

**ON TUESDAY, OCTOBER 26, 2010, AT 6:30 P.M., THE JACKSON TOWNSHIP  
COUNCIL HELD ITS MEETING IN THE MUNICIPAL BUILDING**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

**COUNCILMAN KAFTON  
COUNCILWOMAN RIVERE (*absent*)  
COUNCILWOMAN UPDEGRAVE (*absent*)  
COUNCIL VICE PRESIDENT BRESSI  
COUNCIL PRESIDENT MARTIN**

**ATTORNEY JEAN CIPRIANI  
DEPUTY CLERK KISTY**

**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.

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**RESOLUTION NUMBER: 451R-10**

**TITLE: RESOLUTION FOR EXECUTIVE SESSION TO AUTHORIZE  
TOWNSHIP COUNCIL TO ENTER INTO CLOSED DISCUSSIONS  
CONCERNING MATTERS AS NOTED BELOW**

**MOTION TO APPROVE BY: MARTIN**

**MOTION SECONDED BY: BRESSI**

**YES: KAFTON, BRESSI & MARTIN**

**ABSENT: RIVERE & UPDEGRAVE**

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

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

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

1. The public shall be excluded from discussion concerning the hereinafter-specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
  - a) Personnel/Professionals:
  - b) Litigation/Potential Litigation: Potential Land Sale/Land Acquisition: Inquiry to sell private property located along Route 571. Update – sale of Township property located near Cassville Road. Update - Pitney Lane Retention Basin
  - c) Contracts/Agreements:
3. It is anticipated that the subject matter discussed may be made public upon its conclusion or final disposition.

**DATED: 10/26/10**

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

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10/27/10  
09:06:00

(10/26/10 meeting)

JACKSON TOWNSHIP  
Check Register By Check Date

Page No: 1

Range of Checking Accts: First to Last Range of Check Dates: 10/26/10 to 10/26/10  
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Dina

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
<b>CAPITAL</b>					
61241	10/26/10	DAS01 DASTI,MURPHY,MCBUCKI,ET ALS	84.00		3710
61242	10/26/10	DD01 D & D UTILITY CONTRACTORS	21,156.69		3710
61243	10/26/10	FRE10 FRENCH & PARRELLO ASSOC.,P.A.	2,851.50		3710
61244	10/26/10	GIL02 GILMORE & MONAHAN, P.A.	376.02		3710
61245	10/26/10	JCP05 JERSEY CENTRAL POWER & LIGHT	433.00		3710
61246	10/26/10	NIC03 NICKOLAUS CONSTRUCTION CO,INC.	9,950.00		3710
61247	10/26/10	SIM04 R.F.SIMON, INC.	129,488.79		3710
61248	10/26/10	TW01 T & M ASSOCIATES, INC.	325.00		3710

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	8	0	0.00	164,665.00
Direct Deposit:	0	0	0.00	0.00
<b>Total:</b>	<b>8</b>	<b>0</b>	<b>0.00</b>	<b>164,665.00</b>

<b>CURRENT</b>					
83368	10/26/10	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	631,505.20		3702
83369	10/26/10	ADM01 A.C. MOORE, INC.	42.87		3707
83370	10/26/10	AIR07 AIR BRAKE & EQUIPMENT	790.00		3707
83371	10/26/10	AME51 AMERICAN ASPHALT COMPANY,INC	2,138.60		3707
83372	10/26/10	AME52 AMERICAN SOLUTIONS	1,805.00		3707
83373	10/26/10	ASB01 ASBURY PARK PRESS, INC.	2,564.36		3707
83374	10/26/10	BAC05 BAC TAX SERVICES CORP	2,285.16		3707
83375	10/26/10	BOR16 DEBRA BORBOTKO	80.85		3707
83376	10/26/10	BUS07 DONNA BUSSICULO	200.00		3707
83377	10/26/10	CAB03 CABLEVISION	59.95		3707
83378	10/26/10	CHO2 C&H AUTOS	95.00		3707
83379	10/26/10	CHI22 CHILDSWORK/CHILDSPLAY	206.69		3707
83380	10/26/10	CLA01 CLARK, CATON & HINTZ CORP.	1,433.50		3707
83381	10/26/10	COM19 COMPLETE SECURITY SYSTEMS INC	76.00		3707
83382	10/26/10	COR35 CORONATO, BRADY & KUNZ, P.C.	3,333.34		3707
83383	10/26/10	COU05 COUNTY OF OCEAN DPT. OF FINANCE	5,757,697.43		3707
83384	10/26/10	DAS01 DASTI,MURPHY,MCBUCKI,ET ALS	3,668.00		3707
83385	10/26/10	DEL19 DEL-VEL CHEMICAL	1,329.24		3707
83386	10/26/10	DEPO5 DEPENDABILITEES	715.00		3707
83387	10/26/10	DIA13 DIAMOND COMMUNICATIONS,LLC	3,889.62		3707
83388	10/26/10	DOW01 DOWNS FORD, INCORPORATED	587.01		3707
83389	10/26/10	EDW04 EDWARDS TIRE COMPANY,INC.	52.02		3707
83390	10/26/10	EJS01 E. J. SCHUSTERS, INC.	934.97		3707
83391	10/26/10	ENG07 ENGINEERED FLUID, INC.	1,686.00		3707
83392	10/26/10	ESP04 JAMES & ANNE ESPOSITO	1,257.62		3707
83393	10/26/10	EXC01 EXCAVATING MATERIALS &	2,183.42		3707
83394	10/26/10	GEN15 GENESIS SERVICE CO.	204.00		3707
83395	10/26/10	GIL02 GILMORE & MONAHAN, P.A.	0.00	10/26/10 VOID	0
83396	10/26/10	GIL02 GILMORE & MONAHAN, P.A.	0.00	10/26/10 VOID	0
83397	10/26/10	GIL02 GILMORE & MONAHAN, P.A.	28,471.27		3707
83398	10/26/10	GRA02 GRANTURK EQUIPMENT CO., INC.	990.03		3707
83399	10/26/10	GRA18 W W GRAINGER	612.00		3707

10/27/10  
09:06:00

JACKSON TOWNSHIP  
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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
83400	10/26/10	GRA39 DAVID G. GRAY	26.44		3707
83401	10/26/10	GRE16 GREATER MEDIA PUBLICATIONS	383.36		3707
83402	10/26/10	HAM06 PATRICK T. HAMOR	84.76		3707
83403	10/26/10	HAR03 HARRAHS CASINO HOTEL	218.00	10/27/10 VOID	3707
83404	10/26/10	HES06 HESS CORPORATION	19,299.27		3707
83405	10/26/10	HOM08 THE HOME DEPOT	69.09		3707
83406	10/26/10	HUN03 HUNTER JERSEY PETERBILT	504.40		3707
83407	10/26/10	INS01 INSTITUTE FOR PROFESSIONAL DEV	99.00		3707
83408	10/26/10	JAC11 JACKSON PUBLIC SCHOOLS	2,546.75		3707
83409	10/26/10	JAC12 JACKSON TWP. BOARD OF ED,	6,347,509.00		3707
83410	10/26/10	JER29 JERRY'S AUTO BODY,LLC	23,892.19		3707
83411	10/26/10	JOH15 JOHNNY ON THE SPOT	560.05		3707
83412	10/26/10	LAB01 LAB SAFETY SUPPLY INC.	161.59		3707
83413	10/26/10	LAK01 LAKEWOOD AUTO SUPPLY INC.	660.96		3707
83414	10/26/10	LOT01 SUSAN LOTITO	600.00		3707
83415	10/26/10	LSI02 LSI TITLE AGENCY, INC.	466.67		3707
83416	10/26/10	MAS18 PHYLLIS C. MASSARO	229.38		3707
83417	10/26/10	MAT02 MATTHEW BENDER & CO. INC.	211.00		3707
83418	10/26/10	MAT15 MATERIAL TRANSPORT GROUP LLC	5,000.00		3707
83419	10/26/10	MCC16 KEVIN & MINDY MCCAFFERY	103.07		3707
83420	10/26/10	MER03 MERCER SPRING CORPORATION	2,454.20		3707
83421	10/26/10	MIA01 MIAMI SYSTEMS CORPORATION	303.50		3707
83422	10/26/10	NAP02 NAPCO/R.S.KNAPP CO. INC	353.18		3707
83423	10/26/10	NEX01 NEXTEL COMMUNICATIONS	1,578.52		3707
83424	10/26/10	NJN03 NEW JERSEY NATURAL GAS	0.00	10/26/10 VOID	0
83425	10/26/10	NJN03 NEW JERSEY NATURAL GAS	2,494.83		3707
83426	10/26/10	NJP02 NEW JERSEY PLANNING OFFICIALS	60.00		3707
83427	10/26/10	NJR03 N. J. R. P. A.	200.00		3707
83428	10/26/10	NJS02 NJSLM	100.00		3707
83429	10/26/10	OCE03 OCEAN COUNTY LANDFILL CORP.	150.00		3707
83430	10/26/10	OCE05 OCEAN COUNTY RECYCLING	345.10		3707
83431	10/26/10	OLD01 OLD DOMINION BRUSH CO. INC.	8,240.00		3707
83432	10/26/10	PAN03 JOHN PANGBORN	37.92		3707
83433	10/26/10	PEP04 PEPCO ENERGY SERVICES, INC.	302.36		3707
83434	10/26/10	PET17 PET EDGE	146.05		3707
83435	10/26/10	POR15 ALBERT & CHRISTINE POROSKI	249.12		3707
83436	10/26/10	PRI24 GWENDOLYN & DONALD PRIESTER	1,390.03		3707
83437	10/26/10	REI22 MICHAEL REINA	45.00		3707
83438	10/26/10	REM01 REMINGTON, VERNICK & VENA ENG.	162.00		3707
83439	10/26/10	RST01 R. STONE & COMPANY	8,900.00		3707
83440	10/26/10	RUT04 RUTGERS, THE STATE UNIVERSITY	748.00		3707
83441	10/26/10	THO21 DENNIS & DIANE THOMPSON	7,198.93		3707
83442	10/26/10	TRE01 TREC - ADVANCED COMPUTER	760.00		3707
83443	10/26/10	TRE12 TREASURER, STATE OF NEW JERSEY	22,065.00		3707
83444	10/26/10	TRI18 TRI-STATE BATTERY INC & AUTO	1,237.08		3707
83445	10/26/10	USA03 USA MOBILITY WIRELESS, INC.	8.96		3707
83446	10/26/10	VAN27 ARLENE VANSADERS	144.89		3707
83447	10/26/10	VER04 VERIZON	648.94		3707
83448	10/26/10	VER08 VERIZON WIRELESS	320.08		3707
83449	10/26/10	VER15 GILBERT & VERA VERMEY	1,938.88		3707
83450	10/26/10	WAC02 WACHOVIA MORTGAGE	790.50		3707
83451	10/26/10	WAG04 BILL WAGNER AND SON	523.63		3707
83452	10/26/10	MAL02 WALTER R. EARLE CORPORATION	55.13		3707
83453	10/26/10	WBN01 W.B.NASON COMPANY	1,486.40		3707

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
83454	10/26/10	MEL16 WELLS FARGO HOME MORTGAGE	13,056.42		3707
83455	10/26/10	WIN11 KELLY WINTHROP, LLC	270.00		3707

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	84	4	218.00	12,932,045.78
Direct Deposit:	0	0	0.00	0.00
<b>Total:</b>	<b>84</b>	<b>4</b>	<b>218.00</b>	<b>12,932,045.78</b>

DEV FEES-COAH	DEV FEES - COAH (NEW)			
129	10/26/10	GIL02 GILMORE & MONAHAN, P.A.	842.40	3713

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	1	0	0.00	842.40
Direct Deposit:	0	0	0.00	0.00
<b>Total:</b>	<b>1</b>	<b>0</b>	<b>0.00</b>	<b>842.40</b>

DEVELOPERS-OF	DEVELOPERS-OCEAN FIRST			
62963	10/26/10	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	12,465.00	3703
62964	10/26/10	DAS01 DASTI, MURPHY, MCGUCKI, ET ALS	0.00	10/26/10 VOID 0
62965	10/26/10	DAS01 DASTI, MURPHY, MCGUCKI, ET ALS	0.00	10/26/10 VOID 0
62966	10/26/10	DAS01 DASTI, MURPHY, MCGUCKI, ET ALS	1,546.00	3708
62967	10/26/10	FRI10 FRIENDSHIP INC.	500.00	3708
62968	10/26/10	GER12 GERTNER MANDEL & PESLAK	450.00	3708
62969	10/26/10	INN02 INNOVATIVE ENGINEERING INC	1,200.00	3708
62970	10/26/10	NUO01 NUOP CORPORATION	26.17	3708
62971	10/26/10	OWE01 OWEN LITTLE & ASSOCIATES INC.	742.50	3708
62972	10/26/10	REM01 REMINGTON, VERNICK & VENA ENG.	0.00	10/26/10 VOID 0
62973	10/26/10	REM01 REMINGTON, VERNICK & VENA ENG.	3,381.00	3708
62974	10/26/10	TW02 T & M ASSOCIATES	554.00	3708

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	9	3	0.00	20,864.67
Direct Deposit:	0	0	0.00	0.00
<b>Total:</b>	<b>9</b>	<b>3</b>	<b>0.00</b>	<b>20,864.67</b>

XOG	DOG ACCOUNT - NEW			
441	10/26/10	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	7,813.77	3706
442	10/26/10	BEG02 DR. PHILLIP BEGUN DVM	475.00	3709
443	10/26/10	NJS04 N.J. STATE DEPT. OF HEALTH	306.60	3709

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	3	0	0.00	8,595.37
Direct Deposit:	0	0	0.00	0.00
<b>Total:</b>	<b>3</b>	<b>0</b>	<b>0.00</b>	<b>8,595.37</b>

GENERAL TRUST

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Direct Deposit:	0	0	0.00	0.00
<b>Total:</b>	<b>84</b>	<b>4</b>	<b>218.00</b>	<b>12,932,045.78</b>

DEV FEES-COAH	DEV FEES - COAH (NEW)		Amount Paid	Reconciled/Void	Ref Number
129	10/26/10	GIL02 GILMORE & MONAHAN, P.A.	842.40		3713

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	1	0	0.00	842.40
Direct Deposit:	0	0	0.00	0.00
<b>Total:</b>	<b>1</b>	<b>0</b>	<b>0.00</b>	<b>842.40</b>

DEVELOPERS-OF	DEVELOPERS-OCEAN FIRST		Amount Paid	Reconciled/Void	Ref Number
62963	10/26/10	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	12,465.00		3703
62964	10/26/10	DAS01 DASTI, MURPHY, MCGUCKI, ET ALS	0.00	10/26/10 VOID	0
62965	10/26/10	DAS01 DASTI, MURPHY, MCGUCKI, ET ALS	0.00	10/26/10 VOID	0
62966	10/26/10	DAS01 DASTI, MURPHY, MCGUCKI, ET ALS	1,546.00		3708
62967	10/26/10	FRI10 FRIENDSHIP INC.	500.00		3708
62968	10/26/10	GER12 GERTNER MANDEL & PESLAK	450.00		3708
62969	10/26/10	INN02 INNOVATIVE ENGINEERING INC	1,200.00		3708
62970	10/26/10	NUO01 NUOP CORPORATION	26.17		3708
62971	10/26/10	OWE01 OWEN LITTLE & ASSOCIATES INC.	742.50		3708
62972	10/26/10	REM01 REMINGTON, VERNICK & VENA ENG.	0.00	10/26/10 VOID	0
62973	10/26/10	REM01 REMINGTON, VERNICK & VENA ENG.	3,381.00		3708
62974	10/26/10	TW02 T & M ASSOCIATES	554.00		3708

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	9	3	0.00	20,864.67
Direct Deposit:	0	0	0.00	0.00
<b>Total:</b>	<b>9</b>	<b>3</b>	<b>0.00</b>	<b>20,864.67</b>

XOG	DOG ACCOUNT - NEW		Amount Paid	Reconciled/Void	Ref Number
441	10/26/10	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	7,813.77		3706
442	10/26/10	BEG02 DR. PHILLIP BEGUN DVM	475.00		3709
443	10/26/10	NJS04 N.J. STATE DEPT. OF HEALTH	306.60		3709

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	3	0	0.00	8,595.37
Direct Deposit:	0	0	0.00	0.00
<b>Total:</b>	<b>3</b>	<b>0</b>	<b>0.00</b>	<b>8,595.37</b>

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
60983	10/26/10	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	32,116.50		3705
60984	10/26/10	RCS02 R.C.SHEA & ASSOCIATES	2,000.00	10/27/10 VOID	3711
60985	10/26/10	TIV01 CHARLES P. TIVENAN	200.00		3711

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	2	1	2,000.00	32,316.50
Direct Deposit:	0	0	0.00	0.00
<b>Total:</b>	<b>2</b>	<b>1</b>	<b>2,000.00</b>	<b>32,316.50</b>

PARKS REC

63286	10/26/10	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	1,757.01		3704
63287	10/26/10	ACK04 STEFANI ACKERMAN	130.00		3712
63288	10/26/10	ALL50 PEGGY ALLAIRE	65.00		3712
63289	10/26/10	AND14 JENNIFER ANDERSON	50.00		3712
63290	10/26/10	ANT09 SERENA ANTON	65.00		3712
63291	10/26/10	BAS07 CHRISTINE BASS	65.00		3712
63292	10/26/10	BAS08 REGINA BASILOTTO	65.00		3712
63293	10/26/10	REC06 MICHAEL BECKER	65.00		3712
63294	10/26/10	BEJ01 PATRICIA BEJA	130.00		3712
63295	10/26/10	BIS03 ANGELA BISIGNANO	65.00		3712
63296	10/26/10	BOY16 ELENA BOYLE	65.00		3712
63297	10/26/10	BRE15 TIM BREMBOS	65.00		3712
63298	10/26/10	BRD41 SCOTT BROWN	65.00		3712
63299	10/26/10	CAL07 JERRY & GAIL CALDWELL	65.00		3712
63300	10/26/10	CAS23 NANCY CASTRO	65.00		3712
63301	10/26/10	CEL04 DIANE CELIANO	65.00		3712
63302	10/26/10	CLA38 GINA CLARK	21.00		3712
63303	10/26/10	CLA39 STEPHANIE CLARKE	50.00		3712
63304	10/26/10	COS01 COSTCO WHOLESALE 229	491.34		3712
63305	10/26/10	DEL27 NEAGAN DELGARDIO	65.00		3712
63306	10/26/10	DEL28 WILLIAM DELUCCIA	130.00		3712
63307	10/26/10	DOB02 LORETTA DOBRZYNSKI	65.00		3712
63308	10/26/10	FEL04 JACQUELINE FELLRATH	65.00		3712
63309	10/26/10	FEL06 JEAN FELIPE	26.25		3712
63310	10/26/10	FEO01 KAREN FEOLA	65.00		3712
63311	10/26/10	FOR11 ANGELA FORD	50.00		3712
63312	10/26/10	GHI01 MICHELLE GHIGNA	65.00		3712
63313	10/26/10	GRE16 GREATER MEDIA PUBLICATIONS	317.00		3712
63314	10/26/10	HAI13 LORI HALASNIK	65.00		3712
63315	10/26/10	HAR47 TINA HARLEMAN	65.00		3712
63316	10/26/10	HAR48 TRACI HARRISON	65.00		3712
63317	10/26/10	HIL11 ELIZABETH HILLS	21.00		3712
63318	10/26/10	IMP05 ANTONELLA IMPORTUNA	65.00		3712
63319	10/26/10	JON11 DONNAMARIE JONES	65.00		3712
63320	10/26/10	JON12 SHARON JONES	21.00		3712
63321	10/26/10	KAN08 JILL R. KANZLER	21.00		3712
63322	10/26/10	KAN09 KELLY KANIS	50.00		3712
63323	10/26/10	KIT04 MARYANN KITTLE	21.00		3712
63324	10/26/10	LAP02 TRACY LAPLACA	65.00		3712
63325	10/26/10	LEF01 CAROLYN LEFANTE	50.00		3712
63326	10/26/10	LET07 LAURA LETTS	21.00		3712
63327	10/26/10	LOU04 CURT LOUKIDES	65.00		3712

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JACKSON TOWNSHIP  
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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
63328	10/26/10	LOV01 NICHOLAS & CARL LOVAGLIO	65.00		3712
63329	10/26/10	MCG11 MICHELE MC GUINNESS	65.00		3712
63330	10/26/10	MCK08 KATHLEEN MCKAY	65.00		3712
63331	10/26/10	MCM04 JANET MCNAMARA	65.00		3712
63332	10/26/10	MEK01 LOUISE MENDOSH	65.00		3712
63333	10/26/10	MIL40 LESLIE MILLER	65.00		3712
63334	10/26/10	MUL10 COLLEEN MULRYNE	15.00		3712
63335	10/26/10	MYR02 LYUDMYLA MYROVYCH	65.00		3712
63336	10/26/10	NEW31 ALEXANDRIA NEWMAN	65.00		3712
63337	10/26/10	NOV11 SUSAN NOVIELLO	50.00		3712
63338	10/26/10	PAP03 CHRISTINE PAPANDREA	65.00		3712
63339	10/26/10	REI29 LYNETTE REILLY	50.00		3712
63340	10/26/10	ROD07 MICHAEL RODRIGUEZ	65.00		3712
63341	10/26/10	ROS24 JURGITA ROSARIO	65.00		3712
63342	10/26/10	RUT11 RUTGERS YSRC	150.00		3712
63343	10/26/10	SPA13 WENDE SPAMMATO	65.00		3712
63344	10/26/10	SS01 S & S ARTS & CRAFTS	676.68		3712
63345	10/26/10	USS03 U.S.SPORTS INSTITUTE,INC.	6,328.00		3712
63346	10/26/10	WAG06 VICTORIA K. WAGNER	41.00		3712
63347	10/26/10	WIS02 CAMILLE WISNIEWSKI	22.00		3712
Checking account Totals		Paid	Void	Amount Void	Amount Paid
	Checks:	62	0	0.00	13,030.28
	Direct Deposit:	0	0	0.00	0.00
	Total:	62	0	0.00	13,030.28
Report Totals		Paid	Void	Amount Void	Amount Paid
	Checks:	169	8	2,218.00	13,172,360.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	169	8	2,218.00	13,172,360.00



**ANNOUNCEMENT**

The following Ordinances have been postponed to 11/9/10 with no further notice; 25-10, 27-10, 28-10, 29-10, 30-10, 31-10, 32-10, 33-10, 34-10, 35-10 and 36-10.

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**ORDINANCES, SECOND READING:**

**ORDINANCE NO. 24-10**

**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 AMEND AND SUPPLEMENT CHAPTER 90A, ENTITLED "SOLID WASTE"**

**PUBLIC HEARING OPENED:**

*(No one came forward.)*

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

**MOTION SECONDED BY: MARTIN**

**YES: KAFTON, BRESSI & MARTIN**

**ABSENT: RIVERE & UPDEGRAVE**

**MOTION TO APPROVE ORDINANCE 24-10 ON SECOND READING, ADVERTISE THE APPROVAL AND NOTICE OF PASSAGE AND APPROVAL IN A APPROVED NEWSPAPER AS REQUIRED BY LAW BY: KAFTON**

**MOTION SECONDED BY: BRESSI**

**YES: KAFTON, BRESSI & MARTIN**

**ABSENT: RIVERE & UPDEGRAVE**

**ORDINANCE 24-10**

**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.** Chapter 90A of the Township Code of the Township of Jackson, entitled "Solid Waste," is hereby amended and supplemented so as create a new Article II, entitled "Refuse Containers/Dumpsters," which shall read in its entirety as follows:

**Chapter 90A**

**SOLID WASTE**

**ARTICLE II**

**Refuse Containers/Dumpsters**

**§ 90A-14. Purpose.**

An ordinance requiring dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system(s) operated by the Township of Jackson and/or the waters of the State so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**§ 90A-15. Definitions.**

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this article clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)** – A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township of Jackson or other public body, and is designed and used for collecting and conveying stormwater. MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.

**PERSON** – Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

**REFUSE CONTAINER** – Any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.

**STORMWATER** – Water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

**WATERS OF THE STATE** – The ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

**§ 90A-16. Prohibited Conduct.**

Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Township of Jackson.

**§ 90A-17. Exceptions to prohibition.**

- A. Permitted temporary demolition containers.
- B. Litter receptacles (other than dumpsters or other bulk containers).
- C. Individual homeowner trash and recycling containers.
- D. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit.
- E. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup).

**§ 90A-18. Enforcement.**

All provisions contained within this article shall at all times be subject to enforcement by the Police Department of the Township of Jackson and by the Jackson Township Code Enforcement Officer, or his or her duly designated agent of the Township of Jackson.

**§ 90A-19. Penalties.**

Any person violating provisions of this article shall be subject to a fine in a minimum amount of \$100 or imprisonment in the county jail for a term not to exceed 90 days, or both, or community service as ordered by the Court, which shall not reduce the fine imposed by more than 50%. Each and every violation of this article, or each day that the provisions of this article are violated, shall be construed as a separate and distinct violation thereof.

**SECTION 2.** Chapter 90A of the Township Code of the Township of Jackson, entitled “Solid Waste,” is hereby amended and supplemented so as create a new Article III, entitled “Private Storm Drain Inlet Retrofitting,” which shall read in its entirety as follows:

**Chapter 90A**

**SOLID WASTE**

**ARTICLE III**

**Private Storm Drain Inlet Retrofitting**

**§ 90A-20. Purpose.**

An ordinance requiring retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Township of Jackson so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**§ 90A-21. Definitions.**

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this article clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)** – A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township of Jackson or other public body, and is designed and used for collecting and conveying stormwater. MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.

PERSON – Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

STORM DRAIN INLET – An opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.

WATERS OF THE STATE – The ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

**§ 90A-22. Prohibited conduct.**

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

- A. Already meets the design standard below to control passage of solid and floatable materials; or
- B. Is retrofitted or replaced to meet the standard in § 90A-23 below prior to the completion of the project.

**§ 90A-23. Design standard.**

Storm drain inlets identified in § 90A-22 above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see § 90A-23(C) below.

- A. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
  - (1) The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
  - (2) A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension. Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.
- B. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

- C. This standard does not apply:
- (1) Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards.
  - (2) Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
    - (a) A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
    - (b) A bar screen having a bar spacing of 0.5 inches.
  - (3) Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars; or
  - (4) Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

**§ 90A-24. Enforcement.**

All provisions contained within this article shall at all times be subject to enforcement by the Police Department of the Township of Jackson and by the Jackson Township Code Enforcement Officer, or his or her duly designated agent of the Township of Jackson.

**§ 90A-25. Violations and penalties.**

Any person violating provisions of this article shall be subject to a fine in a minimum amount of \$100 or imprisonment in the county jail for a term not to exceed 90 days, or both, or community service as ordered by the Court, which shall not reduce the fine imposed by more than 50%. Each and every violation of this article, or each day that the provisions of this article are violated, shall be construed as a separate and distinct violation thereof.

**SECTION 3.** 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.

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 **October 12, 2010**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **26<sup>th</sup> day of October, 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

SKF:nmc  
#5000

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**ORDINANCE 25-10 TABLED TO 11/9/10**

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**ORDINANCE 26-10**

**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 CREATE A NEW CHAPTER 62A, ENTITLED "FERTILIZER APPLICATION"**

**PUBLIC HEARING OPENED:**

**GARRY BLACK – 76 LEWIS LANE** asked if this sets up a storm water authority? Council President Martin said that is correct. Mr. Black thanked whoever created this Ordinance.

**CAROL SCULL – 17 BRIDGE COURT** asked if they're going to define the fertilizers. She's looking for clarification. Council President Martin replied.

**JEAN CIPRIANI** the definition in the Ordinance does not define the definition of fertilizer.

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

**MOTION SECONDED BY: BRESSI**

**YES: KAFTON, BRESSI & MARTIN**

**ABSENT: RIVIERE & UPDEGRAVE**

**MOTION TO APPROVE ORDINANCE 26-10 ON SECOND READING, ADVERTISE THE APPROVAL AND NOTICE OF PASSAGE AND APPROVAL IN A APPROVED NEWSPAPER AS REQUIRED BY LAW BY: KAFTON**

**MOTION SECONDED BY: BRESSI**

**YES: KAFTON, BRESSI & MARTIN**

**ORDINANCE NO. 26-10**

**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 CREATE A NEW CHAPTER  
62A, ENTITLED “FERTILIZER APPLICATION”**

**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 create a new Chapter 62A, entitled “Fertilizer Application,” which shall read in its entirety as follows:

**Chapter 62A**

**FERTILIZER APPLICATION**

**§ 62A-1. Purpose.**

The purposes of this chapter is to regulate the outdoor application of fertilizer so as to reduce the overall amount of excess nutrients entering waterways, thereby helping to protect and improve surface water quality. This chapter shall not apply to fertilizer application on commercial farms.

**§ 62A-2. Basis and Background.**

Elevated levels of nutrients, particularly phosphorus, in surface water bodies can result in excessive and accelerated growth of algae and aquatic plants (eutrophication). Excessive plant growth can result in diurnal variations and extremes in dissolved oxygen and pH, which, in turn, can be detrimental to aquatic life. As algae and plant materials die off, the decay process creates a further demand on dissolved oxygen levels. The presence of excessive plant matter can also restrict use of the affected water for recreation and water supply.

While healthy vegetated areas are protective of water quality by stabilizing soil and filtering precipitation, when fertilizers are applied to the land surface improperly or in excess of the needs of target vegetation, nutrients can be transported by means of storm water to nearby waterways, contributing to the problematic growth of excessive aquatic vegetation. Most soils in New Jersey contain sufficient amounts of phosphorus to support adequate root growth for established turf. Over time, it is necessary to replenish available phosphorus, but generally not at the levels commonly applied. Other target vegetation, such as vegetable gardens and agricultural/horticultural plantings, will have a greater need for phosphorus application, as will the repair or establishment of new lawns or cover vegetation. A soils test and fertilizer application recommendation geared to the soil and planting type is the best means to determine the amount of nutrients to apply. Timing and placement of fertilizer application is also critical to avoid transport of nutrients to waterways through storm water runoff. Fertilizer applied immediately prior to a runoff-producing rainfall, outside the growing season, or to impervious surfaces, is most likely to be carried away by means of runoff without accomplishing the desired objective of supporting target vegetation growth. Therefore, the management of the type, amount and techniques for fertilizer application is necessary as one tool to protect water resources.

This chapter shall not apply to application of fertilizer on commercial farms, but improper application or fertilizer on farms would be

problematic as well. Stewardship on the part of commercial farmers is needed to address this potential source of excess nutrient load to water bodies. Commercial farmers are expected to implement best management practices in accordance with conservation management plans or resource conservation plans developed for the farm by the Natural Resource Conservation Service, and approved by the Soil Conservation District Board.

**§ 62A-3. Definitions.**

For the purpose of this chapter, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

**BUFFER** – The land area, twenty-five (25) feet in width, adjacent to any water body.

**COMMERCIAL FARM** – A farm management unit producing agricultural or horticultural products worth two thousand five hundred (\$2,500) dollars or more annually.

**FERTILIZER** – A fertilizer material, mixed fertilizer or any other substance containing one or more recognized plant nutrients, which is used for its plant nutrient content, which is designed for use or claimed to have value in promoting plant growth, and which is sold, offered for sale, or intended for sale.

**IMPERVIOUS SURFACE** – A surface that has been covered with a layer of material so that it is highly resistant to infiltration by water. This term shall be used to include any highway, street, sidewalk, parking lot, driveway, or other material that prevents infiltration of water into the soil.

**PERSON** – Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

**PHOSPHORUS FERTILIZER** – Any fertilizer that contains phosphorus, expressed as P<sub>2</sub>O<sub>5</sub>, with a guaranteed analysis of greater than zero; except that it shall not be considered to include animal (including human) or vegetable manures, agricultural liming materials, or wood ashes that have not been amended to increase their nutrient content.

**SOILS TEST** – A technical analysis of soil conducted by an accredited soil-testing laboratory following the protocol for such a test established by Rutgers Cooperative Research and Extension.

**WATERBODY** – A surface water feature, such as a lake, river, stream, creek, pond, lagoon, bay or estuary.

**§ 62A-4. Prohibited Conduct.**

No person may do any of the following:

- A. Apply fertilizer when a runoff producing rainfall is occurring or predicted and/or when soils are saturated and a potential for fertilizer movement off-site exists.



- B. Apply fertilizer to an impervious surface. Fertilizer inadvertently applied to an impervious surface must be swept or blown back into the target surface or returned to either its original or another appropriate container for reuse.
- C. Apply fertilizer within the buffer of any water body.
- D. Apply fertilizer more than fifteen (15) days prior to the recognized growing season in Zone 6b (northeastern, central and part of southern New Jersey) March 1 to November 15, as identified by the USDA Plant Hardiness Zones, found in The Standards for Soil Erosion and Sediment Control in New Jersey, July 1999.

**§ 62A-5. Phosphorus Fertilizer Application.**

No person may do the following:

- A. Apply phosphorus fertilizer in outdoor areas except as demonstrated to be needed for the specific soils and target vegetation in accordance with a soils test and the associated annual fertilizer recommendation issued by Rutgers Cooperative Research and Extension.
- B. Exceptions.
  - (1) Application of phosphorus fertilizer needed for
    - (a) establishing vegetation for the first time, such as after land disturbance, provided the application is in accordance with the requirements established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules,
    - (b) re-established or repairing a turf area.
  - (2) Application of phosphorus fertilizer that delivers liquid or granular fertilizer under the soils surface, directly to the feeder roots.
  - (3) Application of phosphorus fertilizer to residential container plantings, flowerbeds, or vegetable gardens.

**§ 62A-6. Enforcement.**

All provisions contained within this article shall at all times be subject to enforcement by the Police Department of the Township of Jackson and by the Jackson Township Code Enforcement Officer, or his or her duly designated agent of the Township of Jackson.

**§ 62A-7. Penalties.**

Any person violating provisions of this article shall be subject to a fine in a minimum amount of \$100 or imprisonment in the county jail for a term not to exceed 90 days, or both, or community service as ordered by the Court, which shall not reduce the fine imposed by more than 50%. Each and every violation of this article, or each day that the provisions of this article are violated, shall be construed as a separate and distinct violation thereof.

**SECTION 3.** 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.

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 **October 12, 2010**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **26<sup>th</sup> day of October, 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

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***ORDINANCE 27-10 CARRIED TO 11/9/10***

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***ORDINANCE 28-10 CARRIED TO 11/9/10***

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***ORDINANCE 29-10 CARRIED TO 11/9/10***

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***ORDINANCE 30-10 CARRIED TO 11/9/10***

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***ORDINANCE 31-10 CARRIED TO 11/9/10***

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***ORDINANCE 32-10 CARRIED TO 11/9/10***

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***ORDINANCE 33-10 CARRIED TO 11/9/10***

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***ORDINANCE 34-10 CARRIED TO 11/9/10***

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***ORDINANCE 35-10 CARRIED TO 11/9/10***

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**ORDINANCE 36-10 CARRIED TO 11/9/10**

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**ORDINANCES FIRST READING**

***ORDINANCE 37-10 REMOVED FOR PLANNING BOARD DISCUSSIONS PRIOR TO REINTRODUCTION***

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**PUBLIC HEARING OPENED, RESOLUTIONS ONLY**

*(No one came forward.)*

**MOTION TO CLOSE PUBLIC HEARING, RESOLUTIONS ONLY**

**BY: KAFTON**

**MOTION SECONDED BY: BRESSI**

**YES: KAFTON, BRESSI & MARTIN**

**ABSENT: RIVERE & UPDEGRAVE**

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**RESOLUTIONS 457R-10**

**TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO SUNRISE DEVELOPMENT INC., OF THE PERFORMANCE BOND ISSUED FOR SUNRISE ASSISTED LIVING, A/K/A BLOCK 145.01, LOT 33.05**

**MOTION TO APPROVE BY: BRESSI**

**MOTION SECONDED BY: KAFTON**

**YES: KAFTON, BRESSI & MARTIN**

**ABSENT: RIVERE & UPDEGRAVE**

**WHEREAS**, Sunrise Development Inc., has requested a release of the Performance Guarantee, which consists of \$780,031.35 in the form of a Performance Bond #6407113 issued by Safeco Insurance Company of America and a cash bond in the amount of \$86,670.16, pertaining to Sunrise Assisted Living, a/k/a Block 145.01, Lot 33.05, Jackson Township; and

**WHEREAS**, Michael G. Miller of T&M Associates, Township Engineer, has reviewed and approved the release of said performance bond in letter report dated September 29, 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 #6407113 issued by Safeco Insurance Company of America in the amount of \$780,031.35 and a cash bond in the amount of \$86,670.16, heretofore posted with the Township may and hereby is released on the condition that the applicant:

1. Post a Maintenance Bond with the Township in the amount of \$108,337.69, subject to the review and approval of the Township Attorney. Said Maintenance Bond shall run for a period of two (2) years; and
2. This resolution of release is further contingent upon submitting additional escrow to provide an account balance of \$1,500.00 for review during the maintenance period;
3. The applicant/developer also must reimburse 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.
4. Copies of this resolution to Administration, Finance, Applicant/Developer, Township Engineer, and the Department of Public Works, Attn: Connie Sidor.
5. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

**DATED: 10/26/10**

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

**RESOLUTION NUMBER 458R-10**

**TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO SOUTH KNOLLS, LLC, OF THE PERFORMANCE BOND ISSUED FOR SOUTH KNOLLS, SEC. 1A, A/K/A BLOCK 111, LOTS 21, 22, 23 & VARIOUS**

**MOTION TO APPROVE BY: BRESSI**

**MOTION SECONDED BY: KAFTON**

**YES: KAFTON, BRESSI & MARTIN**

**ABSENT: RIVERE & UPDEGRAVE**

**WHEREAS**, South Knolls, LLC, has requested a Release of the Performance Guarantee, which consists of \$761,163.72 in the form of a Performance Bond #1003133 issued by Lexon Insurance Company, and a Cash Bond in the amount of \$84,573.75 pertaining to South Knolls, Sec. 1A a/k/a Block 111, Lots 21, 22, 23 & Various, Jackson Township; and

**WHEREAS**, Michael G. Miller of T&M Associates, Township Engineer, has reviewed and approved the release of said performance bond in letter report dated October 7, 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 #1003133 issued Lexon Insurance Company in the amount of \$761,163.72 and a Cash Bond in the amount of \$84,573.75, heretofore posted with the Township may and hereby is released on the condition that the applicant:

1. Post a Maintenance Bond with the Township in the amount of \$352,390.61, subject to the review and approval of the Township Attorney. Said Maintenance Bond shall run for a period of two (2) years; and

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

**DATED: 10/26/10**

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**RESOLUTION NUMBER 461R-10**

**TITLE: AUTHORIZE CONTRACT AWARD FOR VEHICLE AND VEHICLE OPERATING PERSONNEL FOR 2011 AND 2012 SUPPLEMENTAL SNOWPLOWING SERVICES**

**MOTION TO APPROVE BY: BRESSI**

**MOTION SECONDED BY: KAFTON**

**YES: KAFTON, BRESSI & MARTIN**

**ABSENT: RIVERE & UPDEGRAVE**

**WHEREAS**, Jackson Township advertised for the acceptance of sealed bids for Supplemental Snowplowing Services for CY 2011 and CY 2012 on October 14, 2010; and

**WHEREAS**, at the time and place for receipt of sealed bids, bids were received from three (3) vendors (Galloway Enterprises, J.R. Custom Landscaping and Bil-Jim Construction) with various hourly rates based on specified equipment. The attached "Schedule A" provides the detail of each bid; and

**WHEREAS**, after review of said bids, the Director of Public Works has made recommendation to the Mayor requesting awards be made to the following vendors for the specified equipment and hourly rates as noted on the attached Schedule "A":

VENDOR

EQUIPMENT

HOURLY RATE

Galloway Enterprises	F250/F350	\$117.00
	Mason Dump	\$117.00
	Double Axle Truck	\$147.00
	Loader (2 CY Bucket)	\$147.00
	Skid Steer	\$147.00
	Bobcat/Toolcat	\$147.00
	Salt Truck	\$147.00

J.R. Custom Landscaping	Single Axle Truck	\$145.00
	Rubber Tire Backhoe /Loader Case 580 or equal	\$145.00

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

**DATED: 10/26/10**

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

**RESOLUTION NUMBER 452R-10**  
**TITLE: AUTHORIZE TAX OVERPAYMENT REFUNDS (SCHEDULE "A" AND SCHEDULE "B" ATTACHED)**

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

**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" and Schedule "B" which are made apart hereof.
2. Copies of this Resolution to the Tax Collector.

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

**DATED: 10/26/10**

**RESOLUTION NUMBER 453R-10**  
**TITLE: APPROVE JACKSON TOWNSHIP COUNCIL MEETING MINUTES OF JUNE 22, 2010**

**MOTION TO APPROVE BY: BRESSI**  
**MOTION SECONDED BY: KAFTON**  
**YES: BRESSI & MARTIN**  
**ABSENT: RIVIERE & UPDEGRAVE**  
**ABSTAIN: KAFTON**

**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:

June 22, 2010

2. Copies of this resolution to any interested parties.

**DATED: 10/26/10**

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

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**RESOLUTION NUMBER: 454R-10  
TITLE: APPROVE CHIEF FINANCIAL OFFICERS REPORT FOR MONTH OF  
SEPTEMBER 2010**

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

**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 monthly report for September 2010 is hereby approved.
2. Copies of this Resolution to Treasurer, Administrator, Township Attorney, and any other interested parties.

**DATED: 10/26/10**

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

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**RESOLUTION NUMBER: 455R-10  
TITLE: RESOLUTION SUPPORTING THE HIRING OF SUPPLEMENTAL  
DRIVERS TO PROVIDE SNOWPLOW SERVICES (CY 2010 AND CY 2011)**

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

**WHEREAS**, the Township of Jackson has determined that supplemental drivers are required to provide additional snowplowing services during major storms; and

**WHEREAS**, said supplemental drivers would be utilized when DPW employees are on mandatory break or when the magnitude of a storm requires more drivers to supplement DPW staff; and

**WHEREAS**, the Township Council has determined that supplemental drivers are required to provide the snowplowing services required for the health and safety of the Township residents; and

**WHEREAS**, the Township Council supports the hiring of additional snowplowing drivers to supplement the snowplowing services provided by DPW employees during major snow emergencies.

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

1. That the Council supports the Mayor's hiring of additional snowplowing drivers (in accordance with, but not limited to, the attached Schedule "A") to supplement DPW employees during major snow emergencies at the rate of \$22.00 per hour for non-CDL drivers and \$27.00 per hour for CDL drivers (CY 2010 and CY 2011).

2. A certified copy of this resolution be forwarded to the Mayor, Administrator, Chief Financial Officer, Personnel, Director of public Works and any other interested parties.

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

**DATED: 10/26/10**

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**RESOLUTION NUMBER: 456R-10**  
**TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE PREPARATION, ADVERTISEMENT AND RECEIPT OF PROPOSALS FOR VARIOUS LEGAL AND PROFESSIONAL SERVICES FOR CY 2011**

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

**WHEREAS**, the Township of Jackson has a need for various Legal and Professional Services commencing January 1, 2011 through December 31, 2011; and

**WHEREAS**, the Township Council has determined to utilize the Fair and Open Process in accordance with N.J.S.A. 19:44A-20.4 et seq. for the solicitation of sealed proposals for these Services.

**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 does hereby authorize the preparation, advertisement and receipt of sealed proposals for Legal and Professional Services commencing January 1, 2011 through December 31, 2011 for the Township of Jackson, the Jackson Township Zoning Board of Adjustment, Rent Leveling Board.
2. That after the date and time for the receipt of sealed proposals has been determined; a Notice for the Solicitation of Professional Services shall be advertised as prescribed by law.
3. A copy of this resolution shall be forwarded to the Municipal Administrator, Purchasing Agent, Zoning Board of Adjustment, Rent Leveling Board and any other interested parties.

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

**DATED: 10/26/10**

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**RESOLUTION NUMBER: 459R-10**  
**TITLE: AMEND RESOLUTION NO. 037R-10 AUTHORIZING PURCHASES FROM APPROVED NEW JERSEY STATE CONTRACT VENDORS FOR CY 2010**

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

**WHEREAS**, the Township of Jackson, as a contracting unit may, without advertising for bids, purchase any materials, supplies, services or equipment under any contract or contracts entered into by the NJ Division of Purchase and Property in the Department of the Treasury, for such materials, supplies, services or equipment pursuant to N.J.S.A. 40A:11-12; and

**WHEREAS**, the Township of Jackson previously approved the utilization of state contracts as needed and when it is in the best interest of the Township to do so; and

**WHEREAS**, purchases made utilizing state contracts meet the requirements of using a fair and open process; and

**WHEREAS**, the Purchasing Department is requesting approval to include the following vendor as an approved State Contract vendor for CY 2010:

Eagle Point Guns - State Contract No. T106A/75931

**NOW, THEREFORE, BE IT RESOLVED**, the Township Council of the Township of Jackson, County of Ocean, State of New Jersey does hereby authorize the inclusion of the above referenced State Contract vendor to the original list of vendors approved on January 5, 2010.

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

**DATED: 10/26/10**

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

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**RESOLUTION NUMBER: 460R-10**  
**TITLE: AUTHORIZE ISSUANCE OF A PET SHOP LICENSE TO DERRICK WILLIS, T/A FINNS & THINGS, LOCATED AT 400 SOUTH NEW PROSPECT ROAD (BLOCK 7306, LOT 3) FOR CY 2010**

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

**WHEREAS**, the applicant, Derrick Willis, has submitted an application for a license to operate a Pet Shop, Finns & Things, at the premises located at 400 South New Prospect Road, Jackson, New Jersey pursuant to 73 of the Jackson Township Code; and

**WHEREAS**, the application is in proper form, the proper fees have been paid and taxes have been paid up-to-date on the premises in question; and



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

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

1. That the Township Clerk is hereby authorized to deliver the applicant, Derrick Willis, t/a Finns & Things, 400 S. New Prospect Road, Jackson, New Jersey, a Pet Shop license commencing immediately and terminating on January 31, 2011.

2. This license is issued subject to the applicant's continued compliance with conditions and requirements as follows:

- A. Payment of all outstanding fees and taxes.
- B. The applicant shall conform with all laws & regulations required by Chapter 73.
- C. The applicant obtaining all other local, County and State permits.

3. That upon the adoption of this resolution, the Clerk is authorized and directed to forward a certified copy of it to Derrick Willis, Code Enforcement, Animal Control, and any other interested parties.

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

DATED: 10/26/10

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**RESOLUTION NUMBER: 462R-10**  
**TITLE: APPROVE BINGO/RAFFLE LICENSE**

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

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-1372 – VFW POST #4703 LADIES AUXILIARY  
#RA-1373 – VFW POST #4703 LADIES AUXILIARY

2. Copies of the Resolution to interested parties.

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

DATED: 10/26/10

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**DISCUSSION AGENDA:**

- 1. **Administrator Del Turco – Update – road closures due to JTMUA PROJECT (Villanova, Fordham and Arizona)** The correspondence from Mr. Gilmore's office indicates that there is a provisions in place regarding violations in the Ordinance.
- 2. **Administrator Del Turco – CDBG grant award**
- 3. **Administrator Del Turco. CHPT 91 Ordinance**

4. Deputy Clerk Kisty – Update – road closing Ordinance
  5. Deputy Clerk Kisty – Update – amendment to Chapter 109-182 entitled “Signs”
  6. Deputy Clerk Kisty – If necessary, authorize Twp. Engineer to prep., advertise and receive bids to complete project known as Heritage Estates.
  7. Administrator Del Turco – Don Connor Road improvements and RTE 539.
  8. Deputy Clerk Kisty – Reminder General Election Tuesday 11/2/10 polls open 6am – 8 pm.
  9. Deputy Clerk Kisty - Tree lighting 12/4 @ 4pm
  10. Menorah Lighting Monday 12/6 at 4:30 pm
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### **PUBLIC HEARING, ANY TOPIC**

**GEORGE ROD – 190 HICKORY ROAD** asked if Hickory Road is scheduled for paving. Council President Martin said he should leave his name with Administrator Del Turco and we’ll get back to him.

**GARRY BLACK – 76 LEWIS LANE** asked what the age group the safe trick or treat is. Council President Martin stated that there is none, everyone is welcome.

**STEPHANIE BROWN – NEW PROSPECT ROAD** she wanted to congratulate the Mayor on the Wounded Warrior Parade and said how nice it was. Council President Martin agreed with Ms. Brown. She said that she did a little more research on Legler and that the houses are really not that close and that the methane gas is not going to reach the homes. She apologizes to Dan Burke.

**LORRAINE LONGO – 176 DENTON LANE** asked about Ordinance 29-10 and if we are postponing it. Council President Martin said yes, we are to 11/9/10.

**THERESA LETTMAN - PINELANDS PRESERVATION ALLIANCE** she is here tonight to talk about Ordinance 29-10 and would still like to do so. They’ll be asking to remove the PDCs which is the transfer of development rights to redirect growth within the Pinelands in the PDCs allocated to preservation areas. Land owners get the payments for selling the PDCs. Ordinance 29-10 takes away the use of the TDR program.

**TIM JONES – 14 HARVEST COURT** asked about his OPRA request for the Solar Avenue minutes. Attorney Cipriani asked what the meeting date was. Regarding Ordinance #79-06 he asked if it would be possible to regulate the amount of Saturday permits that are issued and perhaps change the start time from 7 a.m. to 9 a.m. so he is not woken up by the trucks every weekend and perhaps he could use his backyard without having it filled with diesel smoke.

**BILL MERCANTE – 39 ROSE DRIVE** asked if anything was done to recognize Donna Hopkins from the rent control board. He mentioned she ran a tight ship and he asked who will be replacing her. Council President Martin stated that this just occurred and the Mayor will be appointing someone very soon.

**STEPHANIE BROWN – NEW PROSPECT ROAD** commented about something Councilman Kafton said.

**ELAINE LEIGHTON – 661 OLLIE BURKE ROAD** thanked everybody for considering other locations for the compost site. Commented about the snow plowing. She is concerned about the methane gas and believes there should be monitors. Administrator Del Turco stated that everything seems to be improving. He can give everyone copies of the report. Council Vice President Bressi stated there have been improvements and it’s getting better, but it’s not fixed yet. Councilman Kafton goes on to say that the compost facility should be put on Hope Chapel Road where it’s away from homes and people.

**BRIAN ARCELLA – 647 DORATHY’S LANE** he said that there is no way to tell which direction methane gas is traveling.

**DAN PEKARCHIK – 17 ALASKA DRIVE** he asked how the Mayor is getting paid. Council President Matrín replied that he’s not. Mr. Pekarchik stated that you’d have to create an Ordinance to allow him not to take his salary. Attorney Cipriani stated that that is not true. Mr. Pekarchik asked if this is legal. Attorney Cipriani replied yes.

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

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

**8:26 PM**

**RESPECTFULLY SUBMITTED,**

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**COUNCIL PRESIDENT MARTIN**

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**JANICE KISTY, R.M.C.**  
**DEPUTY TOWNSHIP CLERK**

**JK/dmk**