIANCE AGREEMENT BETWEEN THE OCEAN COUNTY BOARD OF HEALTH AND JACKSON TOWNSHIP AND FURTHER PROVIDING FOR THE TOWNSHIP'S RECEIPT OF \$26,539.00 FROM THE STATE OF NEW JERSEY THROUGH THE COUNTY OF OCEAN CY 2010

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON

WHEREAS, the New Jersey Legislature previously adopted the Alliance to Prevent Alcoholism and Drug Abuse in which funds would be made available through counties to establish and maintain Municipal Alliance Committees; and

WHEREAS, Jackson Township has established a Municipal Alliance Committee and is in need of funding through the County of Ocean, in particular, the Ocean County Board of Health; and

WHEREAS, both the Board and the Township wish to enter into an agreement whereby the Township will receive from the Board funds not to exceed \$26,539.00 based upon terms and conditions set forth in the attached agreement; and

WHEREAS, it is the desire of this governing body to act to approve said contract in order that the Township may receive said \$26,539.00 to fund its Municipal Alliance Committee to comply with all of the appropriate State and Federal regulations.

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

1. That the Township Council hereby authorizes the Mayor and Clerk to execute a Municipal Alliance Agreement with the Ocean County Board of Health in order that the Township may receive \$26,539.00 for its Municipal Alliance Committee for CY 2010 in accordance with the terms of that agreement and all appropriate State and Federal Regulations.
2. That upon the adoption of the within resolution, the Clerk is authorized and directed to forward a certified copy of it along with the executed Municipal Alliance

Agreement to the Ocean County Board of Health, Jackson Township Municipal Alliance Committee, Municipal Administrator, Acting Chief Financial Officer, and any other interested parties.

DATED: 1/21/10

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

RESOLUTION 072R-10

TITLE: AUTHORIZE THE EXECUTION AND SUBMISSION OF A GRANT APPLICATION TO THE COUNTY OF OCEAN FOR THE CY 2010 OCEAN COUNTY MATCHING TOURISM PROMOTIONAL GRANT PROGRAM'

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON

WHEREAS, the Jackson Township Department of Recreation and Senior Services has requested authorization to submit a grant application to the County of Ocean for a grant entitled "CY 2010 Ocean County Matching Tourism Promotional Grant"; and

WHEREAS, the Ocean County Board of :Chosen Freeholders through the Ocean County Tourism Advisory Council has established a matching grant program to promote activities and programs that will enhance the tourism economy within the County; and

WHEREAS, funding is available to the municipality with a 100% cash match requirement; and

WHEREAS, the Township Council wishes to indicate its support of the grant application.

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

1. That the Township Council hereby formally authorizes the Mayor and Township Clerk to execute the Matching Tourism Promotional Grant application for CY 2010 in the amount of \$1,700.00 between the Township of Jackson and the County of Ocean.

2. That upon the adoption of this Resolution, the Clerk is authorized and directed to forward a certified copy of it to Township Administrator, Chief Financial Officer, Director of Recreation and Senior Services and any other interested parties.

DATED: 1/21/10

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

DISCUSSION AGENDA:

COUNCIL VICE PRESIDENT RIVERE asked if there was something that could be done financially to help the nation of Haiti after the severe earthquake they suffered. Councilman Martin said we could pool our own resources for this cause. The immediate is for money. Councilman Martin suggested a benefit dinner. Administrator DelTurco said donation outlets are on our website. Some of the Haitian people have been relocated to Fort Dix and are in need of warmer winter clothing. Information would be posted on the website.

COUNCILWOMAN UPDEGRAVE said they received resumes for the Ethics Board and a Citizens Leadership Form must be completed with each application. Clerk Eden stated the form is on the website. There is a lot of interest in this Board. Councilman

Martin said the interview process will be detailed. Councilwoman Updegrave said the Environmental Impact Study Consultant position must also be filled.

COUNCILMAN BRESSI said the resident from 38 Imperial Place came before the Planning Board last week to ask that he be allowed to construct a berm in the Township owned conservation easement. Councilman Bressi said the Council has the ability to allow the request. The Planning Board hearing raised a lot of good questions, and the Board had no objection recommending to Council permission to make the improvements. Attorney Foran said if they were waiving the restrictions to give permission, then a resolution would be sufficient. If Council would vacate the conservation easement, then an ordinance is needed. Council President Kafton said there should be a hold harmless for the town. Council was in agreement to set forth a resolution this evening.

RESOLUTION 074R-10

TITLE: AUTHORIZING PERMISSION FOR YANIV HAMDI TO MAKE IMPROVEMENTS ON A CONSERVATION EASEMENT AS RECOMMENDED BY THE PLANNING BOARD

MOTION TO APPROVE BY: BRESSI

MOTION SECONDED BY: RIVERE

YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, KAFTON

WHEREAS, Yaniv Hamdi is the owner of property known as Block 16002, Lot 8, as shown on the Tax Map of the Township of Jackson, also known as 38 Imperial Place; and

WHEREAS, there is a twenty-five (25') foot conservation easement which runs in favor of Jackson Township located at the rear of said property; and

WHEREAS, due to unique circumstances, Mr. Hamdi desires to construct a treed berm within the construction easement; and

WHEREAS, said construction requires the approval of the Township Council to provide relief from the terms and conditions of the conservation easement; and

WHEREAS, Mr. Hamdi appeared before the Jackson Township Planning Board, which has referred the matter back to the Township Council for final determination; and

WHEREAS, due to the unique factual circumstances, the Township Council desires to provide Mr. Hamdi with relief from the terms and conditions of the conservation easement.

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

1. That due to the unique factual circumstances, Yaniv Hamdi is hereby authorized to construct a treed berm within the twenty-five (25') foot construction easement located at the rear of Block 16002, Lot 8, in the Township of Jackson.
2. That such construction shall conform to all Township ordinances, and all appropriate permits shall be obtained by Mr. Hamdi.
3. That Mr. Hamdi shall execute an agreement holding the Township harmless from construction of the treed berm.
4. That with the exception of the treed berm, Mr. Hamdi shall otherwise be required to maintain the conservation easement in accordance with the terms and conditions of said easement.
5. That a certified copy of this resolution be forwarded to Yaniv Hamdi and the Jackson Township Planning Board.

DATED:

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

ADMINISTRATOR DEL TURCO said a meeting was held with Public Works, Emergency Response and various town officials in the wake of the December blizzard, to make better results with the major storm for any future storms. Recommendations include updating outdated ordinances and to allow up to 150 CDL drivers as additional drivers in the event they would need them. A reverse 911 system was discussed and additional equipment upgrades were looked at. They want to reserve additional CDL drivers, and non-CDL drivers to be paid \$22 per hour and CDL drivers to earn \$27 per hour. He asked for a resolution to be ready for the next meeting. The additional drivers are needed to cover for mandatory rest periods of the regular workers, in order to allow the job to be done. They would be covered under the Township umbrella insurance policy. They would be employed by and receive paychecks from the Town. Administrator DelTurco said they were going to try to secure additional private contractors.

Another item for discussion included updating antiquated ordinances regarding emergency parking and debris on the roadways that hamper snow removal and allow for bus pickups. Council President Kafton felt there should be a step process with the fines. Council felt street parking should be addressed, particularly with multi-car households. Reverse 911 technology is being explored.

EMERGENCY MANAGEMENT COORDINATOR BARRY OLEJARZ said the current ordinance is dated from 1960. He tried to come up with something derived from multiple communities on the East coast that receive snow on a regular bases. Fines could be at the discretion of the Judge. There is nothing in the ordinance dealing with handicapped parking zones and that is badly needed. His recommendations are for the Council's review, comment and action. Administrator DelTurco asked if anyone had questions or comments, to forward them to himself or Mr. Olejarz.

TOWNSHIP CLERK EDEN said Council is in possession of Assembly Bill 351, which has been signed into law. It permits non-Partisan elections to be held on the same day as the General Election. The Bill would take effect in 2011 and is at the discretion of the municipality to change it. It must be done by ordinance. It would not be able to be changed back for 10 years. Council President Kafton felt this Council should not vote on this due to the potential of a new Council in May, to let any new members decide. Councilman Martin was very much in favor of the change due to low voter turnout in May elections, and the savings by having the election in November. Council President Kafton said the May elections were chosen by the voters and this Bill takes that choice away from the voters. A non-binding referendum could be placed on the November ballot to allow the voters to decide if that would be agreeable.

ADMINISTRATOR DEL TURCO asked Council if they would like him to continue discussions with surrounding municipalities regarding shared services for Animal Control services. Council agreed.

Also, a free tax filing service will be held for Senior Citizens at the Senior Center beginning February 1 to April 12, on Mondays from 9:00 a.m. To 1:00 p.m.

CLERK EDEN reminded the public there is a Special School Election on Tuesday, January 25. Polls would be open from 11 a.m. to 9 p.m.

PUBLIC HEARING, ANY TOPIC

SHARI WILLIAMS, 4 COLUMBINE DRIVE said voters' rights weren't taken away; they were given more rights[regarding moving the election from May to November]. She asked if the Township could donate transportation to any EMS personnel that want to donate their time in Haiti. She asked about the TNR program and whether it is effect yet. Councilman Martin said veterinarian services are needed and they must name the members to the committee. She asked if there would be a chance for everyone to speak again on the vacancy de-control. Councilman Martin didn't want another meeting. Ms.

Williams said the complaints are problems with landlords turning down potential buyers, which drives the prices of the mobile homes down more. She said Toms River has an ordinance that sets a minimum credit score for potential buyers or renters, and she would obtain a copy for Council.

DANIEL GROSS, 18 POINTE CIRCLE did not approve of the process to select MUA members. It is too much for the Council to give it away. Mr. Gross wanted a 'Tax Control Board' similar to the vacancy de-control ordinance. He found it odd that there were still old ordinances on the books from 1960. With respect to the Assembly Bill 351, he thought it was a great idea [to change the elections from May to November]. He said too many elections during the year makes it hard for the voters to be fully engaged in the process. It would save the taxpayers a lot of money by streamlining the elections.

PAUL MAYEROWITZ, 91 CYPRESS POINT LANE agreed with Mr. Gross about the number of elections and the money spent on them. The people elected the Council, and if they have the power, they should make the change now. He asked about the selection process for the MUA positions and asked what the qualifications are for those jobs. Council President Kafton said they must be a Jackson resident. Mr. Mayerowitz wanted to know why these people were nominated and what their qualifications are for this job. Councilman Martin said Mr. Allmann is a businessman in Jackson, he is a resident, and he has been intimately involved in the MUA for a long period of time, and has been one of the most active MUA members he has seen. Regarding the Alternate position, Council President Kafton said she is a resident, active on many Boards, both private and township, and she attended college. Mr. Mayerowitz still wanted the background qualifications necessary to sit on the MUA. He didn't like any appointment where the individual does not have the qualifications to make decisions for the Board.

STEPHANIE BROWN, 310 S. NEW PROSPECT ROAD thanked Councilwoman Updegrave for contacting her almost on a daily basis regarding her son's condition after his operation in December. She said her book is coming along very well and she has received permission from various agencies toward that goal.

TIM JONES, 14 HARVEST COURT asked if there were answers on the land transfer for Solar Avenue, but there was no update as of today. He asked who will look at the plans to determine if they are in agreement with the Judge's order. Councilman Bressi said it should go back to the Planning Board Engineer or Planner, or to the Township Engineer, and then they have to enter into an agreement with the town, which they have not done yet. Mr. Jones said the Town is giving the developer a lot of land for just one dollar, they are not going to charge them for building permits, and we bent over backward to see them get a great deal. He would like to see them do something for us. This was denied by the Planning Board. It is a township-sponsored project and he would like to see them build something the town will be proud of, and safe as well. Administrator DeTurco said Community Investment Strategies is gathering their necessary approvals and working on the ALTA survey, which is highly detailed.

ANTHONY BEJA, 649 TOMS RIVER ROAD clarified the Girls Softball Program was funded through a bond many years ago and he wanted to clear that up. As far as the Bartley Road ballfields, he wanted a clarification on the procedure for the bids. Clerk Eden said the Council approved at the last meeting with stipulations on the preparation of the bids, and Council will have a short period of time to review that prior to Mr. Burke and Ms. Eden selecting a date for the advertisement of the bids. Mr. Burke prepared the specs and the plans, to be forwarded to all the Council members, and no approval is needed prior to advertising for the bids. Mr. Beja said they have been delayed and their season is around the corner. He asked Council if they could move forward expeditiously and without delay. A lot of little girls are depending on this. Clerk Eden said the bids must be advertised a minimum of ten days and could be longer to allow for more bids.

YANIV HAMDI, 38 IMPERIAL PLACE thanked the Council for approving his request to add a berm and plantings on his conservation easement. He asked what he needs to do now in order to move forward. He must clear trees and wants to make sure his contractors have no concerns. Attorney Foran will draw up an approving resolution

and hold harmless agreement for Mr. Hamdi to sign. He will then need permits for tree removal. He asked if he could fence up to the easement and was told yes.

LINDA SELZNICK, 61 BALTUSROL DRIVE asked if commercial property owners are responsible for initial snow removal and resultant black ice, as two people she knows slipped and fell on the ice. Attorney Foran said they have to take reasonable care in ensuring the shoppers safety. She wanted to know what that means. Councilman Bressi understood, and stated Code Enforcement has gone out in the past to advise business owners if their property wasn't properly maintained.

She understands rent de-control as a former landlord. The problem is the higher you allow the new rent to be, the higher possibility of creating problems. She cautioned the Council to be careful when creating the resolution.

SEAN GIBLIN, 515 S. COOKSBRIDGE ROAD asked when the supplemental snowplow bid went out for 2009. Administrator DeTurco said it was a two-year contract with two respondents, one of which went out of business. Clerk Eden thought it was done in 2008, and the contract was awarded for 2009 and 2010. Mr. Giblin's concern is the state of the economy and there are plenty of people who would be able to offer their snow plowing services. He suggested the Council go out to bid for those services.

Regarding the Rent Leveling Board appointment for attorney and account, Mr. Giblin felt these were not mayoral appointments. Councilman Martin said the Administrative Code changed since then. Mr. Giblin said the Rent Leveling code, under 'Appeal Process', it refers to 'Township Committee', and felt perhaps the code was not updated properly, and does the Mayor have the legal authority to appoint a member to the Rent Leveling Board. Attorney Foran said his code reads 'Township Council'. Clerk Eden said he is referring to Chapter 86, where Chapter 3-150 actually establishes the Rent Leveling Board. Mr. Giblin wanted to make sure the appointments were correct, and Chapter 86 should be looked at. Attorney Foran said the code is in the process of being re-codified. Mr. Giblin said boards and committees were added under the Administrative Code when the prior code is in conflict with some of them. Attorney Foran said the new Administrative Code takes precedence over the old code. Mr. Giblin was unaware of that.

Mr. Giblin stated the while there were some good reasons for changing the election from May to November, there were also some reasons for not changing the election day, noting Jackson residents need stability. There is an upcoming election and he said to wait and see how it goes. Make a decision after this upcoming election, if it isn't working. Changing the election date causes more harm than good.

RICHARD ZAUNER, 109 N. COUNTY LINE ROAD attended the swearing in of the new Governor. He had an older article about gypsy moths and a fungus which could easily destroy the pests, and has passed it to our legislators to see if it is something they could use.

JOE FIERO, 25 DANIELLE COURT commented that in August there was much discussion on the Open Space tax, where the Council said they had to act for the people and this is how it should be done. Tonight, it was the opposite; he asked if the officials are here to represent us or to let the voters decide everything. Council President Kafton said his comments were the voters made the decision then, just as they made the decision for the May election. The Council shouldn't overturn what the voters decided. Mr. Fiero said whether they vote in May or November is irrelevant. Council President Kafton firmly felt the voters chose May elections and they should decide whether to change it to November.

PAUL MAYEROWITZ, 91 CYPRESS POINT LANE recalled the discussions on Open Space, and generally speaking, Council President Kafton stated he knew what the taxpayers want; we don't need a referendum; the elected leaders can make that decision. At the following meeting, he changed his position and said we should have the referendum and have the voters decide what and how much the tax should be. Mr. Mayerowitz just doesn't like history being revised.

RICHARD ZAUNER, 109 N. COUNTY LINE ROAD asked Mr. DelTurco about the signs that have gone up regarding the snow-plowing ordinance. Mr. DelTurco acknowledged that was true, in some neighborhoods. Mr. Zauner asked if these have already been authorized. Mr. DelTurco said the prior ordinance is in place in the Brookwoods. Mr. Zauner noticed them near Lake Enno. Mr. DelTurco said the Municipal Engineer would look into it as well as the silt situation there that Mr. Zauner inquired about at an earlier meeting.

Mr. Zauner asked Council President Kafton about the earlier comments concerning being an elected official and also being against a referendum. No one is trying to catch him in anything, but Mr. Zauner said it is confusing. Council President Kafton didn't find it confusing. His opinion is that the voters should have the right to make that decision.

DANIEL PEKARCHIK, 17 ALASKA AVENUE spoke about a new law passed by a lame duck Congress, he didn't understand the rush to put something into action tonight. It doesn't take effect until 2011. He didn't want them to pass a resolution tonight. Councilman Martin said it would have to be done by ordinance and the earliest would be next meeting for a first reading. Mr. Pekarchik asked if we could petition the new governor to move all elections to November, including the school election, fire, everything. Do it right, not piecemeal. Same thing for the girls softball concession stand. We have the money, it is a question to do things right in this town, whatever is best for the town.

RICHARD ZAUNER, 109 N. COUNTY LINE ROAD spoke about the individuals chosen for the MUA and said he has dug wells, septic, and laid plumbing, among other things, and he thought that was what the gentleman was looking for. In other words, what have you done in your life to qualify you to work for the MUA.

MOTION TO CLOSE PUBLIC HEARING ON ANY TOPIC BY: MARTIN
MOTION SECONDED BY: UPDEGRAVE
YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON

MOTION TO ADJOURN BY: MARTIN
MOTION SECONDED BY: RIVERE
YES: BRESSI, MARTIN, UPDEGRAVE, RIVERE, & KAFTON

10:40 PM

RESPECTFULLY SUBMITTED,

COUNCIL PRESIDENT KAFTON

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

AME/jk