

**ON TUESDAY, FEBRUARY 8, 2011, AT 7:30P.M., THE JACKSON TOWNSHIP
COUNCIL HELD ITS MEETING IN THE MUNICIPAL BUILDING**

NO EXECUTIVE SESSION

7:45 PM CONVENE PUBLIC MEETING

PLEDGE OF ALLEGIANCE

ROLL CALL

COUNCILMAN KAFTON

ATTORNEY JEAN CIPRIANI

COUNCILWOMAN RIVERE

TOWNSHIP CLERK EDEN

COUNCILWOMAN UPDEGRAVE

COUNCIL VICE PRESIDENT BRESSI

COUNCIL PRESIDENT MARTIN

ALSO IN ATTENDANCE ADMINISTRATOR TORRES

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.

COMMENTS BY THE TOWNSHIP COUNCIL MEMBERS:

COUNCILMAN KAFTON: He spoke about an issue that was brought up a while ago regarding a parking tax at Great Adventure. He read a letter to the Council from Attorney Cipriani explaining that Council could propose an ordinance for parking fees, but it couldn't specifically target Great Adventure's parking facility. Attorney Cipriani explained that she would like to take another look into this because she believes that there might be some case law that would prevent them from doing this. She stated that she would send an updated memo to the Council President that he could share with the rest of the Council.

COUNCILWOMAN RIVERE: She began by complimenting the First Aid Squad on the dinner she went to. She said they are wonderful people and she is very proud of them all.

COUNCILWOMAN UPDEGRAVE: She announced that Diane Black, the Secretary for the Commission for the Disabled is retiring. Her retirement dinner will be on March 6th and she will be greatly missed.

COUNCIL VICE PRESIDENT BRESSI: He agreed that Diane Black did a great job and will be missed and he wished her well. He went on to say that he went to the First Aid dinner also and the amount of hours some of them put in is unbelievable. They are very dedicated and it was an honor for him to be there.

COUNCIL PRESIDENT MARTIN: He too congratulated the First Aid on the wonderful job that they do.

ORDINANCES, SECOND READING:

ORDINANCE 01-11

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 CHAPTER 109, ENTITLED "LAND USE AND DEVELOPMENT REGULATIONS," ARTICLE IX, ENTITLED "NONCONFORMING USES, LOTS, BUILDINGS AND STRUCTURES," SECTION 109-126, ENTITLED "RESTORATION"

PUBLIC HEARING OPENED: NO ONE CAME FORWARD.

MOTION TO CLOSE PUBLIC HEARING BY: KAFTON

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

MOTION TO APPROVE ORDINANCE 01-11 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN A APPROVED NEWSPAPER AS REQUIRED BY LAW BY: UPDEGRAVE

MOTION SECONDED BY: BRESSI

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

ORDINANCE NO. 01-11

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 109, entitled "Land Use and Development Regulations," Article IX, entitled "Nonconforming Uses, Lots, Buildings and Structures," § 109-126, entitled "Restoration," so as to delete the current subsection B(3), and replace it with the following:

- B. (3) A third person, agreed to by the Construction Code Official and the owner, whose fee shall be paid by the owner.

SECTION 2. The Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 109, entitled "Land Use and Development Regulations," Article IX, entitled "Nonconforming Uses, Lots, Buildings and Structures," § 109-126, entitled "Restoration," so as to delete the current subsection C, and replace it with the following:

- C. If, in the opinion of the majority of the above three people, the value of repairing the condition is 50% or greater of the total market value of replacing the entire structure, it shall be considered destroyed and may be rebuilt to the original specifications only upon approval of any variance and/or site plan required by state statutes.

SECTION 3. After introduction of this ordinance, the Township Clerk shall send a copy of this ordinance to the Municipal Planning Board for its review and comment. The Township Clerk shall also send copies of this ordinance to all adjoining municipalities pursuant to N.J.S.A. 40:55D-15, and to the Ocean County Planning Board pursuant to N.J.S.A. 40:55D-16 by certified mail at least ten (10) days prior to the proposed second reading and adoption of this ordinance.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law, filing of the ordinance with the Ocean County Planning Board, approval by the Mayor pursuant to N.J.S.A. 40:69A-41 and the passage of twenty (20) days from adoption by the governing body pursuant to N.J.S.A. 40:69A-18.1.

SECTION 5. After adoption of this ordinance on second reading, the Township Clerk shall file a certified copy of this ordinance with the Ocean County Planning Board.

SECTION 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 7. 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.

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 the **25th day of January, 2011**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **8th day of February, 2011**, 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.

DATED: 2/8/11

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

ORDINANCE 02-11

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 CHAPTER 109, ENTITLED "LAND USE AND DEVELOPMENT REGULATIONS," ARTICLE VI, ENTITLED "NON-PINELANDS AREA ZONING DISTRICT REGULATIONS," SECTION 109-42, ENTITLED "ZONING MAP"

PUBLIC HEARING OPENED:

GARY BLACK, 76 LEWIS LANE: He wanted to make sure that these were the changes they discussed about a month ago regarding updating the Master Plan? Attorney Cipriani replied “yes”.

MOTION TO CLOSE PUBLIC HEARING BY: RIVERE

MOTION SECONDED BY: KAFTON

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

MOTION TO APPROVE ORDINANCE 02-11 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN A APPROVED NEWSPAPER AS REQUIRED BY LAW BY: UPDEGRAVE

MOTION SECONDED BY: BRESSI

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

ORDINANCE NO. 02-11

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 109, entitled “Land Use and Development Regulations,” Article VI, entitled “Non-Pinelands Area Zoning District Regulations,” so as to delete § 109-42, entitled “Zoning Map,” in its entirety, and replace it with the following:

§ 109-42. Zoning Map.

The boundaries of all zoning districts set forth in this chapter are shown on a map entitled “Zoning Map, Township of Jackson, Ocean County, New Jersey,” prepared by Remington, Vernick & Vena Engineers, Township Planner, dated December 20, 2010, which map is hereby made a part of this chapter. A copy of the Zoning Map is on file in the Office of the Township Clerk.

SECTION 2. After introduction of this ordinance, the Township Clerk shall send a copy of this ordinance to the Municipal Planning Board for its review and comment. The Township Clerk shall also send copies of this ordinance to all adjoining municipalities pursuant to N.J.S.A. 40:55D-15, and to the Ocean County Planning Board pursuant to N.J.S.A. 40:55D-16 by certified mail at least ten (10) days prior to the proposed second reading and adoption of this ordinance.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law, filing of the ordinance with the Ocean County Planning Board, approval by the Mayor pursuant to N.J.S.A. 40:69A-41 and the passage of twenty (20) days from adoption by the governing body pursuant to N.J.S.A. 40:69A-18.1.

SECTION 5. After adoption of this ordinance on second reading, the Township Clerk shall file a certified copy of this ordinance with the Ocean County Planning Board.

SECTION 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 7. 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.

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 the **25th day of January, 2011**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **8th day of February, 2011**, 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**

DATED: 2/8/11

ORDINANCE 03-11

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 CHAPTER 109, ENTITLED "LAND USE AND DEVELOPMENT REGULATIONS: ARTICLE II, ENTITLED "DEFINITIONS," SECTION 109-6, ENTITLED "TERMS DEFINED".

PUBLIC HEARING OPENED: NO ONE CAME FORWARD

MOTION TO CLOSE PUBLIC HEARING BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

MOTION TO APPROVE ORDINANCE 03-11 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN A APPROVED NEWSPAPER AS REQUIRED BY LAW BY: UPDEGRAVE

MOTION SECONDED BY: BRESSI

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

ORDINANCE NO. 03-11

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. Pursuant to 40:55D-62 and pursuant to the recommendations of the Jackson Township Planning Board and Zoning Board, the Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 109, entitled “Land Use and Development Regulations,” Article II, entitled “Definitions,” Section 109-6 (A) entitled “Terms Defined”, so as to delete only the definition of “Yard, Front” and replace it with the following, and to add the definition of “Yard, Front (Corner Lot) consistent with new recommendations and changes in zoning regulations, as follows:

§109-6 – YARD, FRONT – An open space on the same lot with a principal building, extending the full width of the lot and situated between the street line and the front yard setback line projected to the side lines of that lot. A “front yard” shall be unoccupied and unobstructed from the ground upward, except for the presence of natural vegetation, driveways, or fences, and under no circumstances shall anything obstruct safe vehicular visibility within the sight triangle.

§109-6 – YARD, FRONT (CORNER LOT) - On corner lots, all yards facing on a street shall be considered “front yards” and shall conform to the minimum front yard requirements for the zone in which the lot is located, except as otherwise provided in this chapter.

SECTION 2. After introduction of this ordinance, the Township Clerk shall send a copy of this ordinance to the Municipal Planning Board for its review and comment. The Township Clerk shall also send copies of this ordinance to all adjoining municipalities pursuant to N.J.S.A. 40:55D-15, and to the Ocean County Planning Board pursuant to N.J.S.A. 40:55D-16 by certified mail at least ten (10) days prior to the proposed second reading and adoption of this ordinance.

SECTION 3. This ordinance shall take effect after second reading and publication as required by law, filing of the ordinance with the Ocean County Planning Board, approval by the Mayor pursuant to N.J.S.A. 40:69A-41 and the passage of twenty (20) days from adoption by the governing body pursuant to N.J.S.A. 40:69A-18.1.

SECTION 4. After adoption of this ordinance on second reading, the Township Clerk shall file a certified copy of this ordinance with the Ocean County Planning Board.

SECTION 5. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 6. 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.

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 the **25th day of January, 2011**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **8th day of February, 2011**, 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**

DATED: 2/8/11

TOWNSHIP CLERK EDEN: She explained that the Planning Board met last night and had approved all these ordinances except for Ordinance 04-11. They are requesting that the Council table this ordinance until further notice.

ATTORNEY CIPRIANI: She addressed Council President Martin and explained that they already advertised for the public hearing on this ordinance and they can still have the public hearing and table the vote. If there are substantial changes suggested by the Planning Board then they would have to readvertise. Council President Bressi explained that there is a developer in town that thought the way this new ordinance read could benefit some major developments. The Planning Board discussed it last night and this ordinance may be removed and the old ordinance put back in place.

ORDINANCE 04-11

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 CHAPTER 109, ENTITLED "LAND USE AND DEVELOPMENT REGULATIONS, ARTICLE IX, ENTITLED "NONCONFORMING USES, LOTS, BUILDINGS, AND STRUCTURES," SO AS TO CREATE REVISED SECTION 109-130.1 "LOTS OF RECORD".

PUBLIC HEARING OPENED: NO ONE CAME FORWARD

MOTION TO CLOSE PUBLIC HEARING BY: KAFTON

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

MOTION TO TABLE ORDINANCE 04-11 ON SECOND READING, UNTIL SUCH TIME AS PLANNING BOARD REPORTS FAVORABLY ON CHANGE, (NO FURTHER NOTICE WILL BE GIVEN) BY: KAFTON

MOTION SECONDED BY: BRESSI

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

ORDINANCE NO. 04-11

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. Pursuant to 40:55D-62 and subsequent to the adoption of the Township of Jackson Master Plan in August of 2009, the Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 109, entitled "Land Use and Development Regulations," Article IX, entitled

“Nonconforming Uses, Lots, Buildings and Structures,” so as to create a new section 109-130.1 entitled “Lots of Record”.

SECTION 2. §109-130.1 “Lots of Record” recognizes the existence of numerous lots that were previously approved by the Planning Board prior to the changes in state regulations, which would render same lots inconsistent as described in the 2009 Master Plan Land Use Plan element provisions and recommendations, and therefore same lots are to be considered “grandfathered” as follows:

§109-130.1. Lots of record.

A. Where a residential nonconforming lot was previously created by a subdivision approved by the Jackson Township Planning Board, and where such lot was a conforming lot at the time of such subdivision approval, but has been rendered non-conforming as a result of an ordinance adopted to implement a recommendation of the Master Plan, such lot may be used by said owner as a building site for a single family home, and shall be considered a conforming lot, provided that:

- (1) At the time of and since the adoption of the ordinance making such lot nonconforming, the owner of the lot did not own adjoining property; and
- (2) Provided further that the owner owns no adjoining lands which may be used to cause such lot to become a conforming lot; and
- (3) The required front yard, side yard and rear yard setbacks are met as required in the R-1 Residential Zone; and
- (4) Said lot shall have a minimum area of 43,560 square feet; and
- (5) This section shall apply only to the non-Pinelands area of Jackson Township.

SECTION 3. After introduction of this ordinance, the Township Clerk shall send a copy of this ordinance to the Municipal Planning Board for its review and comment. The Township Clerk shall also send copies of this ordinance to all adjoining municipalities pursuant to N.J.S.A. 40:55D-15, and to the Ocean County Planning Board pursuant to N.J.S.A. 40:55D-16 by certified mail at least ten (10) days prior to the proposed second reading and adoption of this ordinance.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law, filing of the ordinance with the Ocean County Planning Board, approval by the Mayor pursuant to N.J.S.A. 40:69A-41 and the passage of twenty (20) days from adoption by the governing body pursuant to N.J.S.A. 40:69A-18.1.

SECTION 5. After adoption of this ordinance on second reading, the Township Clerk shall file a certified copy of this ordinance with the Ocean County Planning Board.

SECTION 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 7. 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.

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 the **25th day of January, 2011**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **8th day of February, 2011**, 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.

DATED: 2/8/11

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

ORDINANCE 05-11

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 82, ENTITLED "PARKS AND RECREATION FACILITIES"

PUBLIC HEARING OPENED: NO ONE CAME FORWARD

MOTION TO CLOSE PUBLIC HEARING BY: KAFTON

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

MOTION TO APPROVE ORDINANCE 05-11 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN A APPROVED NEWSPAPER AS REQUIRED BY LAW BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

ORDINANCE NO. 05-11

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 82 of the Township Code of the Township of Jackson, entitled "Parks and Recreation Facilities," is hereby amended and supplemented so as amend Article IV, entitled "Recreation Event Fees," so as to create a new § 82-36, entitled "Sponsorships," which shall read in its entirety as follows:

§ 82-36. Sponsorships.

The Director of Recreation and Senior Services may determine that the Township pursue specified sponsorships to support department activities. Upon notification from the Director, the Township Purchasing Agent shall procure such sponsorships in accordance with the provisions of the Local Public Contracts Law.

SECTION 2. Chapter 82 of the Township Code of the Township of Jackson, entitled "Parks and Recreation Facilities," is hereby amended and supplemented so as amend Article IV, entitled "Recreation Event Fees," so as to create a new § 82-37, entitled "Special events/programs," which shall read in its entirety as follows:

§ 82-37. Special events/programs.

The Director of Recreation and Senior Services may determine to conduct and charge appropriate fees for such non-reoccurring special events/programs as deemed desirable to further the goals of the department. Such special events/programs shall require the prior approval of the Mayor. All reoccurring special events/programs shall continue to require adoption of a fee-setting ordinance by the Township Council.

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.

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 25, 2011**, and will be considered for second reading and final passage at the regular meeting of said Governing

Body to be held on the 8th day of February, 2011, 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.

DATED: 2/8/11

ANN MARIE EDEN, RMC
TOWNSHIP CLERK

ORDINANCE 06-11

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 3201, LOT 6, TO BLACK KNIGHT BOWBENDERS ARCHERY CLUB IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(5)

PUBLIC HEARING OPENED:

TIM JONES, 14 HARVEST COURT: He stated that he understands that they are selling this property for \$5,000 and asked where that number came from? Council President Martin explained that the number came from an appraisal by Peter Maher. Mr. Jones went on to say that they are selling this property to a private organization for \$5,000 while the MUA had to pay \$5 Million for their property. Councilman Martin said that the Bowbenders own the adjoining property and it is deed restricted. Council Vice President Bressi stated that the MUA paid about \$1 Million and there was a bunch of locations. In closing, Mr. Jones added that the ratepayers for the MUA paid a lot of money on property the town owned and as far as he is concerned the MUA is part of the town.

MOTION TO CLOSE PUBLIC HEARING BY: KAFTON

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

MOTION TO APPROVE ORDINANCE 06-11 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN A APPROVED NEWSPAPER AS REQUIRED BY LAW BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

ORDINANCE NO. 06-11

WHEREAS, the Township of Jackson is the owner of Block 3201, Lot 6, which is an undersized lot under the current ordinances of the Township of Jackson; and

WHEREAS, it is the desire of the governing body to sell said property; and

WHEREAS, the Township has established \$5,000.00 as the fair market value for said property; and

WHEREAS, N.J.S.A. 40A:12-13.2 requires the Township to first offer said property to the adjoining property owners for purchase; and

WHEREAS, Black Knight Bowbenders Archery Club is the only adjoining property owner, and was duly notified of the asking price of the Township for said property,

and said property owner was advised to present its bid to the Township for the right to purchase said property; and

WHEREAS, adjoining property owner Black Knight Bowbenders Archery Club has agreed to purchase Block 3201, Lot 6, from the Township for the sum of \$5,000.00; and

WHEREAS, Black Knight Bowbenders Archery Club has agreed that the property shall be deed restricted to maintain said property in a natural state; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) provides for the authorization of said transfer of property by ordinance.

NOW, THEREFORE, 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. That in accordance with the requirements of N.J.S.A. 40A:12-13(b)(5), the governing body does hereby authorize the sale of Block 3201, Lot 6, to Black Knight Bowbenders Archery Club, said property being undersized, and the only adjoining property owner, Black Knight Bowbenders Archery Club, having submitted a bid that was not less than the fair market value of said property.

SECTION 2. That the Mayor and Township Clerk are hereby authorized to execute any and all documents to transfer title to said property to Black Knight Bowbenders Archery Club for the sum of \$5,000.00. Black Knight Bowbenders Archery Club shall be responsible for the payment of the closing costs in conveying said property (i.e. attorneys' fees in the amount of \$550.00, publication costs in the approximate amount of \$100.00 and recording fees in the amount of \$70.00).

SECTION 3. A condition of the transfer of Block 3201, Lot 6, to Black Knight Bowbenders Archery Club is that the property must be consolidated with Block 3201, Lots 5 and 16, currently owned by Black Knight Bowbenders Archery Club.

SECTION 4. That the deed transferring the property shall restrict the use of the property to maintain said property in a natural state.

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 25, 2011**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **8th day of February, 2011**, 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.

DATED: 2/8/11

ANN MARIE EDEN, RMC
TOWNSHIP CLERK

ORDINANCE 07-11

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 CHAPTER 109, ENTITLED "LAND USE AND DEVELOPMENT REGULATIONS," ARTICLE IV, ENTITLED "DEVELOPMENT APPLICATION PROCEDURES," SECTION 109-30, ENTITLED "GENERAL DEVELOPMENT PLAN"

PUBLIC HEARING OPENED: NO ONE CAME FORWARD

MOTION TO CLOSE PUBLIC HEARING BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

MOTION TO APPROVE ORDINANCE 07-11 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN A APPROVED NEWSPAPER AS REQUIRED BY LAW BY: UPDEGRAVE

MOTION SECONDED BY: BRESSI

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

ORDINANCE NO. 07-11

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 109, entitled "Land Use and Development Regulations," Article IV, entitled "Development Application Procedures," § 109-30, entitled "General development plan," so as to delete subsection B(13) in its entirety.

SECTION 2. The Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 109, entitled "Land Use and Development Regulations," Article IV, entitled "Development Application Procedures," § 109-30, entitled "General development plan," so as to renumber the

current subsection D(4) as subsection D(5), renumber the current subsection D(3) as subsection D(4), and renumber the current subsection D(2) as subsection D(3).

SECTION 3. The Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 109, entitled “Land Use and Development Regulations,” Article IV, entitled “Development Application Procedures,” § 109-30, entitled “General development plan,” so as to create a new subsection D(2), which shall read in its entirety as follows:

§ 109-30. General development plan.

- D. (2) A general development plan approval shall, as a condition of such approval, require a municipal development agreement, which shall mean a written agreement between the Township of Jackson and the developer, in a form previously approved by the appropriate Land Use Board relating to the development.

SECTION 4. After introduction of this ordinance, the Township Clerk shall send a copy of this ordinance to the Municipal Planning Board for its review and comment. The Township Clerk shall also send copies of this ordinance to all adjoining municipalities pursuant to N.J.S.A. 40:55D-15, and to the Ocean County Planning Board pursuant to N.J.S.A. 40:55D-16 by certified mail at least ten (10) days prior to the proposed second reading and adoption of this ordinance.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law, filing of the ordinance with the Ocean County Planning Board, approval by the Mayor pursuant to N.J.S.A. 40:69A-41 and the passage of twenty (20) days from adoption by the governing body pursuant to N.J.S.A. 40:69A-18.1.

SECTION 6. After adoption of this ordinance on second reading, the Township Clerk shall file a certified copy of this ordinance with the Ocean County Planning Board.

SECTION 7. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 8. 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.

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 the **25th day of January, 2011**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **8th day of February, 2011**, 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.

DATE: 2/8/11

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

ORDINANCE 09-11

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 CHAPTER 109, ENTITLED "LAND USE AND DEVELOPMENT REGULATIONS: ARTICLE VI, ENTITLED "NON-PINELANDS AREA ZONING DISTRICT REGULATIONS," SO AS TO AMEND SECTION 109-43.1, ENTITLED "CONSERVATION ZONE OVERLAY"

PUBLIC HEARING OPENED: NO ONE CAME FORWARD

MOTION TO CLOSE PUBLIC HEARING BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

COUNCILMAN KAFTON: He asked if this ordinance is changing the setbacks instead of starting on the line of the property starting on the wetlands line? Council President Martin replied "no" and explained that this is amending a previous ordinance. This is exempting commercial properties from the overlay for a matter of 5 years and has nothing to do with residential properties.

COUNCIL VICE PRESIDENT BRESSI: He explained that before an application is deemed complete they need that letter of interpretation so he is voting yes.

MOTION TO APPROVE ORDINANCE 09-11 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN A APPROVED NEWSPAPER AS REQUIRED BY LAW BY: UPDEGRAVE

MOTION SECONDED BY: BRESSI

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

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 Mayor and Township Council have determined that the Township is in a state of economic crisis and must re-evaluate the imbalance between commercial and residential ratables in the Township, and in an effort to encourage the

commercial and industrial development in the Township, which presently represents only 6.7% of all parcels in the Township, and eliminate barriers which may discourage interest in commercial and industrial development within the Township, while maintaining and protecting established conservation restrictions and buffers required by outside agencies for environmentally sensitive lands, therefore proposes the following amendments; for a period of five (5) years, from January 1, 2011 to December 31, 2015, to be known as a “term of economic priority”, or any period otherwise extended or shortened as determined by the Governing Body and amended hereto.

SECTION 2. Pursuant to 40:55D-62 and subsequent to the adoption of the Township of Jackson Master Plan in August of 2009, the Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 109, entitled “Land Use and Development Regulations,” Article VI, entitled “Non-Pinelands Area Zoning District Regulations”, Section 109-43.1, entitled “Conservation Zone Overlay”, as follows:

1. Delete §109-43.1 (C) 1(c) and §109-43.1 (C) 1(d) in its entirety and replace with the following:

(c). All wetlands, as identified and verified, pursuant to the L.O.I. (Letter of Interpretation) required before any application can be deemed complete, as stated in (a) above, shall be excluded from the gross acreage for purposes of calculating gross residential density and for calculating maximum lot coverage (building and impervious) for non-residential developments, except for commercial and industrial properties for the “term of economic priority” established in section (D) below.

(d). All required setbacks shall be taken from the wetlands limits pursuant to the L.O.I. (Letter of Interpretation) required before any application can be deemed complete as stated in (a) above, and not the property line as otherwise allowed, except for commercial and industrial properties for the “term of economic priority” established in section (D) below.

2. Add §109-43.1 (D) as follows:

D. “Term of Economic Priority” – A period of five (5) years beginning January 1, 2011 through December 31, 2015, or such term as otherwise extended or shortened by the Governing Body, shall exempt commercial and industrial developments as described above.

SECTION 3. After introduction of this ordinance, the Township Clerk shall send a copy of this ordinance to the Municipal Planning Board for its review and

comment. The Township Clerk shall also send copies of this ordinance to all adjoining municipalities pursuant to N.J.S.A. 40:55D-15, and to the Ocean County Planning Board pursuant to N.J.S.A. 40:55D-16 by certified mail at least ten (10) days prior to the proposed second reading and adoption of this ordinance.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law, filing of the ordinance with the Ocean County Planning Board, approval by the Mayor pursuant to N.J.S.A. 40:69A-41 and the passage of twenty (20) days from adoption by the governing body pursuant to N.J.S.A. 40:69A-18.1.

SECTION 5. After adoption of this ordinance on second reading, the Township Clerk shall file a certified copy of this ordinance with the Ocean County Planning Board.

SECTION 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 7. 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.

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 the **25th day of January, 2011**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **8th day of February, 2011**, 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.

DATED: 2/8/11

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

ORDINANCE FIRST READING

ORDINANCE 10-11

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 51, ENTITLED “DOGS AND ANIMALS”, ARTICLE III, ENTITLED “KENNELS; PET SHOPS”, SECTION 24 ENTITLED “APPLICATION FOR LICENSE; FEE” OF THE TOWNSHIP CODE OF THE TOWNSHIP OF JACKSON

**MOTION TO APPROVE ORDINANCE 10 -11 ON FIRST READING,
ADVERTISE THE APPROVAL, NOTICE OF SECOND READING AND PUBLIC
HEARING TO BE HELD ON FEBRUARY 22, 2011 BY: RIVERE
MOTION SECONDED BY: KAFTON
YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN**

ORDINANCE 10-11

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 amend Chapter 51 entitled “Dogs and Animals”, Article III entitled “Kennels; Pet Shops”, Section 24 entitled “Application for license; fee”, as follows:

SECTION 2. Chapter 51, Section 24 entitled “Application for license; fee” shall be deleted in its entirety and replaced with the following:

§ 51-24 – Application for license; fee:

Application for licenses shall be made to the Township Clerk. Said application shall include the correct name and address of the applicant; a description of the nature of the business to be conducted; the address where the business will be conducted, and a description of the building or buildings in which it will be housed. Upon receipt of said application, the Clerk shall forward a copy of the same immediately to the Township Board of Health for its report and recommendation. If the Board of Health reports that the business is not likely to violate any applicable ordinances, rules or regulations dealing with public health or prohibiting nuisances, the Clerk shall issue the license upon payment to the Office of the Municipal Clerk of a yearly license fee of \$100. This license shall expire on the first day of February of each year and shall be renewed prior to that time. No application for such a license shall be accepted by the Township Clerk until such time as the applicant has received variance approval, if required, or such other approval, if required, from the Zoning Board of Adjustment, Planning Board or such other board of the Township of Jackson pursuant to Chapter 109 or such other provisions of the Jackson Code as may be applicable.

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 and in accordance with N.J.S.A. 40:69A-181(b).

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 **February 8, 2011** and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **22nd day of February, 2011**, 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.

DATED: 2/8/11

ANN MARIE EDEN, RMC
TOWNSHIP CLERK

ORDINANCE 11-11

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 61, ENTITLED “FIRE PREVENTION”

COUNCILWOMAN RIVERE: She explained that this is the final version. There were changes to be made and Mr. McDonald and Mr. Olejarz spoke and the new changes are incorporated into this ordinance.

TOWNSHIP CLERK EDEN: She explained that Steve Foran incorporated the changes made by Mr. McDonald and Mr. Olejarz and this is the final version.

COUNCILWOMAN UPDEGRADE: She requested that someone from the Board of Fire Commissioners attend the hearing on Second Reading.

**MOTION TO APPROVE ORDINANCE 11 -11 ON FIRST READING, ADVERTISE THE APPROVAL, NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON FEBRUARY 22, 2011 BY: KAFTON
MOTION SECONDED BY: BRESSI
YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN**

ORDINANCE 11-11

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 delete the current Chapter 61, entitled “Fire Prevention,” in its entirety, and replace it with a new Chapter 61, entitled “Fire Prevention,” which shall read as follows:

Chapter 61

FIRE PREVENTION

ARTICLE I

Administration and Enforcement

§ 61-1. Adoption of Code and amendments and supplements thereto.

Pursuant to the State of New Jersey Uniform Fire Safety Act, N.J.S.A. 52:27D-192 et seq., the New Jersey Uniform Fire Code, N.J.A.C. 5:70-1 et seq., shall be enforced locally in the Township of Jackson in accordance with N.J.A.C. 5:70-1 et seq. The Township shall recognize and hereby adopt the standards of the International Fire Code, New Jersey Edition, and the National Fire Protection Association Code, and supplements and amendments thereto, which the Fire Bureaus may refer to in the enforcement of this ordinance.

§ 61-2. Local enforcement and duties.

- A. Pursuant to Section 11 of the State of New Jersey Uniform Fire Safety Act, the New Jersey Uniform Fire Code (hereinafter “NJUFC”) shall be enforced locally within the Township of Jackson.
- B. The Local Enforcing Agencies (hereinafter “LEA”) shall enforce the NJUFC, and the codes and regulations adopted pursuant thereto, in all buildings, structures and premises within established boundaries of the Township of Jackson, other than owner-occupied one- and two-family dwellings, and shall faithfully comply with the requirements of the NJUFC.

§ 61-3. Agency designation and organization.

- A. The LEAs established by this chapter shall be under the direct supervision and control of the Fire Official, who shall serve as the Chief Administrator and Code Official for said agency. Such funds as may be necessary to support the operation of the Fire Bureaus shall be paid from the budgets of the Board of Fire Commissioners having jurisdiction.
- B. The LEA located within the geographic boundaries established by ordinance for Fire Districts No. 1 and No. 3 shall be the Board of Fire Commissioners of Fire District No. 3, which shall operate the Bureau of Fire Safety Fire District No. 1 and 3, which is hereby created to enforce the NJUFC within the respective geographic boundaries of those districts. The Fire Official for Fire District No. 1 and 3 shall report to the Board of Fire Commissioners of Fire District No. 3.
- C. The LEA located within the geographic boundaries of Fire District No. 2, as established by ordinance, shall be the Board of Fire Commissioners of District No. 2, which shall operate the Bureau of Fire Prevention Fire District No. 2, which is hereby created to enforce the NJUFC within the respective geographic boundaries of Fire District No. 2. The Fire Official for Fire District No. 2 shall report to the Board of Fire Commissioners of Fire District No. 2.
- D. The LEA located within the geographic boundaries for Fire District No. 4, as established by ordinance, shall be the Board of Fire Commissioners of District No. 4, which shall operate the Bureau of Fire Prevention Fire District No. 4, which is hereby created to enforce the NJUFC within the respective geographic boundaries of Fire District No. 4. The Fire Official for Fire District No. 4 shall report to the Board of Fire Commissioners of Fire District No. 4.

§ 61-4. Appointments.

- A. Fire Official appointments.
 - 1. The LEA for Fire District No. 1 and 3 shall be under the direct supervision of a Fire Official appointed by the Board of Fire Commissioners of Fire District No. 3, pursuant to and in accordance with, the New Jersey Civil Service Rules and Regulations, Title 11 of the Revised Statutes.
 - 2. The LEA for Fire District No. 2 shall be under the direct supervision of a Fire Official appointed by the Board of Fire Commissioners of Fire District No. 2, pursuant to and in accordance with, the New Jersey Civil Service Rules and Regulations, Title 11 of the Revised Statutes.
 - 3. The LEA for Fire District No. 4 shall be under the direction supervision of a Fire Official appointed by the Board of Fire

Commissioners of Fire District No. 4, pursuant to and in accordance with, the New Jersey Civil Service Rules and Regulations, Title 11 of the Revised Statutes.

- B. Fire Inspectors and other employees assigned to an LEA shall be appointed by the Board of Fire Commissioners having jurisdiction, upon the recommendation of the Fire Official, and shall report to the Fire Official for day to day operation of assignments, pursuant to the NJUFC, and in accordance with the New Jersey State Civil Service Rules and Regulations, Title 11 of the Revised Statutes.
- C. Term of office. The appointment of the Fire Official is permanent, subject to New Jersey State Department of Personnel Rules and Regulations.
- D. Removal from office. The Fire Official, inspectors and other employees of the LEA, shall be removed for inefficiency, misconduct or failure to perform duties, pursuant to and in accordance with, the New Jersey Civil Service Rules and Regulations, Title 11 of the Revised Statutes. Each person so removed shall be afforded an opportunity to be heard by the appointing authority, consistent with recognized standards of due process.

ARTICLE II

General Provisions

§ 61-5. Regulations.

The following fire prevention regulations shall be applicable within the Township of Jackson:

- A. Fire apparatus obstruction. It shall be unlawful to attempt, conspire, hamper, obstruct, restrict, block or fail to yield to, the path of travel of any fire emergency vehicle, in any way, operating during a fire or emergency.
- B. Compliance order. A person shall not willfully fail or refuse to comply with the order or direction of a firefighter, or interfere with the compliance attempts of another individual, during a fire or emergency.
- C. Fire hose. A vehicle shall not be driven or propelled over any unprotected fire hose of a fire company when laid down on any street, or any other vehicular roadway, without the consent of the fire officer in command.
- D. Street closure. A person, or persons, shall not erect, construct, place, or maintain any fences, gates, chains, bars, pipes, wood or metal horses, or any other type of obstruction, on any street without permission from the Fire Official and the Chief of Police. The word "street," as used in this chapter, shall mean any roadway accessible to the public for vehicular traffic, including, but not limited to, private streets or access lanes, as well as all public streets and highways within the boundaries of the Township of Jackson. The Fire Official shall notify the fire department upon approval.
- E. Combustion engine storage. No person shall store or park, or cause to store or park, any internal combustion vehicle, including, but not limited to, those commonly known as "motorcycle," "moped," "go-cart," "dirt bike," "lawn mower," "snow blower," etc., in or on any

apartment unit porch, balcony, covered patio area, entrance, exit, or any other private area of an apartment or multi dwelling unit.

- F. Building identification. New and existing commercial and multi-family buildings shall display approved address numbers and building numbers, a minimum of eight (8") inches in height, as described in Jackson Township Code § 91-27, entitled "Installation and Display of Numerals." In addition, all commercial buildings which contain multiple exit doors shall label rear exterior exit door with the name of the business and unit number in not less than four (4") inch minimum, stroke of 0.5 inch, reflective letters, as per minimum requirements of the NJUFC.
- G. Emergency lock key box and gates. Emergency lock key boxes shall be installed in all buildings, with the exception of owner occupied one- and two-family dwellings, that are protected by a fire suppression system and fire alarm for life safety and firefighting purposes, or all other areas required by the Fire Official, in accordance with the NJUFC, Chapter 5, Section 506. Keys required would include a master key, boiler room, sprinkler controls and room, electrical rooms, elevator and elevator control rooms, chlorine rooms, fire alarm panel and room, roof access panels, fence gate, detectors and sprinkler heads, door codes, and other locked areas or emergency documents of the premises required by the Fire Official. The Fire Official shall require, as deemed necessary, an emergency key padlock or key box for fences, gates, or barricades for emergency access.
- H. Building evacuation. It shall be a violation of this article for any person, manager, firm, corporation, owner, tenant, or person responsible for a given structure or premises, to fail to immediately notify the fire department and immediately evacuate the entire structure when, and if, the following conditions are present: fire alarm is activated, smoke in the structure, an explosion has occurred, there is a fire in the structure, any fire protection system is activated, any hazardous or flammable material is spilled or leaked, or upon the order of the Chief, Fire Official or Incident Commander.
- I. Building evacuation action plan. Fire safety evacuation and emergency action plans shall be prepared, as set forth in the NJUFC, Chapter 4, Emergency Planning and Preparedness. The fire safety evacuation and emergency action plans shall be approved by the Fire Official, and shall be distributed by the owner to all tenants and employees. The evacuation plan shall be conspicuously posted on every floor and in each tenant space, for the occupant's use. The fire safety evacuation and emergency action plans shall be maintained to reflect changes in the use and physical arrangement of the building. If an emergency action plan assigns employees with specific responsibilities in areas such as evacuation coordination, fire fighting, or material leak and spill handling, the employer shall provide a minimum of annual training sessions to prepare the employee for such activities.
- J. Open burning. A person shall not kindle, maintain, or authorize to be kindled or maintained, any open burning, unless in accordance with the NJUFC, Chapter 3, Section 307, Open Burning and Recreational Fires. Recreation fire burning contains material other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, barbeque grill or pit having a total fuel area of three (3') feet or less in diameter and two (2') feet or less in height, for pleasure, ceremonial, cooking, warmth, or similar purpose. Additionally, a person shall not conduct agricultural burnings unless

they are conducted in compliance with a valid permit issued by the New Jersey State Forest Fire Service Department of Environmental Protection.

- K. False fire alarm. Any property containing a fire protection alarm system shall not have activated more than three (3) false fire alarms within a thirty (30) day period. Violation is subject to the fines and penalties outlined in § 61-15(B) below.

A “false fire alarm” shall be defined as either a signal, message or warning transmitted to the Township’s fire communications central dispatch indicating a fire condition, or the emission of an audible, visual or electronic transmission of any signal, message or warning intended to summon the services of Township fire fighting personnel or apparatus, which signal, message, or warning is activated by a cause other than one for which the transmitting system is specifically designed to respond, at a time when no fire exists. The alarm shall not be considered false if caused by a power or telephone line interruption.

- L. Fire protection system maintenance. Every commercial building or occupancy having fire protection equipment shall have an annual certification performed on its fire protection system and fire extinguishers by a licensed agency registered with the State of New Jersey Department of Community Affairs (hereinafter “DCA”). Every commercial building or occupancy having a kitchen suppression system shall have a six (6) month certification performed by a licensed agency registered with the DCA. Said certification shall be posted, and a copy shall be made available to the LEA at time of fire inspection.

- M. Fire protection system impaired. When a fire protection system is out of service, the fire department and the fire code official shall be immediately notified and, if the fire code official determines that an imminent hazard exists pursuant to N.J.A.C. 5:70-2.16, the building shall either be evacuated in accordance with N.J.A.C. 5:70-2.17, or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service. Fire watch shall be provided with at least one (1) approved means of notification of the fire department, and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

- N. Fire watch conditions and standby personnel.

(1) A fire watch is initiated by the fire department as a temporary measure to ensure continuous and systematic surveillance of a building, or portion thereof, by one (1) or more qualified individuals for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire, and notifying the fire department. Where conditions exist that are deemed an imminent hazard, or hazardous to life and property by the Fire Official, fire department standby crews shall be deemed as necessary by the Fire Official for the following, but not limited to, conditions:

- (a) Any building occupied with impaired fire protection systems.
- (b) Buildings, rooms, or public venues exceeding the occupant load.

- (c) Situations where fire load is greater than normal day-to-day operations.
- (d) As deemed by the Fire Official.
- (2) A Firefighter Standby Fee shall be paid by the owner of the building or company hosting a public venue. Fire Department Standby Fees shall be as follows:
 - (a) Fire pumper: \$135.00 per hour
 - (b) Firefighter: \$35.00 each per hour
- O. Construction. All construction requiring a Uniform Construction Code (hereinafter "UCC") permit, shall comply with the requirements of N.J.A.C. 5:70-3.2(a), Section 1401, Fire Safety during Construction and Demolition of the NJUFC.
- P. Place of assembly fire exit announcement. In places of assembly with occupant loads of fifty (50) and over, such as theaters, auditoriums, multi-purpose rooms, or similar occupancies used for non-continuance programs, an audible announcement by the venue host, or by recorded announcement, shall be made not more than ten (10) minutes prior to the start of each program, to notify the occupants of the location of the exits to be used in the event of a fire or emergency.
- Q. Strobe light display over FDC connections. A strobe light shall be installed over any fire department connections in buildings with fire alarm systems. This requirement shall take effect two (2) years from enactment of this ordinance.

§ 61-6. Fire hydrants, appliances and drafting location.

- A. No person shall, at any time, park a motor vehicle or obstruction within a ten (10') foot perimeter of a fire hydrant, or obstruct a fire drafting site, or fire department connection/appliance. The LEA and/or its designated agents are authorized to tow motor vehicles and remove obstructions at their discretion.
- B. No person shall conceal, cover, paint, or disguise any fire hydrant. Commercial property owners shall keep clear, at all times, a ten (10') foot perimeter around fire hydrants, and shall not allow snow, brush, bushes, grass, flowers or trees to encroach or conceal a fire hydrant, or hamper the ability of the fire department to access a fire hydrant.
- C. The Jackson Municipal Utilities Authority (hereinafter "JTMUA") shall maintain all fire hydrants, both public and private, in accordance with JTMUA regulations and the Shared Services Agreement with the fire districts with regard to AWWA standards, ISO installation, maintenance and water flow testing, annual written reports, and NFPA paint schedule.
- D. All new fire hydrant systems shall have a five (5") inch storz connection installed on the main valve opening (steamer side of the fire hydrant), along with cap and cable.
- E. All new fire sprinkler department connections (hereinafter "FDC") shall have a five (5") inch storz connection, along with a forty-five (45°) degree elbow, stainless steel screen, cap and cable.

§ 61-7. Fire lane/zones, loading zones, gates and driveways.

- A. The Fire Official shall require and designate public or private fire lanes or zones, as deemed necessary, for the efficient use of fire apparatus access for fire fighting, egress of occupants, or whenever it is deemed necessary for public safety to ensure fire equipment and other emergency vehicles unobstructed means of ingress and egress to properties and buildings, fire hydrants, fire drafting sites, and fire department connections in case of fire or emergency.
- B. The Fire Official, LEAs, Board of Fire Commissioners, and/or their designated agents, are further authorized to regulate, restrict and prohibit parking or obstructions that may affect public safety or the ability to fight or control fires. They shall impose regulations necessary to ensure that such areas are free from obstructions, and shall have concurrent jurisdiction to enforce the provisions of this chapter, and are authorized to issue violations, tow motor vehicles and remove obstructions, parked or standing.
- C. No person shall, at any time, park a motor vehicle or obstruct a fire lane/zone, loading zones, or driveway, affecting the ability to fight or control fires. The Fire Official of the LEA, and/or designated agents, are authorized to issue summons, tow motor vehicles, and remove obstructions from any fire lane/zone, loading zone, driveway, and fire area or drafting location. If, at any time, due to weather conditions, vandalism or any extenuating circumstances, fire lane/zone or loading zone signs or surface markings are not visible, the remaining markings or signs visible shall be deemed sufficient to provide notice of the existence of such fire lane/zone or loading zone. All signs and ground marking shall be legible at all times and shall be provided, erected and maintained by the owner or operator of the property, in conformance with the provisions of this chapter.
- D. Gates, chains, or other methods utilized to prevent unauthorized access to fire lanes shall be approved by the Fire Official prior to installation.
- E. Specifications for fire lanes/zones.
 - (1) Fire lane or zone signs shall be erected with the bottom of the sign not less than six (6') feet above the ground, twelve (12") inches wide by eighteen (18") inches in length, with a white reflective aluminum background with a red border, and a minimum of three (3") inch size reflective red letters labeled "NO" on the first line, three (3") inch size reflective red letters labeled "PARKING" on the second line, two (2") inch size reflective red letters labeled "FIRE" on the third line, and two (2") inch size reflective red letters labeled "LANE" or "ZONE" on the fourth line. Spacing of the signs shall be even, with one (1) sign facing the direction of travel, or alternate direction of travel, for a maximum distance of one hundred (100') feet per sign or as ordered by the Fire Official.
 - (2) Fire lane ground marking shall be a minimum of twenty (20') feet wide and labeled "NO PARKING FIRE LANE," bordered by a four (4") inch wide yellow stripe on both sides, with approved New Jersey Department of Transportation standard traffic yellow paint. The wording shall face the direction of travel, or alternate direction of travel, for a maximum distance of every one hundred (100') feet on paved surface, or as ordered by the Fire Official. The lettering shall be legible, and the letter size shall be a minimum of twenty-four (24") inches high and four (4") inch stroke.

3. Fire zone ground marking shall be a minimum of twelve (12') feet wide and ten (10') feet in length, posted with a fire zone sign and ground marking labeled "FIRE ZONE," bordered by a four (4") inch wide yellow stripe and diagonal stripes with approved New Jersey Department of Transportation standard traffic yellow paint lettered legible on a paved surface. The lettering shall be a minimum of twenty-four (24") inches high and four (4") inch stroke. Two crash posts shall be installed, if required, by the Fire Official and constructed of steel not less than four (4") inches in diameter, concrete filled and painted yellow. The posts shall be spaced not more than four (4') feet six (6") inches between posts on center, set not less than three (3') feet six (6") inches deep in a concrete footing of not less than eighteen (18") inches in diameter. The top of the posts shall not be less than three (3') feet above ground.
4. Pre-existing unpaved fire access roadways installed on public or private property shall be subject to the approval of the Fire Official. Signs and markings shall be provided, as required by the Fire Official.

ARTICLE III

Administration and Enforcement of State Standards

§ 61-8. Registration.

- A. Registration form. Every owner or tenant/occupant subject to this chapter shall file for a certification of registration with the LEA, using forms provided by the LEA. The application shall include, but not be limited to, the name, address and telephone number of the applicant; name, address and telephone number of the business; owners of the business; description of the business; and the name, address and telephone number of the person responsible for the business.
- B. Registration fee. Every owner or tenant/occupant subject to this chapter shall pay to the LEA an annual registration fee in the amount specified in this chapter. Said annual registration fee shall be paid by the date specified on the invoice, within thirty (30) days of mailing.
- C. Penalty. Failure to file or pay life hazard or non-life hazard registration applications after being ordered to do so are subject to the penalty in accordance with the NJUFC, N.J.A.C. 5:70-3, 2-12.8.

§ 61-9. Life hazard uses inspections and fees.

The LEAs, as established in this chapter, shall carry out the periodic inspections of life hazard uses required by the NJUFC on behalf of the Commissioner of the New Jersey Department of Community Affairs.

§ 61-10. Non-life hazard inspections and fees.

- A. In addition to the life hazard use inspections and fee required pursuant to the NJUFC and the regulations of the DCA, all business, mercantile, storage, factory, industrial, or other uses defined in accordance with the New Jersey edition of the International Building Code and the NJUFC which are classified as non-life hazard uses, other than those that are incidental or auxiliary to the agricultural use of farm property, shall be registered locally, with fee, and inspected annually as required.

- B. Where more than one (1) additional use exists under one (1) ownership at a given location, the highest use shall be registered at full fee, and the subsequent use at one-half (1/2) of the scheduled fee per building.
- C. Where (2) or more of the same use, or different uses, exist at the same building or premises, each one shall be considered as separate and distinct for the purpose of this article, and shall be registered pursuant thereto.
- D. All multiple-family townhomes and condominiums classified as R-5, as defined by the New Jersey Construction Code, shall be required to register with the Fire Bureau. Each building's common areas, including the grounds and parking lots, shall be inspected periodically, but not less than once every twelve (12) months. This is in addition to the five (5) year cyclical inspection conducted by the New Jersey Bureau of Housing.
- E. Common area inspections shall include, but not be limited to, fire protection systems, basements, laundry rooms, corridors, vestibules accessible to occupants, exterior property grounds, utilities, building maintenance, fire lanes and zones, and all other requirements set forth within the NJUFC.

§ 61-11. Non-life hazard registration fees.

<u>TYPE USE</u>	<u>BUILDINGS</u>	<u>REQUIRED FEE</u>
L	Under 500 square feet	\$60.00
M	501 to 1,499 square feet	\$80.00
N	1,500 to 2,499 square feet	\$85.00
O	2,500 to 3,499 square feet	\$155.00
P	3,500 to 4,999 square feet	\$160.00
Q	5,000 to 6,499 square feet	\$175.00
R	6,500 to 7,499 square feet	\$185.00
S	7,500 to 8,499 square feet	\$210.00
	8,500 to 9,999 square feet	\$225.00
U	10,000 and above	\$275.00 + \$20.00 per additional 1,000 sq ft

COMMON AREA MULTI-FAMILY APARTMENTS COMPLEXES (R-2 Use Group)

MFA-1	1 to 100 apartment units	\$2.45 per unit
MFA-2	101 to 200 apartment units	\$2.55 per unit
MFA-3	201 to 250 apartment units	\$2.75 per unit

<u>TYPE USE</u>	<u>BUILDINGS</u>	<u>REQUIRED FEE</u>
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COMMON AREA MULTI-FAMILY APARTMENTS COMPLEXES (R-2 Use Group) -- Continued

MFA-4	250 to 300 apartment units	\$3.00 per unit
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MFA-5	301 to 349 apartment units	\$3.25 per unit
MFA-6	350 and above apartment units	\$3.50 per unit

COMMON AREA MULTI-FAMILY CONDOMINIUMS AND TOWN HOUSES (R-5 Use Groups)

MFC-1	1 to 4 buildings	\$100.00
MFC-2	5 to 9 buildings	\$200.00
MFC-3	10 to 14 buildings	\$300.00
MFC-4	15 to 19 buildings	\$400.00
MFC-5	20 and above buildings	\$500.00 plus \$10 per building over 20

COMMON AREA COMMERCIAL COMPLEXES

CAC-1	1 to 4 rental units	\$75.00
CAC-2	5 to 10 rental units	\$100.00
CAC-3	11 to 15 rental units	\$125.00
CAC-4	16 to 20 rental units	\$150.00
CAC-5	21 to 25 rental units	\$175.00
CAC-6	26 or over rental units	\$200.00

HOTELS AND MOTELS

HM-1	100 rooms or less (Non LHU)	\$225.00 initial \$5.00 per unit (\$200)
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CAMP GROUNDS

CG-1	Camp sites 1 to 20 sites	\$75.00
CG-2	Camp sites 21 to 30 sites	\$100.00
CG-3	Camp sites 31 to 40 sites	\$125.00
CG-4	Camp sites 41 and over	\$150.00

§ 61-12. Fire permits required and exemptions.

- A. Permits shall be obtained from the Fire Official having jurisdiction of the Fire District for any of those activities listed in N.J.A.C. 5:70-2.7 of the NJUFC, and any amendments, supplements, and rules and regulations thereto. Fees for these permits must be collected before a permit can be issued.
- B. All nonprofit organizations, municipal government and religious organizations shall be exempt from permit fees.
- C. Permit fees shall be as follows:
 - (1) Type 1: \$42.00
 - (2) Type 2: \$166.00
 - (3) Type 3: \$331.00
 - (4) Type 4: \$497.00

§ 61-13. Construction plan review.

- A. Plan review and submittal. Submission to the Fire Official having jurisdiction shall include any plans submitted to the Planning Board or Board of Adjustment for the development, construction or improvement of properties. The Fire Official shall submit requirements to the applicant and the Planning Board or Zoning Board of Adjustment prior to the applicant's board hearing. The Township's engineering firm, in conjunction with the Fire Official plan review requirements, shall conduct a site inspection before a permit is closed for compliance and issued a Certificate of Occupancy by the construction official.
- B. Plans submitted to the Fire Official shall include one (1) set of full construction plans that include building, fire, plumbing, mechanical, and utility drawings, and two (2) sets of site plan. Site plans shall include, but not be limited to, to-scale plans of the site, location and size of fire lanes, zones, water mains, drafting locations, fire hydrants, fire department connections exterior drives, fire protection equipment, doorways, use of rooms, high hazard materials, and utility controls.
- C. Any administrative approval by the Planning Board for alterations or additions to a previously approved site plan, shall be forwarded to the Fire Official for review, recommendations, and approval, prior to the Planning Board issuing their approval.
- D. Fire hydrants. The Fire Official having jurisdiction shall approve fire hydrant locations and quantity. At a minimum, hydrants shall be spaced so that the traveled distance between hydrants does not exceed five hundred (500) linear feet. Fire hydrants shall comply with JTMUA rules and regulations. Fire hydrant barrels shall be painted silver, and the cap and bonnet shall comply with NFPA standards based on water flow. Fire hydrants located on dry water systems shall be entirely painted black.
- E. Site or subdivision plan fee. Each applicant shall pay the following fees to the Bureau of Fire Safety for review of any site or subdivision plans:
 - (1) Initial review of any site or subdivision plan: \$75.00.
 - (2) Review of any resubmitted site or subdivision plan, payable upon resubmission: \$35.00.
 - (3) Variance site plan review: \$25.00.

§ 61-14. Violations and penalties.

- A. All penalties under the NJUFC shall be adopted for the purpose of enforcing this chapter, except those penalties imposed hereinafter for violations of this chapter which are not included within the NJUFC.
- B. False fire alarm. The Fire Official may assess penalties for violations of § 61-5(K) herein as follows:
 - (1) Three false fire alarms within a thirty (30) day period: \$100.00.
 - (2) Fifth and subsequent false fire alarms within one (1) calendar year: \$200.00 per occurrence, in addition to remedies available within the NJUFC and the UCC.

- C. Obstruction penalty. Any person who shall violate §§ 61-6(A), 61-6(B) or 61-7(C), as listed herein, shall be punished by a fine of not less than fifty (\$50.00) or more than two hundred fifty (\$250.00) dollars and may, at the discretion of the code official charged with enforcement of this regulation, tow a vehicle, or otherwise remove the obstruction or property. The cost of removal, towing and storage shall be charged to the owner of the vehicle or property, and shall be paid prior to the release of said vehicle or property.
- D. Any person or corporation who shall violate any other provision of the NJUFC, or fails to comply therewith, or shall violate or fail to comply with an order made hereunder, shall be punished by a fine of not more than two thousand (\$2,000.00) dollars, or by imprisonment of not more than ninety (90) days, or both, at the discretion of the court before which such conviction is held by civil action summary proceeding under the Penalty Enforcement Law in Municipal Court.

§ 61-15. Board of Appeals.

Pursuant to the New Jersey Uniform Fire Safety Act, any person aggrieved by an order of the LEA shall have the right to appeal to the Ocean County Construction Board of Appeals, in accordance with N.J.A.C. 5:70-2.19, entitled Appeals.

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.

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 **February 8, 2011**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **22nd day of February 2011**, 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.

DATED: 2/8/11

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

PUBLIC COMMENT OPENED, RESOLUTIONS ONLY:

GENE DAVIS, 6 LLEWELLYN: He commended the governing body on Resolution 69R-11 and taking such a bold step on endorsing the death penalty for killers of law enforcement officers.

GARRY BLACK, 76 LEWIS LANE: He too spoke about Resolution 69R-11 and stated that he is also for the death penalty for killers of law enforcement because we need to protect our police. He also believes that with the way gangs are forming we need to institute the death penalty for all killers.

PAUL MAYEROWITZ, 91 CYPRESS POINT LANE: He spoke about Resolution 65R-11, which deals with toxic pesticide in public places. He asked if there was an issue in our parks that made us introduce this resolution? Mr. Borys (Going Green Committee) explained that this resolution is to prevent future toxins from being sprayed on the land. Mr. Torres (Township Administrator) explained that they are taking a proactive approach. Vice President Bressi added that there is legislature in the State being looked at regarding this and we are just a little ahead of the game. Mr. Mayerowitz went on to speak about Resolution 78R-11 regarding the amusement games license for Six Flags. In terms of reviewing our fee structure for 2011/2012 they are taking a look at when was the last time the fees were raised for this kind of license? Township Clerk Eden explained that she wasn't sure if the State mandates the fee and if that's the case they can't go above it. They pay \$100 to the Township and \$250 to the State per game. Attorney Cipriani stated that it is a State statute that authorizes Municipalities to license legalized games of chance, but she wasn't sure if the fees are mandated. Mr. Mayerowitz suggested they table this resolution until they get more details. Township Clerk Eden stated that Great Adventure is hoping to get this in a timely fashion because it still needs to go to Trenton and they need it before they open in March. Attorney Cipriani asked to hold this until the end of the meeting and she may be able to do a little research and find out about the fees. Mr. Mayerowitz went on to speak about Resolution 75R-11 concerning Quality Medical. He asked the Council before approving this to give him some information on how the response times for Quality Medical has improved. Council Vice President Bressi explained there wasn't much room for improvement, but they are now up to the 99 percentile with a 9-minute response time. They are doing an impeccable job with no cost to the taxpayers. The EMS Committee has been totally satisfied with their service. Councilwoman Updegrave added that her and Mr. Bressi are on the EMS Committee and she has noticed the cohesiveness between Quality Medical and our First Aid.

**MOTION TO CLOSE PUBLIC COMMENT, RESOLUTIONS ONLY BY:
KAFTON**

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

RESOLUTION 066R-11

TITLE: RESOLUTION CALLING ON THE STATE LEGISLATURE AND THE GOVERNOR TO EXEMPT THE RESERVE FOR UNCOLLECTED TAXES FROM THE 2% CAP

MOTION TO APPROVE BY: KAFTON

MOTION SECONDED BY: BRESSI

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

WHEREAS, on July 13, 2010, Governor Christie signed into law P.L. 2010, c. 44, which reduced the cap on the property tax levy from 4% to 2% and limited the number of exemptions; and

WHEREAS, when the property tax levy was reduced, the exemption for the Reserve for Uncollected Taxes was removed; and

WHEREAS, in addition to collecting property taxes for its own operations, the municipality also serves as the collection agent for the county, school districts, fire districts and other special local entities; and

WHEREAS, the municipality must provide those entities with the full amount they deem necessary for their operations, regardless of the actual collection rate; and

WHEREAS, due to myriad factors beyond local control, the actual collection rate never equals the total local levy, especially during an economic downturn, when unemployment soars and property values plummet, causing an increase in tax appeals, which the municipality must defend and which subject the municipal budget to further losses, when successful; and

WHEREAS, to account for the shortfall and potential losses, State law requires the municipality to budget an appropriation in a line item known as the Reserve for Uncollected Taxes, which is generally determined through a formula driven calculation in which the variables change year to year; and

WHEREAS, without a levy cap exemption, municipalities will be forced to further cut their own operations, in order to meet the 2% tax levy cap to provide the county, school districts, fire districts and other special local entities the full amount they deem necessary for their operations; and

WHEREAS, those other local entities, which do not have to budget for collection rate short-falls or the impact of declining property values, have been granted levy cap exceptions to address factors beyond their control; and

WHEREAS, Assemblymen McKeon and Burzichelli has recently introduced A-3603, which excludes increases in appropriations to the Reserve for Uncollected Taxes in excess of two percent, from calculations of the municipal adjusted tax levy;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Jackson in the County of Ocean, State of New Jersey hereby urge the swift passage and signing of A-3603;

BE IT FURTHER RESOLVED, that consideration also be given to providing a levy cap exception to account for the impact of tax appeals on local operations; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to New Jersey Governor Christopher Christie, to Senate President Stephen Sweeney, to Assembly Speaker Sheila Oliver, to our State Senator, to our two Representatives in the General Assembly, and to the New Jersey League of Municipalities.

DISTRIBUTION LIST

The Hon. Chris Christie,
Governor, State of New Jersey
PO Box 001
Trenton, NJ 08625

Senator Ronald S. Dancer
2110 W. County Line Road
Jackson, New Jersey 08527

Senator Stephen Sweeney
Senate President
NJ Senate Democratic Office
State House PO Box 099
Trenton, NJ 08625

Assemblywoman Sheila Oliver
Speaker, NJ General Assembly
NJ General Assembly Democratic Office
PO Box 098
Trenton, NJ 08625

Senator Robert Singer
2110 W. County Line Road
Jackson, NJ 0527

Assemblyman Joseph R. Malone
311 Farnsworth Avenue
Bordentown, New Jersey 08505

NJ League of Municipalities
222 West State Street
Trenton, NJ 08608

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

DATED: 2/8/11

RESOLUTION 067R-11

TITLE: AUTHORIZE 2011 EMERGENCY TEMPORARY APPROPRIATIONS #1

MOTION TO APPROVE BY: UPDEGRAVE

MOTION SECONDED BY: KAFTON

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

WHEREAS, in accordance with the provisions of N.J.S.A. 40A:4-20 entitled, **EMERGENCY TEMPORARY APPROPRIATIONS**; in addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the governing body may, by resolution adopted by a 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year. The amount of such emergency temporary appropriations shall be included under the correct headings in the budget as adopted. If they are adopted after the introduction and approval of the budget and were not included in the budget as approved, they shall be included by amendment in the budget as adopted, except that no public advertisement or public hearings shall be required as to their adoption as amendments. A copy of each resolution making such emergency temporary appropriations shall be filed forthwith with the director.

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

The following annexed 2011 Emergency Temporary Appropriations of \$305,373.32 in addition to any previously approved emergencies cumulatively totaling \$305,373.32, is hereby made in compliance with the above referenced statute. Combined 2011 temporary (N.J.S.A. 40A:4-10) and Emergency Temporary (N.J.S.A. 40A:4-20) Appropriations aggregate to \$8,877,761.99.

1. This resolution shall take effect upon affirmative Council vote of the Township of Jackson Township.

2. Copies of this resolution to the Administrator, Chief Financial Officer, Auditor and (3) certified to the Director of the Division of Local Government Services.

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 (#6) for the 2010 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.

TOWNSHIP OF JACKSON ANNEXED TRANSFER RESOLUTION RESOLUTION #068R-11 - 2010 TRANSFER #6 MEETING February 8, 2011			
Dept. Code #	Description	Proposed Amounts	Sub-Totals
TRANSFERS FROM (INSIDE CAPS):			
0-01-20-105-000-020	Human Resources-Other Expenses	(1,000.00)	
0-01-20-112-000-010	Office of the Mayor-Salary & Wages	(2,000.00)	
0-01-20-125-000-020	Elections-Other Expenses	(2,000.00)	
0-01-20-150-000-010	Assessment of Taxes-Salary & Wages	(2,000.00)	
0-01-25-281-000-020	Juvenile Conference Committee-Other Expenses	(25.00)	
0-01-26-313-000-020	Shade Tree Commission-Other Expenses	(25.00)	
	TOTAL TRANSFERS FROM (INSIDE CAPS)		<u>(7,050.00)</u>
TRANSFERS TO (INSIDE CAPS):			
0-01-20-100-000-020	General Administration-Other Expenses	7,000.00	
0-01-25-281-000-010	Juvenile Conference Committee-Salary & Wages	25.00	
0-01-26-313-000-010	Shade Tree Commission-Salary & Wages	25.00	
	TOTAL TRANSFERS TO (INSIDE CAPS)		<u>7,050.00</u>
	NET BUDGETARY TRANSFERS (PROOF)		<u>0.00</u>

DATED: 2/8/11

ANN MARIE EDEN, RMC
TOWNSHIP CLERK

RESOLUTION 069R-11
TITLE: RESOLUTION ENDORSING THE DEATH PENALTY FOR KILLERS OF LAW ENFORCEMENT OFFICERS

COUNCIL VICE PRESIDENT BRESSI: He began by saying that he was glad that Council President Martin put this on the agenda. He is definitely going to support it because it is a step in the right direction, but it shouldn't only cover officers of the law.

He believes that it should also cover anyone who goes out and murders someone in cold blood. Council President Martin agreed and said unfortunately they can only vote on the law the State wants to pass. He is a firm believer in the death penalty. Councilwoman Updegrave agreed.

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

WHEREAS, in 1976 the United States Supreme Court affirmed the constitutionality of the death penalty; and

WHEREAS, it is determined by each individual State if there is any classification of murder that warrants the death penalty; and

WHEREAS, in 1982, New Jersey re-established the death penalty; however, although close to 50 people had been sentenced to death in New Jersey for premeditated murder, the vast majority of those sentences were overturned by the State Courts; and

WHEREAS, in 2004, New Jersey’s procedures for administering the death penalty were ruled unconstitutional by a New Jersey State Appeals Court; and

WHEREAS, on December 17, 2007, Governor Jon Corzine signed a Bill repealing New Jersey’s death penalty; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Township Council of the Township of Jackson that it endorses re-establishing the death penalty for the cold blooded, calculated murder of Law Enforcement Officers acting in the line of duty.

BE IT FURTHER RESOLVED that the Ocean County’s State Legislators are urged to join forces with Monmouth County Legislators in developing and sponsoring a Bill which would allow a jury to sentence the murderer of an on-duty law enforcement officer to suffer the death penalty.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following: Governor Chris Christie, State Senator Robert Singer (30th District), Assemblyman Joseph R. Malone (30th District), Assemblyman Ronald S. Dancer (30th District), Jackson Township Chief of Police, Jackson Township P.B.A. Local #168 and any other interested parties.

DATED: 2/8/11

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

TOWNSHIP CLERK EDEN: She expressed her concern because the Council didn’t act on budget transfer #6 and she wasn’t sure how that would affect Bills and Claims. That is why the Bills and Claims were moved after the emergency transfer and budget transfer. She then stated that they have a call into the CFO. Council President Martin decided they will hold the Bills and Claims until the end of the meeting.

ATTORNEY CIPRIANI: She spoke about Resolution 78R-11 and explained that the fees for legalized games is set by State regulation under the Administrative Code of the Legalized Games Commission.

TOWNSHIP CLERK EDEN: She announced that 76R-11 regarding the Alternate Registrar is being removed from the agenda.

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

RESOLUTION 062R-11

TITLE: AUTHORIZE TAX OVERPAYMENT REFUNDS

MOTION TO APPROVE BY: BRESSI

MOTION SECONDED BY: RIVERE

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

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
2. Copies of this Resolution to the Tax Collector.

DATED: 2/8/11

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

RESOLUTION 063R-11

TITLE: APPROVE JACKSON TOWNSHIP COUNCIL MEETING MINUTES OF AUGUST 24, 2010

MOTION TO APPROVE BY: BRESSI

MOTION SECONDED BY: RIVERE

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

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:

August 24, 2010
2. Copies of this resolution to any interested parties.

DATED: 2/8/11

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

RESOLUTION 064R-11

TITLE: APPROVE BINGO/RAFFLE LICENSE

MOTION TO APPROVE BY: BRESSI

MOTION SECONDED BY: RIVERE

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

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

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-1384 – FOSSILS SOUTH JERSEY INC.
- #RA-1385 – FOSSILS SOUTH JERSEY INC.
- #RA-1386 – PTO H.C. JOHNSON ELEMENTARY SCHOOL
- #RA-1387 – PTO H.C. JOHNSON ELEMENTARY SCHOOL
- #RA-1388 – CHURCH OF ST. ALOYSIUS

2. Copies of the Resolution to interested parties.

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

DATED: 2/8/11

RESOLUTION 065R-11

TITLE: RESOLUTION ENDORSING THE REDUCTION AND/OR ELIMINATION OF TOXIC PESTICIDE USE IN PUBLIC PARKS, PLAYGROUNDS AND SCHOOLS

COUNCIL VICE PRESIDENT BRESSI: He explained that he agrees with the resolution but he is concerned that there might be a conflict with the State regulations that govern the schools where you have to have an appointed person, certain notification and reporting, etc. The title of the resolution says that they will be following the NJ Schools Integrated Pest Management Act. Mr. Borys (Going Green Committee) explained that they are aware of this and they do have a plan in place to go along with the regulations. They will be in unison with what the School Board is doing. Council Vice President Bressi added that as part of this act, if the school is going to put fertilizer or pesticides down they must notify every parent of the children in the schools. Attorney Cipriani explained that they only place where that language appears is in the title. She suggested that they remove the part of the title that reads “in accordance with the NJ School Integrated Pest Management Act”.

MOTION TO AMEND TITLE & APPROVE BY: BRESSI

MOTION SECONDED BY: RIVERE

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

WHEREAS, it is the desire of the Mayor and Council of the Township of Jackson to promote matters which benefit the health, welfare, comfort and safety of the citizens of the community, and

WHEREAS, scientific studies associate exposure to pesticides with asthma, cancer, developmental and learning disabilities, nerve and immune system damage, liver or kidney damage, reproductive impairment, birth defects and disruption of the endocrine system, and

WHEREAS, infants, children, pregnant women, the elderly and people with compromised immune systems and chemical sensitivities are especially vulnerable to pesticide effects and exposure, and

WHEREAS, lawn pesticides are harmful to pets, wildlife, soil microbiology, plants, and natural ecosystems and can run off into streams, lakes and drinking water sources, and,

WHEREAS, Integrated Pest Management is the coordinated use of pest and environmental information and all available pest control methods (sanitation, mechanical, biological and “least toxic” chemical) to prevent unacceptable levels of pest damage by the most economical means with the least possible hazard to people, property and the environment, and

WHEREAS, Integrated Pest Management has been investigated and considered by the Environmental Commission and its recommended by the Environmental Commission as a desirable and appropriate policy in order to reduce or eliminate the use of pesticides, and

WHEREAS, the Township of Jackson does maintain public properties at which pest management issues are an ongoing concern, and

WHEREAS, the Mayor and Council have determined that it is in the best interest of the health, welfare, comfort and safety of the Township’s citizens to adopt Integrated Pest Management at the Township’s pest management policy,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of Jackson that the Township does hereby adopt Integrated Pest Management, as the pest control policy and strategy to be employed in the maintenance of the Township’s public properties and facilities, and

BE IT FURTHER RESOLVED, that the Mayor and Council of the Township of Jackson encourage all citizens to make every effort to participate in this endeavor on their own property, and that the Township will designate certain public properties such as community parks as “Pesticide Free Zones”. These areas will be posted with a sign indicated that chemical pesticides have not been applied at the site.

Certified copies of this resolution shall be sent to Administration, Director of Public Works, Jackson Township Board of Education, Jackson Township Environmental Commission and any other interested parties.

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

DATED: 2/8/11

RESOLUTION 070R-11
TITLE: CONSENT TO THE APPOINTMENT OF GRACE ORNER AS
MUNICIPAL ALLIANCE CONSULTANT FOR CY 2011

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

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse was established by the New Jersey legislature in March of 1989 to coordinate all State Departments, efforts pertaining to the planning and provision of prevention, education, treatment, research, and evaluation services for, and public awareness of, alcoholism and drug abuse; and

WHEREAS, the legislation also created the Alliance to Prevent Alcoholism and Drug Abuse to be comprised of all the communities in New Jersey dedicated to a comprehensive and coordinated effort against alcoholism and drug abuse through the use of funds provided and derived pursuant to N.J.S.A. 2C:35-15, to member communities to support appropriate county and/or municipal based alcohol and drug abuse education and public awareness activities; and

WHEREAS, the Ocean County Municipal Alliance Coordinator in conjunction with the members of the Jackson Municipal Alliance have requested the Mayor and Township Council approve the appointment of a Municipal Alliance Coordinator to assist and coordinate efforts pertaining to the planning and provision of prevention, education, treatment, research and evaluation services for (and public awareness of) alcoholism and drug abuse; and

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

WHEREAS, pursuant to P.L. 2004, Chapter 19, N.J.S.A. 19:44A-20.4 et seq., a determination of value has been made by the Township that said contract shall not exceed \$1,200.00; and

WHEREAS, the Chief Financial Officer has confirmed that a maximum amount of \$1,200.00 will be made available for this purpose in the 2011 Temporary Operating Budget pending confirmation of grant award with the County of Ocean; and

WHEREAS, the Mayor and Township Council believe it to be in the best interest of the residents of Jackson to appoint a Consultant to the Municipal Alliance Committee.

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. Grace Orner is hereby appointed to the position of Municipal Alliance Consultant for CY 2011.
2. This appointment is made without competitive bidding as provided for under non fair and open, as the value of this contract will not exceed \$17,500.00.
3. The Mayor and Township Clerk are hereby authorized to execute and deliver a contract to said appointee.
4. A Notice of this appointment shall be advertised as required by law.
5. That upon adoption of this resolution, the Clerk is authorized and directed to forward a certified copy of it to the Administrator, Chief Financial Officer, Grace Orner, Chairperson Municipal Alliance Committee and any other interested party.

DATED: 2/8/11

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

RESOLUTION 071R-11
TITLE: CONSENT TO THE APPOINTMENT OF MEMBERS TO PRIVATE
RESIDENTIAL COMMUNITIES ADVISORY BOARD

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

WHEREAS, the Mayor, with the advice and consent of Council, is authorized to make said appointments pursuant to Chapter 3, Section 152(E) of the Administrative Code of the Township of Jackson; and

WHEREAS, the Mayor desires to appointment a representative from 60 Acre Reserve to the Private Residential Communities Advisory 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 the Private Residential Communities Advisory Board for a term commencing immediately and ending June 30, 2011:

60 Acre Reserve
Patricia Holcomb-Gray

2. Appointee shall serve without compensation.

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

DATED: 2/8/11

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

RESOLUTION 072R-11

TITLE: AMEND RESOLUTION AUTHORIZE CONTRACT AWARD FOR VEHICLE AND VEHICLE OPERATING PERSONNEL FOR 2011 AND 2012 SUPPLEMENTAL SNOWPLOWING SERVICES TO INCLUDE HOURLY RATES FOR ADDITIONAL EQUIPMENT

MOTION TO APPROVE BY: BRESSI

MOTION SECONDED BY: RIVERE

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

WHEREAS, Jackson Township previously awarded contracts for Supplemental Snowplowing Services for CY 2011 and CY 2012; and

WHEREAS, the Department of Public Works has requested authorization to include the below listed equipment and applicable billing schedule for additional supplemental snow plowing services (not currently under contract with outside vendors):

<u>EQUIPMENT</u>	<u>HOURLY RATE</u>
Skid Steerer – 1 Yd. Bucket	\$147.00
Pick-up Truck 8’ Plow	\$117.00
Dodge Ram 8’-9’ Plow Dually	\$137.90
F 250 Truck 8’-9’ Plow Dually	\$137.90
F 450 Truck 8’-9’ Plow	\$145.00
F 550 Dump Truck 8’-9’ Plow	\$145.00
F 650 Dump Truck 10’ Plow	\$168.90
F 750 Dump Truck 10’ Plow	\$168.90
Loader – 2 Yd. Bucket	\$198.90
Loader – 4 Yd. Bucket	\$245.00
Big Loader – 8-10 Yd. Bucket	\$350.00
Backhoe - 2 Yd. Bucket	\$147.00
Big Backhoe – 3 Yd. Bucket	\$195.00

; and

WHEREAS, in order to ensure the safety, health and welfare of the Township’s residents, the Department of Public Works is seeking the approval from the Township

Council to call upon outside vendors at the rates noted above for additional supplemental snowplowing services; and

DATED: 2/8/11 **ANN MARIE EDEN, R.M.C.**
TOWNSHIP CLERK

RESOLUTION 073R-11
TITLE: AUTHORIZE AMENDMENT TO RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1511-33-008-001 ISSUED TO ROVA FARMS RESORT, INC. FOR LICENSING PERIODS 2008-2009, 2009-2010 AND 2010-2011

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

WHEREAS, the Township of Jackson previously authorized the renewal of Plenary Retail Consumption License No. 1511-33-008-001 to Rova Farms Resort, Inc. for licensing terms 2008-2009, 2009-2010 and 2010-2011; and

WHEREAS, the Licensee failed to report their inactivity commencing CY 2008; and

WHEREAS, the Licensee submitted the proper license fees and applications covering the license periods 2008-2009, 2009-2010 and 2010-2011; and

WHEREAS, the rules and regulation governing inactivity require the issuance of a "Special Ruling" to permit the renewal of an inactive license pursuant to N.J.S.A. 33:1-12.39; and

WHEREAS, Rova Farms Resort, Inc. has petitioned the Director of the State of New Jersey, Division of Alcoholic Beverage Control for relief pursuant to N.J.S.A. 33:1-12.39; and

WHEREAS; the Licensee has complied with State law and local ordinances, and has received a Special Ruling from the Director of the State of New Jersey Division of Alcoholic Beverage Control dated January 24, 2011; and

WHEREAS, it is now the desire of this Governing Body to revoke the license renewals previously issued for Plenary Retail Consumption License No. 1511-33-008-001 for license terms 2008-2009, 2009-2010 and 2010-2011 and authorize renewals for said license terms 2008-2009, 2009-2010 and 2010-2011 pursuant to the issuance of a "Special Ruling" by the Director of the State of New Jersey Division of Alcoholic Beverage Control dated January 24, 2011.

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 Plenary Retail Alcoholic Beverage Consumption License No. 1511-33-008-001 is hereby renewed based upon the issuance of a Special Ruling dated January 24, 2011 covering the licensing terms 2008-2009, 2009-2010 and 2010-2011.
2. That the license fee in the amount of \$2,000.00 has been paid to the Township for each licensing period.
3. Said renewals (2008-2009, 2009-2010 and 2010-2011) are granted pursuant to the State of New Jersey, Department of Law and Public Safety, Division of Alcoholic Beverage Control Director's "Special Ruling" dated January 24, 2011 pursuant to N.J.S.A. 33:1-12.18.
4. That upon the adoption of this resolution, the Clerk is directed to forward a certified copy of it to the Licensee, the appropriate Township Officials, New Jersey Division of Alcoholic Beverage Control.

WHEREAS, said outside vendors will be paid at the rates established above for additional supplemental snowplowing services, as deemed necessary by the Mayor and the Department of Public Works.

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 Department of Public Works is hereby authorized to utilize the rates/equipment schedule established above for additional supplemental snowplowing services for the Township of Jackson for CY 2011 and CY 2012.
2. A copy of this resolution shall be forwarded to the Municipal Administrator, Director Public Works Director, Purchasing Department, Chief Financial Officer and any other interested parties.
3. 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: 2/8/11

RESOLUTION 074R-11

TITLE: AUTHORIZE SUBMISSION OF COPS-IN-SHOPS COLLEGE FALL INITIATIVE 2010-2011 GRANT

MOTION TO APPROVE BY: BRESSI

MOTION SECONDED BY: RIVERE

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

WHEREAS, the State of New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control has received grant funds from the Division of Highway Traffic Safety to administer the Cops-In-Shops College/Fall Initiative for 2010-2011; and

WHEREAS, this program is a cooperative effort between the Division of Highway Traffic Safety (HTS) and the Division of Alcoholic Beverage Control (ABC); and

WHEREAS, it is the intent and spirit of the State of New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control to use the grant to assist local undercover law enforcement officers to join forces with local retail establishments to deter the sale of alcohol to underage individuals and to stop adults from attempting to purchase alcohol for people under the legal age; and

WHEREAS, it is the recommendation of the Jackson Township Police Department to **APPLY FOR THIS GRANT** in an amount to be determined; and

WHEREAS, it is the desire of the Mayor and Township Council to apply for said grant funding.

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

1. The Jackson Township Police Department is authorized to apply for the Cops-In-Shops College Fall Initiative 2010-2011 grant program in an amount yet to be determined.
2. Upon the adoption of this resolution, the Clerk is authorized to forward a certified copy to Municipal Administrator, Chief of Police, Officer Mark S. Rodina, CFO, and any other interested parties.

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

DATED: 2/8/11

RESOLUTION 075R-11

TITLE: AUTHORIZE RENEWAL OF CONTRACT AGREEMENT WITH QUALITY MEDICAL TRANSPORT FOR EMERGENCY AMBULANCE SERVICES FOR AN ADDITIONAL ONE (1) YEAR PERIOD COMMENCING MARCH 15, 2011 THROUGH MARCH 16, 2012 WITH THE OPTION TO RENEW FOR ONE (1) ADDITIONAL ONE YEAR PERIOD

MOTION TO APPROVE BY: BRESSI

MOTION SECONDED BY: RIVERE

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

WHEREAS, Jackson Township previously renewed a contract to Quality Medical Transport, Inc. for emergency ambulance services with a scheduled termination date of March 15, 2011; and

WHEREAS, the Township of Jackson is desirous to renew this contract with Quality Medical Transport for an additional one (1) year period pursuant to the terms of the original contract agreement.

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 formally authorizes and approves the execution of a one (1) year contract renewal between the Township of Jackson and Quality Medical Transport for emergency ambulance services effective March 16, 2011 through March 15, 2012, as per the terms of said agreement dated March 14, 2008 with the option to renew for one (1) additional one year period. All other terms and conditions of the original agreement remain in effect. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution

2. That upon the adoption of the within resolution, the Township Clerk is authorized and directed to forward a certified copy of it to the Township Administrator, Chief Financial Officer, Chief of Police, Purchasing Department, Quality Medical Transport, members of the EMS Advisory Board and any other interested parties.

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

DATED: 2/8/11

(RESOLUTION NO. 076R-11 - REMOVED)

RESOLUTION 077R-11

TITLE: AMEND RESOLUTION NO. 051R-11 AUTHORIZING PURCHASES/SERVICES FROM APPROVED NEW JERSEY STATE CONTRACT VENDORS TO INCLUDE ADDITIONAL STATE CONTRACT VENDORS FOR CY 2011

MOTION TO APPROVE BY: BRESSI

MOTION SECONDED BY: RIVERE

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

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

WHEREAS, the Township Council approved purchases/services from authorized State contract vendors on January 25, 2011 by way of Resolution No. 051R-11; and

WHEREAS, the Purchasing Department is seeking approval to amend Resolution No. 051R-11 to include the following State Contract Vendors for CY 2011:

<u>VENDOR</u>	<u>STATE CONTRACT NO.</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
Verizon Wireless	#T216A/64428	Wireless devices and services	\$35,000.00
The Cambria Companies	#T2085/73711	Auto parts and accessories/ class 5 or higher	\$10,000.00
S & S Worldwide	#T0114/65610	Library, school supplies and teaching aids	\$10,000.00

and;

WHEREAS, it is now the desire of this Township Council to approve the request of the Purchasing Department.

NOW, THEREFORE, BE IT RESOLVED, the Township Council of the Township of Jackson, County of Ocean, State of New Jersey does hereby approve the inclusion of the vendors listed above to the original list of approved State Contract Vendors for CY 2011 and when done so in the best interest of the Township by way of executing a valid Jackson Township Purchase Order in accordance with proper Purchasing procedures and practices. A copy of this resolution shall be forwarded to the Municipal Administrator, Chief Financial Officer, Township Engineer, Purchasing Department and any other interested parties.

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

DATED: 2/8/11

RESOLUTION 078R-11

TITLE: AUTHORIZE THE RENEWAL OF AMUSEMENT GAMES LICENSE TO SIX FLAGS GREAT ADVENTURE FOR CY 2011

MOTION TO APPROVE BY: BRESSI

MOTION SECONDED BY: RIVERE

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

WHEREAS, Six Flags – Great Adventure has applied for a renewal of its amusement games license for those games listed on the attached “Schedule A” in accordance with Jackson Code Section 38-11, et seq.; and

WHEREAS, the premises being licensed in Block 3101, Lot 11 are located in a recognized amusement park with the Township of Jackson; and

WHEREAS, the proper fee has been paid and the appropriate investigation has been conducted by the Township and there is no objection to the renewal of these licenses.

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 amusement game licenses as listed on “Schedule A’ which is annexed hereto for the premises located on Block 3101, Lot 11 are hereby authorized to be renewed to the applicant, Six Flags – Great Adventure, for a term commencing this date and terminating December 31, 2011
2. A certified copy of this resolution shall be transmitted together with copy of application and license certificate issued to the Commission of Amusement Game Control, the applicant and any other interested party.

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

DATED: 2/8/11

SCHEDULE A
SIX FLAGS AMUSEMENT GAMES FOR CY 2011
RESOLUTION NO. 078R-11

ML Lic App.	Unit Name	State Cert. #	State Name	Municipal License Fee	State License Fee
1	Studio 28	2-000	Arcade	\$ 100.00	\$1,500.00
2	BCG	2-000	Arcade	\$ 100.00	\$1,000.00
3	Square Instant Win	2-000	Arcade	\$ 100.00	\$ 250.00
4	Plaza Instant Win	2-000	Arcade	\$ 100.00	\$ 250.00
5	Bowling IW	2-000	Arcade	\$ 100.00	\$ 250.00
6	Big Wheel IW	2-000	Arcade	\$ 100.00	\$ 250.00
7	Dream Street Instant Win	2-000	Arcade	\$ 100.00	\$ 250.00
8	Roll-A-Ball	4-038	Ball Derby	\$ 100.00	\$ 250.00
9	Flip A Frog	1-021	Flip a Frog	\$ 100.00	\$ 250.00
10	3 Throw	1-112	3 Throw	\$ 100.00	\$ 250.00
11	OCB	1-003	Basketball Game	\$ 100.00	\$ 250.00
12	Short Range	1-003	Basketball Game	\$ 100.00	\$ 250.00
13	Hat Shots	1-003	Basketball Game	\$ 100.00	\$ 250.00
14	Basketball (Extra)	1-003	Basketball Game	\$ 100.00	\$ 250.00
15	3 Point Tournament	1-109	Basketball Game	\$ 100.00	\$ 250.00
16	BlockBuster	1-079	Block Buster	\$ 100.00	\$ 250.00
17	BlockBuster	1-079	Block Buster	\$ 100.00	\$ 250.00
18	Plate Pitch	1-010	Coin Pitch Game	\$ 100.00	\$ 250.00
19	Balloon Pop	1-009	Dart Game	\$ 100.00	\$ 250.00
20	Bowling	2-763	Bowling	\$ 100.00	\$ 250.00
21	Soccer	1-113	Soccer	\$ 100.00	\$ 250.00
22	Football Toss	1-089	Football Toss & Tire Throw	\$ 100.00	\$ 250.00
23	Blast Off	1-030	Gun Ball Game	\$ 100.00	\$ 250.00
24	Milk Can	1-072	Milk Can Game	\$ 100.00	\$ 250.00
25	Outing Milk Can Game	1-072	Milk Can Game	\$ 100.00	\$ 250.00
26	Waterfalls	4-030	Ramp Water	\$ 100.00	\$ 250.00
27	Bank-A-Ball	1-083	Rebound Non Arcade Version	\$ 100.00	\$ 250.00
28	Bank-A-Ball Extra	1-083	Rebound Non Arcade Version	\$ 100.00	\$ 250.00
29	Wild Ring Fling	1-013	Ring Toss Game	\$ 100.00	\$ 250.00
30	Rising Waters	4-032	Rising Water	\$ 100.00	\$ 250.00
31	Ladder Climb	8-002	Rope Climb	\$ 100.00	\$ 250.00
32	What's On Top	4-026	Running Water Game	\$ 100.00	\$ 250.00
33	Skeeball Extra	1-052	Skeeball non-arcade version	\$ 100.00	\$ 250.00
34	Spyo	4-003	Spyr-O-Mania	\$ 100.00	\$ 250.00
35	MT Top Glo	4-031	Top Glo	\$ 100.00	\$ 250.00
36	Top Glo	4-031	Top Glo	\$ 100.00	\$ 250.00
37	Light's Up	4-031	Top Glo	\$ 100.00	\$ 250.00
38	Top Glo 2	4-023	Top Glo 2	\$ 100.00	\$ 250.00
39	Milk Bottle Toss	1-012	Bottle Game	\$ 100.00	\$ 250.00
40	Wild Waters	4-029	Vertical Water	\$ 100.00	\$ 250.00
41	Shoot Out	4-029	Vertical Water	\$ 100.00	\$ 250.00
42	Jungle Race	4-034	Wacky Water Race	\$ 100.00	\$ 250.00
43	Wacky Wire	8-008	Wacky Wire	\$ 100.00	\$ 250.00
44	FF Whac-A-Mole	4-004	Whac-A-Mole	\$ 100.00	\$ 250.00
45	Whac-A-Mole	4-004	Whac-A-Mole	\$ 100.00	\$ 250.00
46	Big Wheel Whac-A-Mole	4-004	Whac-A-Mole	\$ 100.00	\$ 250.00
47	Rockwall	8-014	Rockwall	\$ 100.00	\$ 250.00
(47) TOTAL:				\$4,700.00	\$13,750.00

DISCUSSION AGENDA:

- 1) **TOWNSHIP CLERK EDEN: Establish Late fees for Clothing bin permits:**
She explained that now the annual permit fee is \$25.00 per bin and now Planning and Zoning along with Mr. Burke are requesting imposing late fees. Councilman Kafton and Council President Martin stated that they would like to see fines imposed for clothes that are left along side the bins and aren't picked up in a timely manner. Mr. Burke (Municipal Engineer) explained that the State statute allowed them to do an ordinance registering these bins. They were being put everywhere and there were too many in one location. They also didn't know who operated them or who to contact when they become eyesores. The registration process allows them to know this information. If the owners don't come in and register these bins there is no enforcement process available to them other than pick the device up and bring it back to Public Works and put it in storage. The intent of this is to have the owners register on a timely basis. They aren't looking to make a profit on this and it's more about housekeeping. He feels this is only the second year of doing this and they don't have the experience with this to impose fines. It takes a lot of time to hunt down who needs to take care of these bins because the agency that gets the profits sometimes isn't the servicing agent. The Council decided to move forward with an ordinance at the February 22, 2011 meeting.

- 2) **TOWNSHIP CLERK EDEN: U.S. Census –** She advised the Council that the Census numbers our out and Jackson Township has increased by 28.1% they have gone from 42,816 in 2000 to 54,856 in 2010 census. She then stated that they could add four more consumption and two more distribution liquor licenses.

Council President Martin stated that as soon as they can he would like to go out to bid for those. Township Clerk Eden replied it might be a few more weeks because she has to wait for the actual paperwork.

- 3) **DAN BURKE: Awarded \$250,000 – DOT Grant; Improvements to Paterson Road (Spring 2011):** He advised the Council that they were successful with their application for a grant with the DOT. They awarded them \$250,000 for improvements, which will be used for Paterson Road between 571 and 526. They are coordinating with the school district and should be ready to go out to bid next month so they can facilitate construction between July 1st and September 1st. They are going to widen the road and put sidewalks on both sides of the street. They also are trying to coordinate with the MUA to see if they will put a new water main down there to service those schools.

COUNCIL PRESIDENT MARTIN: He asked Administrator Torres if there was an update on the \$7,000. Administrator Torres replied that he couldn't reach the CFO and is requesting that the \$7,000 budget transfer be removed to lessen the impact on the payment of bills.

BILLS AND CLAIMS

MOTION TO APPROVE BILLS AND CLAIMS BY: BRESSI

MOTION SECONDED BY: RIVERE

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

NO: KAFTON (ALL PROFESSIONALS)

ABSTAIN: UPDEGRAVE (DASTI & WINDING WAYS)

COUNCILWOMAN UPDEGRAVE: She began by saying that her and Council Vice President Bressi were reviewing the pages given to them regarding Atlantic Tactical. It's for holsters and flashlights and they are paying \$999.00 for flashlights and the holsters are \$2,300.00. She asked for back-up on this to find out why they are spending so much money on this. Council Vice President Bressi added that he is sure it is warranted, but just wanted to see the back-up. Administrator Torres explained that these flashlights are not like the ones that electricians use they are more like nightsticks. Also, there is flashlights that if your stopped for DUI it can determine if alcohol is on your breath. Councilwoman Updegrave asked for this bill to be removed until they can ask for more details from the Police.

MOTION TO HOLD ATLANTIC TACTICAL BILLS BY: BRESSI

MOTION SECONDED BY: RIVERE

YES: KAFTON, RIVERE, UPDEGRAVE, BRESSI & MARTIN

CHECK#	VENDOR	AMOUNT
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(See Pages 47 –54)

03/09/11
10:45:14

JACKSON TOWNSHIP
Check Register By Check Date

Page No: 1

Range of Checking Accts: First to Last Range of Check Dates: 02/08/11 to 02/08/11
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

CAPITAL
62271 02/08/11 REN04 RENABCO, INC. 1,458.00 3809

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	1	0	0.00	1,458.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	0.00	1,458.00

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
83998	02/08/11	JAC25 JACKSON TOWNSHIP P/R ACCOUNT	697,811.42		3801
83999	02/08/11	ACT02 ACTION OFFICE SUPPLIES INC.	295.00		3805
84000	02/08/11	AIR07 AIR BRAKE & EQUIPMENT	255.00		3805
84001	02/08/11	AM01 A & M HARRISON CONST.CO.	28,791.50		3805
84002	02/08/11	AME52 AMERICAN SOLUTIONS	615.50		3805
84003	02/08/11	AND12 JONATHAN ANDERSON	1,345.50		3805
84004	02/08/11	ASB01 ASBURY PARK PRESS, INC.	0.00	02/08/11 VOID	0
84005	02/08/11	ASB01 ASBURY PARK PRESS, INC.	604.54		3805
84006	02/08/11	ATL29 ATLANTIC TACTICAL OF NJ, INC.	3,311.00		3805
84007	02/08/11	BOA02 BOARD OF PERE COMMISSIONERS	720.00		3805
84008	02/08/11	BOA03 BOARD OF PERE COMMISSIONERS	1,630.00		3805
84009	02/08/11	BUR18 BURKE FENCE INC.	4,052.00		3805
84010	02/08/11	BUS07 DONNA BUSSICULO	200.00		3805
84011	02/08/11	CDW01 CDW GOVERNMENT, INC.	110.00		3805
84012	02/08/11	CE01 CEDE & COMPANY	11,311,533.32		3805
84013	02/08/11	CIT01 CITTA, HOLZAPFEL & ZABARSKY	569.00		3805
84014	02/08/11	CLA01 CLARK CATON HENTZ CORP.	2,538.44	02/09/11 VOID	3805
84015	02/08/11	COL27 DAVID COLANGELO	1,345.50		3805
84016	02/08/11	COR35 CORONATO, BRADY & KUNZ, P.C.	3,333.34		3805
84017	02/08/11	CRU05 ANTHONY J. CRUZ	1,667.50		3805
84018	02/08/11	CUN09 JOHN J. CURRY	797.11		3805
84019	02/08/11	DAS01 DASTI, MURPHY, MCGUICKI, ET ALS	5,418.00		3805
84020	02/08/11	DAV08 DAVIS & STANTON	299.00		3805
84021	02/08/11	DEL01 DELTA DENTAL PLAN OF N. J. INC.	19,762.03		3805
84022	02/08/11	DEL19 DEL-VEL CHEMICAL	840.40		3805
84023	02/08/11	DIT04 MICHAEL V DITURSI	1,287.00		3805
84024	02/08/11	DOW01 DOWNS FORD, INCORPORATED	103.14		3805
84025	02/08/11	DST01 DST MEDICAL SERVICES, INC.	88.00		3805
84026	02/08/11	EDM01 EDMUNDS & ASSOCIATES, INC.	18,960.00		3805
84027	02/08/11	EJS01 E. J. SCHUSTERS, INC.	498.17		3805
84028	02/08/11	EYE01 EYEMED VISION CARE/FAA INC.	514.29		3805
84029	02/08/11	GAL01 GALL'S INCORPORATED	1,369.79		3805
84030	02/08/11	GAL15 GALLOWAY ENTERPRISES	23,343.75		3805
84031	02/08/11	GAR20 GARDEN STATE HWY PRODUCTS, INC.	3,765.00		3805
84032	02/08/11	GER12 GERTNER MANDEL & PESLAK	1,596.50		3805
84033	02/08/11	GIR06 GIRL SCOUT TROOP #217	200.00		3805
84034	02/08/11	GOV01 GOVERNMENT FINANCE OFF. ASSOC.	90.00		3805
84035	02/08/11	GPA01 GPK&J	180.00		3805
84036	02/08/11	HAY02 HAYES INSTRUMENT CO.	66.00		3805

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Check #	Check date	vendor	Amount Paid	reconciled/void	ref Number
84037	02/08/11	HN01 KRISTOPHER HMYDA	1,450.00		3805
84038	02/08/11	HUD01 HUDSON CITY SAVINGS BANK	438.99		3805
84039	02/08/11	HUN03 HUNTER JERSEY PETERBILT	622.97		3805
84040	02/08/11	IAM02 JIM IANNELLO	965.25		3805
84041	02/08/11	IKO01 IKON OFFICE SOLUTIONS	92.59		3805
84042	02/08/11	IND01 INDUSTRIAL WELDING SUPPLY INC.	92.00		3805
84043	02/08/11	IND12 INDUSTRIAL RUBBER CO.	1,301.96		3805
84044	02/08/11	INT22 INTERNATIONAL SALT COMPANY	31,629.34		3805
84045	02/08/11	JCP01 JERSEY CENTRAL POWER & LIGHT	0.00	02/08/11 VOID	0
84046	02/08/11	JCP01 JERSEY CENTRAL POWER & LIGHT	0.00	02/08/11 VOID	0
84047	02/08/11	JCP01 JERSEY CENTRAL POWER & LIGHT	0.00	02/08/11 VOID	0
84048	02/08/11	JCP01 JERSEY CENTRAL POWER & LIGHT	0.00	02/08/11 VOID	0
84049	02/08/11	JCP01 JERSEY CENTRAL POWER & LIGHT	46,566.12		3805
84050	02/08/11	JOK01 PELSANG, ROBERT F & CAROL A	12.00		3805
84051	02/08/11	JEN10 WALLACE & MICHELLE JENKINS	2,363.17		3805
84052	02/08/11	JER25 JERZ MECHANICAL INC.	1,200.00	02/22/11 VOID	3805
84053	02/08/11	JER29 JERRY'S AUTO BODY, LLC.	2,500.00		3805
84054	02/08/11	JOH15 JOHNNY ON THE SPOT	244.03		3805
84055	02/08/11	JOH41 GLENN & CONNIE JOHNSON	10,582.56		3805
84056	02/08/11	JRC01 JR CUSTOM LANDSCAPING, INC.	97,092.60		3805
84057	02/08/11	LAK01 LAKEWOOD AUTO SUPPLY INC.	81.38		3805
84058	02/08/11	LOG04 LOGOMANIA, INC.	89.61		3805
84059	02/08/11	LOW01 LOWE'S COMPANIES, INC.	229.20		3805
84060	02/08/11	MAJ04 MAJESTIC OIL CO. INC.	804.14		3805
84061	02/08/11	MAN17 HENRY J MANCINI & ASSOCIATES	1,170.00		3805
84062	02/08/11	MAR17 MARCO PRODUCTS, INC.	174.75		3805
84063	02/08/11	MON44 MONTE CONTRACTING INC.	5,148.00		3805
84064	02/08/11	MS01 M AND S CERAMICS	56.00		3805
84065	02/08/11	NAT23 NATIONAL SCHOOL PRODUCTS	1,620.77		3805
84066	02/08/11	NEO01 NEOPOST, INC.	779.70		3805
84067	02/08/11	NOL01 NOLM	75.00		3805
84068	02/08/11	NJN06 NJ MOTOR VEHICLE COMMISSION	150.00		3805
84069	02/08/11	NJN03 NEW JERSEY NATURAL GAS	1,930.57		3805
84070	02/08/11	OCE15 OCEAN COUNTY CLERK	48.00		3805
84071	02/08/11	OCE18 OCEAN COUNTY CLERK	216.00		3805
84072	02/08/11	OFF06 OFFICE NEEDS	1,008.70		3805
84073	02/08/11	OPT08 OPTIMIST BUDDIES	200.00	02/24/11 VOID	3805
84074	02/08/11	PAR10 PARAMOUNT HOMES II WHISPERING	2,340.00		3805
84075	02/08/11	PEP04 PEPCO ENERGY SERVICES, INC.	2,959.14		3805
84076	02/08/11	PET23 JOHN PETERS	1,287.00		3805
84077	02/08/11	PIN19 PINA M. INC.	698.16		3805
84078	02/08/11	QUA02 QUARTERMASTER UNIFORMS	43.97		3805
84079	02/08/11	RED01 RED THE TAILOR, INC.	139.95		3805
84080	02/08/11	SAD02 SACNT MONICA'S CHURCH	200.00		3805
84081	02/08/11	SCR05 SCREEN STYLES	1,555.00		3805
84082	02/08/11	SPR02 SPRINT	244.11		3805
84083	02/08/11	STA02 NISHNP	301,654.51		3805
84084	02/08/11	TCTAN0 TCTANO	150.00		3805
84085	02/08/11	TEED1 EDM INC. D/O/A TEES PLUS SCREEN	1,106.91		3805
84086	02/08/11	TEL03 TELE-MEASUREMENTS INC.	1,535.00		3805
84087	02/08/11	THO27 JEFFREY P. THOMPSON	1,345.50		3805
84088	02/08/11	TMO1 T & M ASSOCIATES, INC.	2,447.50	02/09/11 VOID	3805
84089	02/08/11	TMO2 T & M ASSOCIATES	682.00		3805
84090	02/08/11	TOTO5 TOTAL CONSTRUCTION MGMT LLC	1,287.00		3805

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Check #	Check date	Vendor	Amount Paid	Reconciled/void	Ref Number
84091	02/08/11	TR118 TRI-STATE BATTERY INC & AUTO	592.00		3805
84092	02/08/11	UM001 UMBROVIDENT	8,072.32		3805
84093	02/08/11	VAN01 VAN SANT EQUIPMENT	389.24		3805
84094	02/08/11	VER03 VERIZON WIRELESS	1,644.82		3805
84095	02/08/11	VER04 VERIZON	1,493.91	02/09/11 VOID	3805
84096	02/08/11	VIL05 STEVEN VILLAMIEVA	1,287.00		3805
84097	02/08/11	NEL13 WELLS FARGO HOME MORTGAGE	9,071.36		3805
84098	02/08/11	WPC01 WPCS INTERNATIONAL INC.	2,250.00		3805
84099	02/08/11	YOU15 YOUTH LIGHT BOOKS	64.85		3805
84100	02/08/11	ZAB01 RAYMOND E ZABORNEY	1,404.00		3805
84101	02/08/11	VER03 VERIZON WIRELESS	43.14		3812
84102	02/08/11	VER04 VERIZON	1,450.77		3812

Checking Account Totals	Païd	Void	Amount Void	Amount Paid
Checks:	95	10	7,879.85	12,689,881.45
Direct Deposit:	0	0	0.00	0.00
Total:	95	10	7,879.85	12,689,881.45

DEV FEES--COAH	DEV FEES - COAH (NEW)			
142	02/08/11	CL401 CLARK CATON HINTZ COMP.	152.75	3810
143	02/08/11	JAC74 JACKSON TOWNSHIP BUILDING DEPT	225.00	3810
144	02/08/11	REH04 REHABCO, INC.	1,458.00	3810
145	02/08/11	TMO2 T & M ASSOCIATES	5,954.20	3810

Checking Account Totals	Païd	Void	Amount Void	Amount Paid
Checks:	4	0	0.00	7,789.95
Direct Deposit:	0	0	0.00	0.00
Total:	4	0	0.00	7,789.95

DEVELOPERS-OF	DEVELOPERS-OCEAN FIRST			
63059	02/08/11	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	5,160.00	3804
63060	02/08/11	CHE16 CHESTNUT ARBORICULTURAL &	112.50	3806
63061	02/08/11	DAS01 DASTI, MURPHY, MCGUCKI, ET ALS	0.00	02/08/11 VOID
63062	02/08/11	DAS01 DASTI, MURPHY, MCGUCKI, ET ALS	0.00	02/08/11 VOID
63063	02/08/11	DAS01 DASTI, MURPHY, MCGUCKI, ET ALS	2,404.00	3806
63064	02/08/11	GER12 GERTNER MANDEL & PESLAK	0.00	02/08/11 VOID
63065	02/08/11	GER12 GERTNER MANDEL & PESLAK	3,089.00	3806
63066	02/08/11	OWE01 OWEN LITTLE & ASSOCIATES INC.	0.00	02/08/11 VOID
63067	02/08/11	OWE01 OWEN LITTLE & ASSOCIATES INC.	0.00	02/08/11 VOID
63068	02/08/11	OWE01 OWEN LITTLE & ASSOCIATES INC.	9,615.42	3806
63069	02/08/11	REM01 REMINGTON, VERNICK & VENA ENG.	0.00	02/08/11 VOID
63070	02/08/11	REM01 REMINGTON, VERNICK & VENA ENG.	1,910.25	3806
63071	02/08/11	TMO2 T & M ASSOCIATES	0.00	02/08/11 VOID
63072	02/08/11	TMO2 T & M ASSOCIATES	0.00	02/08/11 VOID
63073	02/08/11	TMO2 T & M ASSOCIATES	0.00	02/08/11 VOID
63074	02/08/11	TMO2 T & M ASSOCIATES	0.00	02/08/11 VOID
63075	02/08/11	TMO2 T & M ASSOCIATES	14,135.31	3806

Checking Account Totals	Païd	Void	Amount Void	Amount Paid
Checks:				
Direct Deposit:				
Total:				

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

Checks:	7	10	0.00	36,426.48	
Direct Deposit:	0	0	0.00	0.00	
Total:	7	10	0.00	36,426.48	

DOG ACCOUNT - NEW					
466	02/08/11	ACE05 ANIMAL CARE EQUIP. & SVCS., LLC	1,067.79		3811
467	02/08/11	OCE02 OCEAN COUNTY BOARD OF HEALTH	1,878.00		3811

Checking Account Totals					
Checks:	2	0	0.00	2,945.79	
Direct Deposit:	0	0	0.00	0.00	
Total:	2	0	0.00	2,945.79	

GENERAL TRUST					
61002	02/08/11	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	990.00		3802
61003	02/08/11	CHE16 CHESTNUT ARBORICULTURAL &	2,025.00		3808

Checking Account Totals					
Checks:	2	0	0.00	3,025.00	
Direct Deposit:	0	0	0.00	0.00	
Total:	2	0	0.00	3,025.00	

PARKS REC					
63459	02/08/11	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	3,502.62		3803
63460	02/08/11	AON01 A.C. MOORE, INC.	196.24		3807
63461	02/08/11	HALL3 LORI HALASNIK	26.25		3807
63462	02/08/11	ROE03 ALEXIS ROE	240.00		3807

Checking Account Totals					
Checks:	4	0	0.00	3,965.11	
Direct Deposit:	0	0	0.00	0.00	
Total:	4	0	0.00	3,965.11	

Report Totals					
Checks:	115	20	7,879.85	12,745,491.78	
Direct Deposit:	0	0	0.00	0.00	
Total:	115	20	7,879.85	12,745,491.78	

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Fund Description	Fund	Budget Total	Revenue Total
	0-01	94,319.97	0.00
	1-01	12,584,901.58	4,490.00
	c-04	1,458.00	0.00
	g-02	6,189.90	0.00
	T-12	3,025.00	0.00
	T-13	3,965.11	0.00
	T-17	2,945.79	0.00
	T-20	7,789.95	0.00
Year Total:		17,725.85	0.00
Total of All Funds:		12,704,575.30	4,490.00

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Project Description	Project No.	Project Total
7200063806 KLAND	P30313	54.99
7200063914HELLS-SEC.1A	P30559	22.74
7200063957K-LAND-HILL/SEC2&3	P30621	277.50
7200064080 WHISPERING GROVE	P30625	28.00
7200064084-HERITAGE	P30629	346.61
7200064127 FARMINGDALE	P30681	143.00
7200064164 HAMPSHIRE HILLS	P30890	19.77
7200064198-WESTLAKE SEC6F	P30988	143.00
7200064215 2003 COASTER	P31011	28.00
7200065235 THOMAS HOGAN	P31053	125.00
7200065126 HOVANIAN	P31064	178.75
7200065212-LEIGH @ JACKSON	P31089	98.00
7200135432-WESTLAKE II	P31168	143.00
7200135495 K NOV @ JCKS	P31180	2,949.50
7200135517 MICHAEL ROTTENBERG	P31186	378.00
7200135560-SOUTH KNOLLS	P31205	380.00
7200135591 FOUR SEASONS AT MED	P31220	254.75
7200135679 STRATHALLAN @ JCKN	P31241	1,245.75
7200135872-K.NOV @ JCKN/SEC5	P31298	196.75
7760145679 HOVBILT INC	P31351	303.75
7760145684 RIGGS SECTION	P31353	311.25
7760145707-DIAMOND DEV OF NJ	P31375	2,854.75
7760145727-PARAMOUNT PROP GRP	P31386	1,687.75
7760145730-PARA CLASSICS@ROYAL	P31387	67.00
7760145753-LEIGH REALTY CO	P31402	573.75
SAKOUTIS	P31533	641.25
JOHNSON BOWMAN RD	P31536	59.00

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Project Description	Project No.	Project Total
HOLBROOKE LITTLE LEAGUE	P31550	202.50
ALAN KRUPNICK	P31563	28.00
LIBERTY COMMONS I NO HOPE CHAP	P31589	1,625.00
WRIGHT DEBOW RD	P31597	540.00
NEW PROSP PLAZA	P31599	677.75
CELL TOWER ANTENNA	P31607	28.00
LAMBROU	P31608	875.75
NETRD 340 BISHWARK	P31611	28.00
SPEROS WRIGHT DEBOW RD	P31621	278.75
JACKSON DINER	P31632	112.00
DOWN TO EARTH AMEND SITE DEBOW	P31633	644.00
HOLLY TREE CT	P31637	1,087.92
DENTON LANE	P31642	1,235.25
7200165893 CLEARING	TWP00012	750.00
JCP&L PLANNED	TWP0E132	1,560.00
EDWARD NERTNS	TWP0E140	240.00
EN-TECH CORP	TWP0E145	2,400.00
7200135874 60 ACRES	TWP0E65	960.00
JT SUBDIVISION ACCT	TWP50001	2,317.70
ATT WIRELESS	231517	189.00
46 BENNETTS MILLS ROAD	231575	385.00
commercial site	231584	67.00
KEMEL ADDITION	231587	750.87
V 2795-CONCRETE MFG PLANT	231595	564.30
THEBANK PROJECT	231605	502.00
PAGANS RUN	231609	425.25
29 MURDOCK	231622	1,028.97

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Project Description	Project No.	Project Total
735 FARMINGDALE RD	Z31623	570.11
ZONING ACCT TRNS TO PLANNINGED	Z31636	2,436.75
6 MEADOW RUN CT	Z31639	202.50
96 WILLOW	Z31641	202.50
Total of All Projects:		36,426.48

PUBLIC COMMENT, ANY TOPIC

MICHAEL BRODERICK, 15 BRIDGE COURT: He addressed Council President Martin and thanked him and the Mayor on behalf of the residents of Bridge Court. They exchanged e-mails regarding the snow removal from the past storms. They received a quick response and were happy with the outcome.

ELAINE LEIGHTON, OLLIE BURKE ROAD: She asked about Public Notices and what newspaper they were advertised in and when they advertise? Township Clerk Eden replied that she advertises in the Asbury Park Press and it depends on what is being advertised what edition it would be in. Ms. Leighton stated that she would need to get a subscription for every day in order to keep up. She then asked where she could get the information prior to a meeting? Township Clerk Eden went on to say that any ordinance introduced by the Council within a day or two after the meeting will be posted on the web (first reading only). Tonight they had second reading and they will be removed because they are done. Introduced ordinances can be obtained immediately prior to the scheduled meeting, as they are posted to our bulletin board (as a courtesy) not a requirement. The public hearing is scheduled usually at the next meeting after the ordinance is introduced. Administrator Torres explained that the agenda is posted on the website so that she would know all the business of the Township. Ms. Leighton later spoke about the minutes not being up to date. Ms. Leighton explained that she has been keeping up with the agendas, but sometimes she isn't sure what she's looking out. Councilwoman Updegrave explained that there have been many issues such as illness and people retiring in the Clerk's office and they are trying to address these issues. Council President Martin told her that if she had questions she could call them or send an e-mail.

CHRIS DUNTON, 124 ADAMS WAY: He asked for edification on the renewal of the liquor license for Rova Farms. He asked why it was being amended 2008-2009, 2009-2010 and 2010-2011? Township Clerk Eden explained that they became inactive and the Town didn't have the authority to renew it for those calendar years. They had to revoke the issuance of those licenses and based on the special ruling by the ABC re-issue according to that. They never filled out the applications correctly, so this had to be done before they can be renewed this year. Mr. Dunton spoke about the census and how we have grown and now want to add new liquor licenses. He reminded everyone that there are several consumption licenses already in pocket that would provide significant competition for licenses that would be put up for bid. Also, Cassville's license is up for sale. He said it might not be in the best interest of the Town to go out to bid right now. Attorney Cipriani added that one way to guard against that is set a minimum bid as far as licenses go. Administer Torres explained that historically when an applicant pockets the license he has to demonstrate to the State ABC of a hardship of why he is keeping it pocket. If this goes on and the applicant can't move the license from an investment standpoint of view and can't demonstrate the hardship the Township could compensate them and take that license back, but it doesn't go back into circulation.

PAUL MAYEROWITZ, 91 CYPRESS POINT LANE: He spoke about Ordinance 11-11 on Fire Prevention. It is his understanding that it requires the property owners to clear the fire hydrants in front of their homes. He asked how that relates to private property and gated communities? Township Clerk Eden reminded the Council President that the public hearing is scheduled for February 22, 2011 on this ordinance. If they continue to discuss it, it won't be part of the public hearing or part of the record. Councilwoman Updegrave suggested they ask Barry Olejarz to look into that. Mr. Mayerowitz went on to speak about parking tax. He addressed Councilman Kafton and stated that he spoke to Senator Singer who introduced a bill in 2004 and it went down in flames. He basically said that he isn't going to introduce the bill because in this economy nobody is interested in talking about increased tax revenues. He later spoke about the precious metals ordinance that they proposed and asked the status on it? He said it went to the Police Department for comment and it never came back. It seems to him that nobody cares that they have precious metal dealers in town without an ordinance and all other towns have one. Council President Martin stated that he wants this on the agenda at the next meeting. Mr. Mayerowitz in closing spoke about Ordinance 10-11 and stated that we have fees for dog licenses, but the biggest expense they have in Animal Control is for cats and they have no fees for them. The feral cat program was suppose to bring in cash and hasn't brought in any cash yet. Councilman Martin explained that they have had cost savings by neutering vs. euthanasia.

GARRY BLACK, 76 LEWIS LANE: He spoke about clothing bins and how the clothes are sold as rags and a small amount of the money goes to charity. He suggested they put notification on the bin of who actually owns the bin and hold them responsible. Councilwoman Updegrave explained that's what they did. The organization that is putting the bin out there has to come forward and give their name. Councilman Kafton added that Mr. Black wants the name of the organization on the bin and he feels that is a good idea.

GENE DAVIS, 6 LLEWELLYN COURT: He addressed Administrator Torres and asked him what the rate or percentage of investments made in the month of January is for the Township? He later added he would like to see this on the agenda every month. Administrator Torres explained that he couldn't do that because it all is predicated on the receivables and the amount they put in reserve. He told him he could get the number for him, but the number changes. Some of the accounts are like a checkbook they take the money in and it goes right out. He told him he would give him a call with the numbers. Mr. Davis went on to ask if the caucus meetings are open to the public? Township Clerk Eden explained they don't have caucus meetings, but executive session and they are not open to the public. Mr. Davis later stated that he read the paper on February 3rd and it spoke about the LED plan and it said that JCP&L has not provided the township with an inventory of lights that were requested. He asked how you pay a bill if you don't know how many lights you are paying for? Several months ago the Municipal Engineer submitted an application for \$464,500.00 for an energy efficient conservation block grant to replace existing streetlights with LED lights, but nothing yet has happened and wanted

an update on this. Administrator Torres explained that the Township has received the grant to upgrade the streetlights with LED lights. That doesn't mean that they don't know where the lights are now that they are paying for. Each light they pay for is metered and its certified by the Director of Public Works and they pay the monthly fee for the electricity generated by that pole. He explained that what Mr. Burke was talking about in the article was that they received this energy conservation grant and what they proposed to do was add a new LED light fixture as part of the inventory. Unfortunately, JCP&L has not worked with the Township expeditiously to finish the addition of the LED lights. Mr. Burke sent a letter to the Board of Public Utilities, which has sparked some action from the energy provider. The last conversation he had with Mr. Burke was with us being fearful that they might lose the entire grant because they need to use the funds in a expeditious manner. They are now meeting with PSE&G another provider who has done this kind of upgrade with other municipalities. They are using the competitive edge with this other power supplier to see if they can nudge JCP&L to respond. He is confident that either JCP&L or PSE&G will work with them and they are even looking into a greener light fixture such as a solar fixture.

COUNCILMAN KAFTON: He spoke about a letter in the paper that was sent to the editor. The letter spoke about the government being paralyzed by “poloticking” rather than focusing on the business of the people. The person who wrote that letter then quoted Barack Obama who said “its important for us to pause for a moment to make sure we are talking with each other in a way that heals not in a way that wounds.” He brought this up because on the next page there is a copy of an OPRA request put in by Mr. Mayerowitz who also wrote this letter. It says please consider this an OPRA request for all complaints, summons, reports, arrests, investigation reports or incident reports involving Michael Kafton. In closing he stated that this request wasn't for the entire Council just targeting him and that is a great way of healing.

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

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

10:34PM

RESPECTFULLY SUBMITTED,

COUNCIL PRESIDENT MARTIN

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

AME/tvc