

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

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

**COUNCILMAN KAFTON (absent)**

**ATTORNEY JEAN CIPRIANI**

**COUNCILWOMAN RIVERE**

**TOWNSHIP CLERK EDEN**

**COUNCILWOMAN UPDEGRAVE (absent)**

**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.

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**RESOLUTION 097R-11**

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

**MOTION TO APPROVE BY: RIVERE**

**MOTION SECONDED BY: BRESSI**

**YES: RIVERE, BRESSI & MARTIN**

**ABSENT: KAFTON & UPDEGRAVE**

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

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

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

1. The public shall be excluded from discussion concerning the hereinafter-specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
  - a) Personnel/Professionals
  - b) Litigation/Potential Litigation – Olejarz vs. Township of Jackson
  - c) Potential Land Sale/Land Acquisition
  - d) Contracts/Agreements:
3. It is anticipated that the subject matter discussed may be made public upon its conclusion or final disposition.

**DATED: 3/8/11**

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

**TOWNSHIP CLERK**

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**7:30 PM RECONVENE PUBLIC MEETING**

**PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE**

**ROLL CALL**

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

**ATTORNEY JEAN CIPRIANI**  
**TOWNSHIP CLERK EDEN**

**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 wished his son Michael a Happy 18<sup>th</sup> Birthday and stated he is a great kid and is very proud of him.

**COUNCILWOMAN RIVERE:** She too wished Michael a Happy Birthday.

**COUNCIL VICE PRESIDENT:** He thanked everyone for coming out.

**COUNCIL PRESIDENT MARTIN:** He began by wishing Michael a Happy Birthday. He went on to say that he attended many civic events over the weekend. Friday night was the Police Officer of the year dinner sponsored by the Kiwanis. They honored many of the police officers and they all deserve our praise. Yesterday he attended the retirement dinner for Diane Black who served as secretary for the Commission for the Disabled for 17 years and she did an outstanding job. He announced that Councilwoman Updegrave is not feeling well tonight, but she had the pleasure of attending the fundraising event for Jackson Green Apartments on Saturday, it was a Zumba event held at the Senior Center. She wanted him to thank the Senior Center personnel for hosting the event. He then announced that this Saturday from 8:00 AM to 12:00 PM at St. Monicas there is going to be a pancake fundraiser sponsored by the Knights of Columbus and a Girl Scout Troop. The money raised will go to help the families that lived at Jackson Green Apartments who lost everything because of the fire.

**BILLS AND CLAIMS**

**MOTION TO APPROVE BILLS AND CLAIMS BY: RIVERE**

**MOTION SECONDED BY: KAFTON**

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

**ABSTENTIONS: KAFTON (Jackson Orthodontics), MARTIN (Juan Bellu & Associates)**

**NO: KAFTON (All Professionals)**

**ABSENT: UPDEGRAVE**

<b>CHECK#</b>	<b>VENDOR</b>	<b>AMOUNT</b>
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**SEE PAGES 3-10**

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10:53:31

JACKSON TOWNSHIP  
Check Register By Check Date

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Range of Checking Accts: First to Last Range of Check Dates: 03/08/11 to 03/08/11  
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
<b>CURRENT</b>					
84210	03/08/11	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	626,932.81		3829
84211	03/08/11	AER01 AER BRAKE & EQUIPMENT INC.	986.36		3830
84212	03/08/11	ALL11 ALLSHORE TOWING SERVICE INC.	375.00		3830
84213	03/08/11	AL501 AL'S AUTO REPAIRS INC.	75.00		3830
84214	03/08/11	AMES1 AMERICAN ASPHALT COMPANY, INC	3,383.20		3830
84215	03/08/11	AMES2 AMERICAN SOLUTIONS	88.11		3830
84216	03/08/11	ASB01 ASBURY PARK PRESS, INC.	0.00	03/08/11 VOID	0
84217	03/08/11	ASB01 ASBURY PARK PRESS, INC.	0.00	03/08/11 VOID	0
84218	03/08/11	ASB01 ASBURY PARK PRESS, INC.	1,460.00		3830
84219	03/08/11	BEL15 JUAN BELLU & ASSOC.	955.00		3830
84220	03/08/11	BG02 B & G ELEVATOR INC.	20.00		3830
84221	03/08/11	BUC07 BUCK SIMPERS ARCHITECT & ASSOC	5,400.00		3830
84222	03/08/11	CEN02 CENTRAL JERSEY WASTE AND	143,850.00		3830
84223	03/08/11	CER02 CERTIFIED LABORATORIES/NCHCORP	508.83		3830
84224	03/08/11	CHA08 C.H. AUTOS	130.00		3830
84225	03/08/11	CHA30 CHALLENGE DAY	1,500.00		3830
84226	03/08/11	CH01 C & J DOLLAR DISCOUNT STORE	79.20		3830
84227	03/08/11	CLA01 CLARK CATON KINTZ CORP.	1,410.00		3830
84228	03/08/11	COT02 COTTMAN TRANSMISSION	2,314.87		3830
84229	03/08/11	COU20 COUNTRY SUOSER CAR WASH	112.00		3830
84230	03/08/11	COU24 COUNTRY SUOSER CAR WASH	64.00		3830
84231	03/08/11	DAS01 DASTI, MURPHY, MCGUCKI, ET ALS	1,344.00		3830
84232	03/08/11	DEP02 DEPTCOR/BUREAU OF	634.50		3830
84233	03/08/11	DIV01 DIVISION OF CRIMINAL JUSTICE	300.00		3830
84234	03/08/11	DOW01 DOWNS FORD, INCORPORATED	1,134.90		3830
84235	03/08/11	DSI01 DSI MEDICAL SERVICES, INC.	447.00		3830
84236	03/08/11	EME01 EMERGI-CLEAN INC.	481.00		3830
84237	03/08/11	ENG07 ENGINEERED FLUIDS, INC.	1,686.00		3830
84238	03/08/11	ESR01 ESRI INC.	1,700.00		3830
84239	03/08/11	EYED1 EYEMED VISION CARE/FAA INC.	545.10		3830
84240	03/08/11	FLE15 FLEETSOURCE LLC	449.86		3830
84241	03/08/11	GAR20 GARDEN STATE HWY PRODUCTS, INC.	429.40		3830
84242	03/08/11	GOOD5 JOSEPH W & GAIL A GOODWIN	16,047.87		3830
84243	03/08/11	HD01 HENRY GOSSARD dba/H & D FIRE	1,124.95		3830
84244	03/08/11	HES06 HESS CORPORATION	808.74	03/08/11 VOID	3830
84245	03/08/11	IXO01 IXON OFFICE SOLUTIONS	0.00	03/08/11 VOID	0
84246	03/08/11	IXO01 IXON OFFICE SOLUTIONS	1,576.87		3830
84247	03/08/11	IND01 INDUSTRIAL WELDING SUPPLY INC.	46.00		3830
84248	03/08/11	JAC130 JKSN HELPING HANDS FOUNDATION	200.00		3830
84249	03/08/11	JAC131 JKSN HELPING HANDS FOUNDATION	200.00		3830
84250	03/08/11	JCP01 JERSEY CENTRAL POWER & LIGHT	0.00	03/08/11 VOID	0
84251	03/08/11	JCP01 JERSEY CENTRAL POWER & LIGHT	0.00	03/08/11 VOID	0
84252	03/08/11	JCP01 JERSEY CENTRAL POWER & LIGHT	0.00	03/08/11 VOID	0
84253	03/08/11	JCP01 JERSEY CENTRAL POWER & LIGHT	0.00	03/08/11 VOID	0
84254	03/08/11	JCP01 JERSEY CENTRAL POWER & LIGHT	101,421.99		3830
84255	03/08/11	JER20 JERSEY SHORE MEDICAL CENTER	277.50		3830
84256	03/08/11	JFO1 J & P CONSTRUCTION	49.98	03/08/11 VOID	3830
84257	03/08/11	JSD1 THE J'S LETTERING, INC.	365.70		3830
84258	03/08/11	KND01 KNIGHTS OF COLUMBUS COUNCIL	200.00		3830

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
84259	03/08/11	LAK01 LAKEWOOD AUTO SUPPLY INC.	310.98		3830
84260	03/08/11	LAK09 LANGUAGE SERVICES ASSOCIATES	8.40		3830
84261	03/08/11	LOW01 LOVE'S COMPANIES, INC.	109.54		3830
84262	03/08/11	MLA01 MIAMI SYSTEMS CORPORATION	678.24		3830
84263	03/08/11	MOM37 MONMOUTH TELECOM	1,226.11		3830
84264	03/08/11	MUN13 MUNICIPAL CLERKS ASSOC.OF O.C	160.00		3830
84265	03/08/11	MUN14 MUN. CLERK'S ASSN. OF NJ, INC.	425.00		3830
84266	03/08/11	MAP02 MAPCO/R.S.KMAPP CO.INC	101.32		3830
84267	03/08/11	NEO01 NEOPOST, INC.	527.72		3830
84268	03/08/11	NOL01 NOLM	55.00		3830
84269	03/08/11	NOR01 NJ RECREATION & PARK ASSOC. INC	740.00		3830
84270	03/08/11	NOS14 NOSACOP	200.00		3830
84271	03/08/11	OCE02 OCEAN COUNTY BOARD OF HEALTH	384.00		3830
84272	03/08/11	OCY01 OCTPSOA	30.00		3830
84273	03/08/11	ORW01 GRACE ORMER	23.52		3830
84274	03/08/11	PAC06 PACER SERVICE CENTER	11.76		3830
84275	03/08/11	PAR28 PARDO'S TRUCK SERVICE PARTS	406.41		3830
84276	03/08/11	PEP04 PEPCO ENERGY SERVICES, INC.	9,406.23		3830
84277	03/08/11	REM01 REMINGTON, VERMICK & VEMA ENG.	224.50		3830
84278	03/08/11	RUM02 BRIAN E. RUMFF	1,228.50		3830
84279	03/08/11	SHO13 SHOPRITE/PERLMART, INC.	577.42		3830
84280	03/08/11	SIM01 SIMPLEXGAINWELL LP	542.00		3830
84281	03/08/11	STA01 NISHRP	295,214.02		3830
84282	03/08/11	STA29 STARKEY, KELLY, BAUER, KENNEALLY &	5,184.00		3830
84283	03/08/11	STE24 STERLING NATIONAL	869.65		3830
84284	03/08/11	TAY10 TAYLOR AND FRANCIS GROUP, LLC	258.82		3830
84285	03/08/11	THO1 T & M ASSOCIATES, INC.	1,358.50		3830
84286	03/08/11	THO2 T & M ASSOCIATES	2,234.15		3830
84287	03/08/11	THO3 TM ASSOCIATES	4,492.00		3830
84288	03/08/11	TRID4 TRICO	1,052.88		3830
84289	03/08/11	UNI12 UNITED REFRIGERATION	155.12		3830
84290	03/08/11	UNP01 UNIMPROVIDENT	8,729.79		3830
84291	03/08/11	USM01 U.S. MUNICIPAL SUPPLY INC.	1,240.80		3830
84292	03/08/11	VER03 VERIZON WIRELESS	48.14		3830
84293	03/08/11	VER04 VERIZON	0.00	03/08/11 VOID	0
84294	03/08/11	VER04 VERIZON	777.28		3830
84295	03/08/11	VER14 VERIZON BUSINESS	117.90		3830
84296	03/08/11	WIN11 KELLY WINTHROP, LLC	36.00		3830

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	77	10	858.72	1,259,403.72
Direct Deposit:	0	0	0.00	0.00
<b>Total:</b>	<b>77</b>	<b>10</b>	<b>858.72</b>	<b>1,259,403.72</b>

DEV FEES-COAH	DEV FEES - COAH (NEW)			
147	03/08/11	CLA01 CLARK CATON HINTZ CORP.	280.75	3834

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	1	0	0.00	280.75
Direct Deposit:	0	0	0.00	0.00

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
Total:		1 0	0.00	280.75	
<b>DEVELOPERS-OF DEVELOPERS-OCEAN FIRST</b>					
61091	03/08/11	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	12,330.00		3827
61092	03/08/11	CHE16 CHESTNUT ARBORICULTURAL &	0.00	03/08/11 VOID	0
61093	03/08/11	CHE16 CHESTNUT ARBORICULTURAL &	1,087.50		3831
61094	03/08/11	BSA01 DASTI, MURPHY, MCGUCKI, ET ALS	224.00		3831
61095	03/08/11	GER12 GERTNER MANDEL & PESLAK	0.00	03/08/11 VOID	0
61096	03/08/11	GER12 GERTNER MANDEL & PESLAK	1,959.75		3831
61097	03/08/11	REM01 REMINGTON, VERNICK & VENA ENG.	162.00		3831
61098	03/08/11	TW02 T & M ASSOCIATES	0.00	03/08/11 VOID	0
61099	03/08/11	TW02 T & M ASSOCIATES	0.00	03/08/11 VOID	0
61100	03/08/11	TW02 T & M ASSOCIATES	0.00	03/08/11 VOID	0
61101	03/08/11	TW02 T & M ASSOCIATES	0.00	03/08/11 VOID	0
61102	03/08/11	TW02 T & M ASSOCIATES	0.00	03/08/11 VOID	0
61103	03/08/11	TW02 T & M ASSOCIATES	0.00	03/08/11 VOID	0
61104	03/08/11	TW02 T & M ASSOCIATES	0.00	03/08/11 VOID	0
61105	03/08/11	TW02 T & M ASSOCIATES	0.00	03/08/11 VOID	0
61106	03/08/11	TW02 T & M ASSOCIATES	0.00	03/08/11 VOID	0
61107	03/08/11	TW02 T & M ASSOCIATES	0.00	03/08/11 VOID	0
61108	03/08/11	TW02 T & M ASSOCIATES	13,608.00		3831
<b>Checking Account Totals</b>					
		Paid	Void	Amount Void	Amount Paid
	Checks:	6	12	0.00	29,571.25
	Direct Deposit:	0	0	0.00	0.00
	Total:	6	12	0.00	29,571.25
<b>GENERAL TRUST</b>					
61009	03/08/11	CHE16 CHESTNUT ARBORICULTURAL &	100.00		3832
61010	03/08/11	XTR02 XTREME MACHINES	752.54		3832
<b>Checking Account Totals</b>					
		Paid	Void	Amount Void	Amount Paid
	Checks:	2	0	0.00	852.54
	Direct Deposit:	0	0	0.00	0.00
	Total:	2	0	0.00	852.54
<b>HANDICAPPED</b>					
2029	03/08/11	#R002 ELIZABETH #R0R2X0	1,350.00		3835
<b>Checking Account Totals</b>					
		Paid	Void	Amount Void	Amount Paid
	Checks:	1	0	0.00	1,350.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	0.00	1,350.00
<b>PARKS - REC</b>					
61477	03/08/11	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	3,608.53		3828
61479	03/08/11	BSM01 BSM SPORTS	514.78		3833
61480	03/08/11	COH05 IRENE COHEN	48.00		3833

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
63481	03/08/11	CO501 COSTCO WHOLESALE 229	152.25		3833
63482	03/08/11	DDND4 SALVATORE DIMARCO	26.25		3833
63483	03/08/11	GOPO2 GOPHER SPORTS	74.12		3833
63484	03/08/11	KAMD6 MICHAEL J. KAMINSKAS	26.25		3833
63485	03/08/11	ROW04 RICHARD ROUNTREE	26.25		3833
63486	03/08/11	STAG6 TRAVIS STARR	26.25		3833
63487	03/08/11	SUND8 SUNFLOWER SPORTS INC	1,816.48		3833
<b>Checking Account Totals</b>					
		<b>Paid</b>	<b>Void</b>	<b>Amount Void</b>	<b>Amount Paid</b>
Checks:	10	0	0.00		6,319.16
Direct Deposit:	0	0	0.00		0.00
<b>Total:</b>	<b>10</b>	<b>0</b>	<b>0.00</b>		<b>6,319.16</b>
<b>Report Totals</b>					
		<b>Paid</b>	<b>Void</b>	<b>Amount Void</b>	<b>Amount Paid</b>
Checks:	97	22	858.72		1,297,777.42
Direct Deposit:	0	0	0.00		0.00
<b>Total:</b>	<b>97</b>	<b>22</b>	<b>858.72</b>		<b>1,297,777.42</b>

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Fund Description	Fund	Budget Total	Revenue Total
	0-01	47,919.64	0.00
	1-01	1,207,229.58	0.00
	6-02	4,254.50	0.00
	T-12	852.54	0.00
	T-13	6,319.36	0.00
	T-14	1,350.00	0.00
	T-20	280.75	0.00
Year Total:		4,802.45	0.00
Total of All Funds:		1,268,206.17	0.00

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Project Description	Project No.	Project Total
7200064029 GENERAL DEVEL.	P30749	196.00
7200064084-HERITAGE	P30829	146.25
7200064127 FARMINGDALE	P30881	384.25
7200064131-PANVIEW EST.	P30886	837.25
7200064198-WESTLAKE SEC6F	P30988	143.00
7200064206-SEC1A SOUTH KNOLLS	P31000	31.25
7200064207- SOUTH KNOLLS/SEC1B	P31001	31.25
7200064208-SOUTH KNOLLS/SEC1C	P31002	31.25
7200064213 SAGMORE EST	P31008	277.00
7200064214 RAMA REGGIO	P31010	31.25
7200064227 WOODS AT BELAIRE	P31040	277.00
7200064230 COOKSLANDING	P31044	938.25
7200065158EAGLES NEST	P31048	62.50
7200065235 THOMAS HOGAN	P31053	67.00
7200065234 COUNTYLINE CONST	P31101	286.00
7200065340 SYDNEY KRUPNECK	P31151	259.00
7200065342 SOUTH KNOLL 2A, B, C	P31152	254.50
7200135389	P31160	31.25
7200135382 SOUTH KNOLL SEC2b	P31161	31.25
7200135438-PREMIERWHISKEYGROVE	P31170	223.25
7200135495 K NOV 8 JOCKS	P31180	160.75
7200135541 HAWKINS RIDGE	P31197	223.25
7200135553 HOLLY TREE ESTATES	P31203	31.25
7200135560-SOUTH KNOLLS	P31205	1,339.75
7200135582-CAMELOT	P31214	62.50
7200135591 FOUR SEASONS AT MED	P31220	911.00
7200135714-MICHAEL COURT	P31244	129.50



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Project Description	Project No.	Project Total
7200135872-R.HOV @ JCKN/SEC5	P31298	634.25
7200135926	P31321	141.05
7200135946 ARCON DEV	P31324	62.50
7200135935 MARK PROPERTIES LLC	P31326	129.50
7760145684 81605 SECTION	P31353	394.25
7760145680 PARAMOUNT HOMES	P31354	62.50
7760145707-DIAMOND DEV OF NJ	P31375	543.75
7760145721-JACKSON SQ CENTER	P31382	62.50
7760145727-PARAMOUNT PROP GRP	P31386	388.50
7760145730-PARA CLASSICS@ROYAL	P31387	674.25
7760145770 CHURCH OF ST ALS	P31412	62.50
CONCORD ESTATES	P31523	232.25
16701/5.01 CVS	P31556	134.00
CHASE BANK	P31565	62.50
WRIGHT DEROW RD	P31597	150.00
NEW PROSP PLAZA	P31599	649.50
LAMBROU	P31608	227.75
DEVIND SITE PLAN	P31627	227.50
JACKSON ORTHODONTICS	P31634	286.00
DENTON LANE	P31642	37.50
7200065093 CLEARING	TWPO002	600.00
7200065364-BILJON CONSTR	TWPO07	3,180.00
SOLAR-NITE ELECTRICAL	TWPOE108	1,680.00
VERIZON-	TWPOE114	720.00
P&A CONSTRUCTION CO.	TWPOE129	600.00
JCP&L PLANNED	TWPOE132	4,740.00
7200135652 NIMG	TWPOE46	330.00

Project Description	Project No.	Project Total
7200135744 FIRST EN/ICPL EMERG	TW0648	1,080.00
IT SUBDIVISION ACCT	TW60001	1,050.20
7200061260 ATT WIRELESS	231122	62.50
7200135748 EDISON & MASTERS	231254	62.50
7760145815 SUNRISE DEV	231429	62.50
7760145852 19 PETROLEUM	231451	129.50
GARY MAYER	231520	37.50
ATT WIRELESS	231537	371.23
HARMONY BANK	231551	62.50
commercial site	231584	944.25
70 BATES RD.	231585	525.44
THEBANK PROJECT	231605	156.25
FAGANS RUN	231609	86.25
COUNTYLINE RD.	231631	519.33
Total of All Projects:		29,571.25

**ORDINANCES, SECOND READING:**

**ORDINANCE 12-11**

**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 46A ENTITLED "CHARITABLE CLOTHING BINS"**

**PUBLIC HEARING OPENED: NO ONE CAME FORWARD.**

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

**MOTION SECONDED BY: KAFTON**

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

**ABSENT: UPDEGRAVE**

**MOTION TO APPROVE ORDINANCE 12-11 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN A APPROVED NEWSPAPER AS REQUIRED BY LAW BY: KAFTON**

**MOTION SECONDED BY: BRESSI**

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

**ABSENT: UPDEGRAVE**

**ORDINANCE NO. 12-11**

**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 46A, entitled “Charitable Clothing Bins” § 46A-3, entitled “Permit Fee”, so as to create a subsection 46A-3.1 entitled “Late Fees”, which shall read in its entirety as follows:

**§ 46A-3.1. Late Fees.**

- a. Any person or organization applying for a renewal after January 31<sup>st</sup> shall be assessed an additional ten dollar (\$10.00) late fee for each charitable bin permit.
- b. Any person or organization applying for a renewal after February 28<sup>th</sup> shall be assessed an additional fifteen dollar (\$15.00) late fee for each charitable bin permit.
- c. Failure to obtain a renewal permit on or before March 31<sup>st</sup> shall constitute a violation of this chapter and subject the violator to penalties in accordance with Section 46A-9.

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

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

**SECTION 4.** This ordinance shall take effect after second reading and publication as required by law.

**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 22, 2011**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **8<sup>th</sup> day of March, 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: 3/8/11**

**ANN MARIE EDEN, RMC  
TOWNSHIP CLERK**

**ORDINANCE, FIRST READING:**

**ORDINANCE 13-11  
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 CREATE A NEW CHAPTER 84, ENTITLED “SECONDHAND DEALERS”**

**COUNCIL PRESIDENT MARTIN:** He asked if a store’s primary business isn’t selling precious metals, but takes them in and resells them are they still covered by this? Attorney Cipriani stated if they deal at all with precious metals then they are covered by this ordinance. She gave an example of a jewelry store participating in “cash for gold”.

**COUNCILMAN KAFTON:** He stated that his store, The White Butterfly, doesn’t do that. He explained that he would abstain since he isn’t taking any chances even though his store is retail and doesn’t sell secondhand.

**MOTION TO APPROVE ORDINANCE 13-11 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON MARCH 22, 2011 BY: RIVERE**

**MOTION SECONDED BY: KAFTON**

**YES: RIVERE, BRESSI & MARTIN**

**ABSTENTIONS: KAFTON**

**ABSENT: UPDEGRAVE**

**ORDINANCE 13-11**

**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 create a new Chapter 84, entitled “Secondhand Dealers,” which shall read in its entirety as follows:

**§ 84-1. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**SECONDHAND DEALER –**

- A. Except as provided in subsection B hereof, any person who, either wholly or in part, engages in or operates the trade or business of buying and/or selling used goods such as antiques, precious stones, gold, silver, platinum or other precious metals, jewelry, coins, any tools, television sets, radios, record or stereo sets, electronic devices, musical instruments, sporting goods, automotive equipment, collectible, game cartridges, DVDs, CDs and other electronically recorded material, firearms, cameras and camera equipment, video equipment and bric-a-brac.
- B. The business of secondhand dealer shall not be deemed to include:
  - (1) Judicial sales or sales by executors or administrators.
  - (2) Occasional or auction sales of household goods sold from private homes.
  - (3) Auctions of real estate.
  - (4) The occasional sale, purchase or exchange of coins or stamps by a person at his or her permanent residence or in any municipally owned building who is engaged in the hobby of collecting coins or stamps and who does not solicit the sale, purchase or exchange of such coins or stamps to or from the general public by billboard, sign,

handbill, newspaper, magazine, radio, television or other form of printed or electronic advertising.

**§ 84-2. License required; advertising.**

No individual person, partnership or corporation shall engage in business as a secondhand dealer without first obtaining a license from the Township Clerk. Advertising in any print or electronic media or by sign that any of those articles or goods referred to in subsection A of the definition of "secondhand dealer" in § 84-1 herein are being bought in any location within the Township of Jackson shall constitute engaging in business as a secondhand dealer for purposes of this chapter. No person shall place or cause to be placed any advertisement for purchase of such articles or goods without stating in said advertising the license number issued to the individual or entity by the Township of Jackson. In any print advertisement, the license number shall appear in type no smaller than eight-point in the lower right-hand corner of the advertisement. In any advertisement on the electronic media, the license number shall be visually or audibly stated. Failure to state or indicate the license number shall be a violation of this chapter and shall be subject to the penalties set forth in § 84-9 of this chapter.

**§ 83-3. Application process; approval or denial; appeal.**

- A. Upon receipt of an application completed pursuant to this chapter, the Clerk shall refer such application to the Chief of Police, who shall make an investigation of the prospective licensee pursuant to this chapter for the purpose of determining the suitability of the applicant for licensing. Such investigation shall include but shall not be limited to the following:
- (1) The experience of the applicant in the business of purchase and sale of those articles or goods referred to in subsection A of the definition of "secondhand dealer" in § 84-1 herein, although nothing in this section shall be construed to warrant denial of a license solely on the basis of lack of experience.
  - (2) The reputation of the applicant for fair dealing in the community, which shall be made among credible sources, which sources shall be disclosed to the applicant in the event of a denial of any license.
  - (3) Any criminal record of the applicant.
  - (4) The type of operation contemplated to be conducted by the applicant, particularly whether the business is to be operated from a fixed location, whether it is to be conducted from a location primarily devoted to the purchase and sale of those articles and goods referred to in subsection A of the definition of "secondhand dealer" in § 84-1 herein and other factors bearing upon whether the licensed business will be of a fixed and permanent nature. This section, however, shall not be construed to require denial of any license solely on the grounds that the business is not conducted from a fixed location.
- B. The Chief of Police shall complete any investigation pursuant to this chapter within 30 days of the submission of the application to the Clerk, fully completed by the applicant. If a criminal record check has been requested within the thirty-day period and has not been received by the Chief of Police within that period, the Chief

of Police may, if all other factors are satisfactory, recommend a conditional issuance of the license subject to the finding regarding criminal record.

- C. The Chief of Police shall, upon completion of the investigation, recommend grant or denial of the requested license to the Clerk, who shall grant or deny the license. Any recommendation of the Chief of Police shall be in writing and, in the case of a recommendation of denial, shall state fully and specifically the reasons for said recommendation. If the Clerk accepts the recommendation of the Chief of Police to deny any license, he or she shall notify the applicant within 10 days of such denial and forward to the applicant a statement of the reason or reasons for such denial. The applicant shall have 10 days thereafter to request reconsideration by the Clerk and may provide the Clerk with any relevant information in response to that set forth in the Clerk's notice of denial.
- D. Grounds for recommending denial of a license may include reliable information indicating that the applicant has in the past engaged in fraudulent or deceptive business practices in a business identical to or similar to the business for which the applicant seeks a license pursuant to this chapter. A license may be denied if the investigation conducted by the Chief of Police reveals conviction of the applicant or any of its principal officers or employees of any crime or disorderly persons offense in which deceit or misrepresentation is an element or any conviction of any crime or disorderly persons offense involving theft or receiving stolen goods, whether such conviction was a principal, accessory before or after the fact or coconspirator. Upon receipt of the recommendation of the Chief of Police, the Clerk shall issue or deny the license accordingly, contingent upon the receipt of a bond pursuant to § 84-6.
- In the event of a denial of the license by the Clerk, the applicant shall be entitled to a hearing before the Township Council of the Township of Jackson, at which time the applicant shall be permitted to introduce such evidence as may be deemed relevant to such denial.

**§ 84-4. Identification of seller; required information.**

All licensees shall require of each person selling used goods such as antiques, precious stones, gold, silver, platinum or other precious metals, jewelry, coins, any tools, television sets, radios, record or stereo sets, electronic devices, musical instruments, sporting goods, automotive equipment, collectibles, game cartridges, DVDs, CDs and other electronically recorded material, firearms, cameras and camera equipment, video equipment and bric-a-brac, suitable identification setting forth the true name and address of the seller. Acceptable identification includes a valid driver's license issued in one of the 50 states, a valid government-issued identification or photo ID and one fingerprint (preferably thumb) which will be recorded on the receipt retained by the dealer and subsequently forwarded to the Jackson Police Department upon request. All licensees shall issue to each seller a serially numbered receipt setting forth the following information:

- A. A brief legible description of the item(s) which shall describe the manufactured form of such item(s).
- B. A statement in full of any identifying marks on the item, such as initials, names, dates, social security numbers engraved thereon, serial numbers, series numbers or any other information

appearing calculated to set apart the particular object sold from others of like kind.

- C. If the item is purchased by weight, the troy ounce weight of the item.
- D. The name of the clerk of employee of the licensee making the transaction legible set forth.
- E. The name, permanent business address and license number of the purchaser/licensee.
- F. The name and address of the seller, which shall be verified by proof of identification. Said receipt book shall be a record kept in the regular course of business of the licensee.
- G. The actual price paid for the purchase of such item.
- H. A photographed recording of the item(s) being purchased by the dealer. The photograph should be of digital form and quality, with the ability to be electronically transferred to a computer.

**§ 84-5. Retention of articles; minimum age; revocation of license; change of location.**

- A. No licensee under this chapter shall sell, alter or dispose of in any way any of those articles or goods referred to in § 84-6 herein until seven days have elapsed after the purchase of the same by such licensee. It shall be an affirmative defense to any prosecution or administrative proceeding brought for a violation of this section if retention for the time period required would have resulted in serious and substantial economic losses to the dealer, or the probability of such losses was significant due to rapid and highly fluctuating market conditions, provided that the persons so charged shall prove the existence of the market conditions giving rise to the aforesaid defense by a preponderance of the evidence. Market conditions, in order to be defense hereunder, must be such that financial analysts would characterize trading as at or approaching a level or occurrence so as to clearly distinguish trading conditions from normal variations in market movement in response to economic news or other events.
- B. No licensee under this chapter shall purchase any item covered by this chapter from any person under the age of 18 or in the absence of providing prior notification of such purchase to the Chief of Police or business designee identifying the individual from whom such purchase is to be made and the item to be purchased.
- C. If any licensee under this chapter shall be convicted of robbery, burglary, theft, receiving stolen goods or any other crime involving moral turpitude, the Township Council of the Township of Jackson may, after notice and hearing, revoke the license issued to such licensee.
- D. A licensee shall have the right to change the location of the licensed business, provided that he or she notifies the Township Clerk, in writing, of the street address of said new location.

**§ 84-6. Recordkeeping; assignment of license.**

- A. Each licensee shall maintain duplicate copies of all seller receipts and photographs issued pursuant to § 84-3 in legible form for a period of at least one year from the date of each sale. Such receipts shall be available upon request for inspection by members of the Jackson Township Police Department during normal business hours. The license shall be posted in a conspicuous place at the location of the sale or sales licensed under this chapter.
- B. No license issued under this chapter shall be assignable by the licensee.

**§ 84-7. Bond.**

Each licensee shall deliver a bond to the Clerk executed by the applicant as principal with a surety company authorized to do business under the laws of the State of New Jersey as surety. The bond, to be approved by the Township Attorney, shall be in the penal sum of \$10,000, conditioned for the due and proper observance of and compliance with the provisions and requirements of all ordinances of the Township in force or which may be adopted respecting the conduct of this business and conditioned also that the bond shall be and remain for the benefit of any person or persons who shall have received judgment against the licensee licensed under this chapter by reason of any damage sustained by any such person as a result of the operations of the licensee under this chapter, which damage shall be established by a judgment of a court of property jurisdiction. Said bond shall contain the following language: "The obligation of this bond shall, in addition to the Township of Jackson, be and remain for the benefit of any person who shall obtain a judgment against obligor as a result of damage sustained in operation pursuant to any license granted under Chapter 84 of the Code of the Township of Jackson." Said bond shall be kept for a minimum of one year from the date of issuance of license granted and must be renewed annually along with the license.

**§ 84-8. Fees; period of license validity.**

The fee for initial application and license shall be \$100, nonrefundable. Each annual renewal fee shall be \$50. Said license shall be valid for a period of one year from the date of issuance.

**§ 84-9. Violations and penalties.**

Any individual person, partnership or corporation found in violation of the provisions of this chapter shall be subject to the penalties as provided in Chapter 1, § 1-15, General penalty.

**§ 84-10. Time limit for conformance.**

All persons, partnerships and corporations engaging in any transactions covered by this chapter shall conform to the provisions of this chapter within 90 days following the date of its final passage by the Township Council and approval by the Mayor where such approval is required by law.

**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 **March 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 **22<sup>nd</sup> day of March, 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.

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**ANN MARIE EDEN, RMC  
TOWNSHIP CLERK**

**DATED: 3/8/11**

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**ORDINANCE 14-11**

**TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, STATE OF NEW JERSEY AUTHORIZING THE CONVEYANCE OF A RIGHT OF WAY AND SLOPE EASEMENT TO THE COUNTY OF OCEAN ON A PORTION OF BLOCK 11601, LOT 3 NO LONGER NEEDED FOR MUNICIPAL PURPOSES (ROVA FARMS BRIDGE - STRUCTURE #1511029 – ROUTE 571)**

**MOTION TO APPROVE ORDINANCE 14-11 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON MARCH 22, 2011 BY: BRESSI  
MOTION SECONDED BY: RIVERE  
YES: KAFTON, RIVERE, BRESSI & MARTIN  
ABSENT: UPDEGRAVE**

**ORDINANCE 14-11**

**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.** Purpose. The purpose of the within ordinance is to grant a right-of-way and slope easement in, on, under, through, upon, over and across a certain portion of the Township of Jackson’s property known as Block 11601, Lot 3 (not needed for municipal purposes) for the purpose of the rehabilitation of the Cassville Lake Dam/Spillway, the reconstruction and widening of County Route No. 571 and replacement of the Rova Farms Bridge, Structure #1511029.

**SECTION 2.** Granting of right-of-way and slope easement. The within ordinance authorizes the Jackson Township Mayor and Clerk to execute a Deed of Easement from Jackson Township to the County of Ocean for a portion of Block 11601, Lot 3. A copy of the agreement as well as a description of right-of-way and Slope easement is attached hereto as “Schedule A”.

**SECTION 3.** Consideration. The within transfer is being made from Jackson Township as grantor to the County of Ocean as grantee for a nominal consideration.

**SECTION 4.** That the transfer of this easement is premised upon the County of Ocean’s agreement to construct, at its expense, all dam improvements required by its Freshwater Wetlands Permit (#1511-10-0003.1) issued by the New Jersey Department of Environmental Protection in connection with the rehabilitation project, as well as assume all responsibility and costs for inspections, reports and maintenance of the embankment

**SECTION 5.** Reversionary Interest. Pursuant to N.J.S.A. 40A:12-13.4, the land being transferred shall be used only for public purposes by the county, and if the land is not used in accordance with this limitation, title thereto shall revert to the municipality without any entry or reentry made thereon on behalf of the municipality.

**SECTION 6.** This Ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

**SECTION 7.** This Ordinance shall take effect immediately upon final passage and publication as required by law.

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Jackson, in the County of Ocean, State of New Jersey, held on the **8<sup>th</sup> day of March 2011**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **22<sup>nd</sup> day of March, 2011** at 7:30 P.M. or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning this Ordinance.

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

**ANN MARIE EDEN, RMC  
TOWNSHIP CLERK**

**DATED: 3/8/11**

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**PUBLIC COMMENT OPENED, RESOLUTIONS ONLY:**

**COUNCILMAN KAFTON:** He saw Mr. Davis coming up to the microphone and said that he requested to be on the Budget Advisory Committee and would like to put that on the discussion agenda tonight.

**LAURA STONE, 130 DOUGLAS DRIVE:** She began by saying that she had a comment on Resolution 108R-11 dealing with accepting bids for a transfer station compactor. She explained that she was not aware that the transfer station had been approved and asked where it is or where it is going to be? Dan Burke (Municipal Engineer) explained that the item in question relates to the existing transfer station across the street. It has a mechanical compactor that crushes the materials before it is packed into the transfer boxes that go to the landfill or recycling center. The one their using now is old and is at the end of its useful life and DPW is looking to replace it.

**GENE DAVIS, 6 LLEWELLYN COURT:** He spoke about Resolution 102R-11 opposing regulations requiring State and Local Governments to refit and reface street signs to meet new lettering and reflectivity standards. He asked why they would oppose this? Council President Martin stated that it costs money. Dan Burke (Municipal Engineer) explained that this issue was raised at a meeting of the State Board of Municipal Engineers. This is an unfunded mandate being pushed by the Federal Government, which would cost us an extraordinary amount of money. If they

implemented it by changing the signs when we do road improvements that would be fine, but to say that we have to change all our signs at once is ridiculous.

**GARRY BLACK, 76 LEWIS LANE:** He too spoke about Resolution 102R-11 and agreed with the Council on opposing this. He too feels it is ridiculous and can see them replacing the signs with an upgrade if they are knocked down or during a road improvement.

**SEAN GIBLIN, 515 SOUTH COOKSBRIDGE ROAD:** He also spoke about Resolution 102R-11 and asked Council President Martin what they are changing about the signs? Dan Burke (Municipal Engineer) explained they are forcing every municipality to survey every sign on every road and move them to a higher reflectivity standard as well as the street signs at the end of the street would have to be upper and lower case letters. He feels that changing them on a replacement basis is an appropriate thing to do. To be able to make the deadline will create a hardship. The State Municipal Engineers passed a resolution opposing this. They are not against the idea, but the intensity of it. Township Clerk Eden added that numerous municipalities have joined in on opposing this. Mr. Giblin addressed Council President Martin and stated that he should have been able to answer the question if he is voting on the resolution. He explained that back in 2003 they adopted a resolution adhering to much of this. They changed the size of the letters and the reflectivity. He explained that whenever a street sign is replaced it can't be in all caps and that is the part that Jackson Township has to change now. Mr. Giblin asked about Resolution 103R-11 and what it means? Attorney Cipriani explained that this is for a municipality when they are trying to decide whether or not to have a referendum on the ballot. This doesn't establish the question; it would have to be presented by a resolution at the presentation of the budget, which has to be done by April 7, 2011. The DCA has sent out guidelines regarding the availability of the publication of ballots to be done at this stage, if it is not done then you can't even consider a question later. Mr. Giblin explained that he was reading the paper on Friday and that was the first time he heard about Jackson Township potentially asking to exceed the municipal levy. Attorney Cipriani stated that the DCA required that display ad be published. Councilman Bressi stated that he understands what Mr. Giblin is saying because it is in the paper and this Council hasn't voted on it. He explained that before anything else is done regarding cap amounts it would have to come before the Council to be voted on. Mr. Giblin explained that he is aggravated because in 7-weeks there is a chance that the residents of Jackson will have the opportunity to vote on whether to exceed the municipal tax levy, but yet there is no information. Administrator Torres explained that this is a process of due diligence. The Local Finance Board sent a notice as late as March 1<sup>st</sup> saying that perhaps as a safety net that if we think you may exceed your budgetary cap of 2% that you should publish this notice in the paper. He explained that 15 days prior to the publication of the public question prior to the April 27<sup>th</sup> deadline of the election they would know if there is going to be a referendum and at that time they will know what amount. Mr. Giblin later asked who bears the cost of the April 27<sup>th</sup> special election? Township Clerk Eden stated that we bear some of the cost. The polls will open at 7AM instead of 11 AM for a standard School Board Election. Mr. Giblin in closing asked when they do have the amounts will it be presented at a regular Council meeting or will they have a special meeting? Attorney Cipriani explained that this would have to be voted on by April 7<sup>th</sup> so they would have to have a special meeting because April 13<sup>th</sup> is the next regularly scheduled Council meeting.

**STEPHANIE BROWN, 310 SO. NEW PROSPECT DRIVE:** As a student at OCC studying Homeland Security she explained that she is interested in Resolution 104R-11 regarding a Homeland Security Grant. Councilman Bressi explained that it is a grant for the purchase of equipment for Emergency Management.

**LAURA STONE, 130 DOUGLAS DRIVE:** She began by saying that she has a problem with public notices because she doesn't get the Asbury Park Press every day. She believes that public notices should be more accessible to the public. She would like to see them published in the Tri-Town or Jackson Times. Township Clerk Eden explained that they have an official newspaper and notices are put in there and published by law. She went on to say that those other papers are published weekly and there are statutory guidelines they need to follow. The ordinances are placed on the website along

with the bids. In closing, she added that if Ms. Stone has any questions she could call her office.

**ELAINE LEIGHTON, 661 OLLIE BURKE ROAD:** She explained this year was the third 5-year report for the EPA regarding the Legler site and there was no notification. It was suppose to be put in the Jackson Times. Township Clerk Eden explained that they are on public comment on resolutions only.

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

**RESOLUTION 101R-11  
TITLE: DONATING PROPERTY OWNED BY THE TOWNSHIP LOCATED AT  
BLOCK 11201, LOT 9 (FORMERLY KNOWN AS BLOCK 7, LOT 34.01) TO  
THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**WHEREAS**, the Township of Jackson is the current owner of vacant land designated as Block 11201, LOT 9 on the tax map of the Township of Jackson (“Property”); and

**WHEREAS**, the property was acquired by the Township by tax lien foreclosure and said lot is landlocked; and

**WHEREAS**, a majority of the lot is wetlands associated with the Cedar Branch, a tributary to the Toms River; and

**WHEREAS**, Block 11201, Lot 9 which it is adjacent to, is owned by the State of New Jersey; and

**WHEREAS**, the Township of Jackson seeks to donate this lot to the Green Acres Program in order to further define the boundary of the Colliers Mills Wildlife Area within the Township.

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

1. That the Township Council of the Township of Jackson does hereby authorize the donation of Block 11201, 9 to the New Jersey Department of Environmental Protection.
2. That any and all documents required to effectuate this donation, including the Program’s Application for Donation of Real Estate, are authorized by this governing body to be executed on behalf of the Township of Jackson.

**DATED: 3/8/11**

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

**RESOLUTION 102R-11  
TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, COUNTY OF  
OCEAN, STATE OF NEW JERSEY, OPPOSING AND URGING REPEAL OF  
UNITED STATES DEPARTMENT OF TRANSPORTATION REGULATIONS  
REQUIRING STATE AND LOCAL GOVERNMENTS TO RE-FIT AND RE-**

**FACE STREET SIGNS TO MEET NEW LETTERING AND REFLECTIVITY STANDARDS**

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

**WHEREAS**, earlier this year, the United States Department of Transportation (“DOT”) approved amendments to the Manual on Uniform Traffic Control Devices (“MUTCD”) requiring by 2018 that all street signs on roads with greater than 25 mph speed limits be retrofitted or replaced to increase reflectivity and be reprinted with larger, mixed-case (instead of all capital) lettering; and

**WHEREAS**, these new regulations are an example of the federal bureaucracy’s misplaced priorities and another expensive, unfunded mandate on state and local governments, which will have to spend thousands, perhaps millions, of tax dollars to comply with the re-facing and re-lettering requirements; and

**WHEREAS**, the timing of these new regulations demonstrates the DOT’s complete insensitivity to the fiscal problems facing the nation’s state and local governments, who lack the resources to comply with another unfunded mandate; and

**WHEREAS**, many state and local governments have voiced strong opposition to and demanded repeal of these new regulations; and

**WHEREAS**, in response to the outcry from state and local governments, the Secretary of Transportation rightly has criticized the new regulations as non-sensible and taken the unusual step of extending to January 14, 2011, the public comment period on the proposed regulations.

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

1. The Township of Jackson joins with other state and local governments across the country in demanding that these absurd, overbearing, and costly regulations be rescinded.
2. Additionally, the Township of Jackson urges all concerned citizens and other affected governmental entities who have done so to voice their objections during the extended public comment period.
3. Finally, if the DOT ignores the widespread opposition to these new regulations, the Township of Jackson urges the United States Congress to enact and the President to sign legislation blocking these new regulations from taking effect.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
  - a) United States Department of Transportation, 1200 New Jersey Ave., SE, Washington, DC 20590, Attn: Raymond LaHood, Secretary
  - b) Senator Robert Menedez and Senator Frank Lautenberg
  - c) Congressman John Adler and Congressman Christopher Smith
  - d) 30<sup>TH</sup> Legislative District
  - e) All Ocean County Municipalities
  - f) State of New Jersey, Department of Transportation, 100 Parkway Avenue, P.O. Box 600, Trenton, NJ 08625, Attn: James S. Simpson, Commissioner

**DATED: 3/8/11**

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

**RESOLUTION 103R-11**

**TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING PUBLICATION OF THE NOTICE OF AVAILABILITY OF MAIL-IN BALLOTS**

**MOTION TO APPROVE BY: BRESSI**

**MOTION SECONDED BY: KAFTON**

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

**ABSENT: UPDEGRAVE**

**WHEREAS**, Governor Christopher Christie and the State Legislature have agreed on and approved a 2% statutory cap for budget levy increases; and

**WHEREAS**, the Mayor and Council desire to ascertain the sentiment of the legal voters of the Township on questions relating the budget levy cap by holding a referendum on April 27, 2011; and

**WHEREAS**, the Township Council must authorize the publication of the Notice of Availability of Mail-In Ballots pursuant to N.J.S.A. 19:63-6 in advance of the referendum; and

**WHEREAS**, the foregoing Statute requires the adopting of this Resolution in order to effectuate that process.

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

1. That the governing body does hereby authorize the Township Clerk to publish the Notice of Availability of Mail-In Ballots in the following form:

**NOTICE TO PERSONS WANTING MAIL-IN BALLOTS**

If you are a qualified and registered voter of the State who wants to vote by mail in the Township of Jackson municipal levy cap referendum election to be held on April 27, 2011 complete the application form below and send to the undersigned, or write or apply in person to the undersigned at once requesting that a mail-in ballot be forwarded to you. The request must state your home address and the address to which the ballot should be sent. The request must be dated and signed with your signature.

If any person has assisted you to complete the mail-in ballot application, the name, address and signature of the assistor must be provided on the application, and you must sign and date the application for it to be valid and processed. No person shall serve as an authorized messenger for more than 10 qualified voters in an election. No person who is a candidate in the election for which the voter requests a mail-in ballot may provide any assistance in the completion of the ballot or may serve as an authorized messenger or bearer.

No mail-in ballot will be provided to any applicant who submits a request therefor by mail unless the request is received at least seven days before the election and contains the requested information. A voter may, however, request an application in person from the county clerk up to 3 p.m. of the day before the election.

Voters who want to vote only by mail in all future general elections in which they are eligible to vote, and who state that on their application shall, after their initial request and without further action on their part, be provided a mail-in ballot by the county clerk until the voter requests that the voter no longer be sent such a ballot. A voter's failure to vote in the fourth general election following the general election at which the voter last voted may result in the suspension of that voter's ability to receive a mail-in ballot for all future general elections unless a new application is completed and filed with the county clerk.

Voters also have the option of indicating on their mail-in ballot applications that they would prefer to receive mail-in ballots for each election that takes place during the remainder of this calendar year. Voters who exercise this option will be furnished with mail-in ballots for each election that takes place during the remainder of this calendar year, without further action on their part.

Application forms may be obtained by applying to the undersigned either in writing or by telephone, or the application form provided below may be completed and forwarded to the undersigned.

Dated: March 4, 2011  
 Scott M. Colabella, County Clerk  
 County of Ocean  
 PO Box 2191, Room 107, Court House  
 Toms River, New Jersey 08754-2191  
 (732)929-2153 E-mail: [SColabella@co.ocean.nj.us](mailto:SColabella@co.ocean.nj.us)  
[www.oceancountyclerk.com](http://www.oceancountyclerk.com)

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

**DATED: 3/8/11**

**APPLICATION FOR VOTE BY MAIL BALLOT**

Please print or type clearly. All information is required unless marked optional.

<b>1</b>	I hereby apply for a Mail-In Ballot for the following election(s): <input type="checkbox"/> General (November) <input type="checkbox"/> Primary <input type="checkbox"/> Municipal <input type="checkbox"/> School <input type="checkbox"/> Fire <input type="checkbox"/> Special <input type="checkbox"/> Special <input type="checkbox"/> Tobacco <input type="checkbox"/> School			SPECIAL STATUS Check Yes/No: <input type="checkbox"/> Active Duty Military Voter <input type="checkbox"/> Overseas Voter <input type="checkbox"/> None of these
<b>2</b>	Last Name: _____ First Name: _____ Middle Name (if any): _____ Sex (M, F, O) _____ Address as it is currently registered to vote: Street Address: _____ Apt. No.: _____ Municipality: _____ State: _____ Zip Code: _____			
<b>3</b>	Main (if not the same as above) _____ Please include: PO Box, P.O.# State, Province, Zip/Postal Code, if outside U.S.			
<b>4</b>	Date of Birth: _____ Day Time Phone Number: _____ E-Mail Address (if any): _____ Signature: _____ Today's Date: _____ Please sign your name as it appears on the Poll Book.			
<b>5</b>	<b>OPTIONAL - ONLY COMPLETE SECTIONS 10 THROUGH 12 IF APPLICABLE</b>			
<b>6</b>	<b>10</b> Voter Options to Automatically Receive Ballots in Future Elections You may choose whether to automatically receive ballots in future elections. YOU ARE NOT BOUND TO CHOOSE AN OPTION. If you do not choose an option, you will receive the ballot for the election you choose in Section 1. *A <input type="checkbox"/> I want to receive a Mail-In Ballot for all elections held during the REMAINDER OF THIS CALENDAR YEAR. *B <input type="checkbox"/> I want to receive a Mail-In Ballot in ALL FUTURE NOVEMBER GENERAL ELECTIONS, UNLESS I request otherwise. <small>Please do not check both options. Check only one option for the application. Do not check both options for the application.</small>			
<b>7</b>	<b>11</b> Assessor Any person who signs and returns this ballot is liable for the costs of mailing this application to the County Clerk's Office. Name of Assessor: _____ Signature of Assessor: _____ Date: _____ Address: _____ Apt. No.: _____ Municipality: _____ State: _____ Zip Code: _____			
<b>8</b>	<b>12</b> Authorized Messenger A voter may apply for Mail-In Ballot by Authorizing Messenger. A messenger is a person who is registered to vote in Ocean County, NJ. A voter may authorize a messenger to deliver the ballot to the voter's residence for the voter's use. Messenger's Name: _____ to be my Authorized Messenger. Address of Messenger: _____ Apt. No.: _____ Municipality: _____ State: _____ Zip Code: _____ Date of Birth: _____ Signature of Voter: _____ Date: _____ Signature of Messenger: _____ Date: _____			

**CERTIFICATION**

I, ANN MARIE EDEN, R.M.C., Township Clerk of the Township of Jackson, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Jackson at a regular meeting held on the 8th day of March, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 8th day of March, 2011.

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

**RESOLUTION 105R-11  
 TITLE: RESOLUTION AUTHORIZING AND PROVIDING FOR THE  
 ISSUANCE AND SALE OF TAX ANTICIPATION NOTES OF THE TOWNSHIP  
 OF JACKSON, IN THE COUNTY OF OCEAN, NEW JERSEY**

**COUNCILWOMAN RIVERE:** She asked for public clarification on how much these tax anticipation notes will cost? Sharon Pinkava (CFO) replied that the Bond Council has told her it won't be any higher than 2 ½ %. Last year they got a premium and received \$50,000 back.

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

**BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, NEW JERSEY as follows:**

**SECTION 1.** In anticipation of the collection of taxes for the fiscal year commencing January 1, 2011 whether levied or to be levied in such fiscal year, the Township of Jackson, in the County of Ocean, New Jersey (the "Township") hereby authorizes and determines to issue, from time to time, negotiable Tax Anticipation Notes with the Township in the principal amount of \$11,100,000, in accordance with the Local Budget Law. Each such Tax Anticipation Note shall be designated "Tax Anticipation Note of 2011", together with such other designation as may be determined by the Chief Financial Officer. The proceeds of the sale of such Tax Anticipation Notes, unless used to pay outstanding notes issued in anticipation of the collection of taxes of the same fiscal year, shall be applied only to the purposes provided for in the budget or for which taxes are levied or to be levied for such fiscal year, and shall not be applied to any other purpose.

**SECTION 2.** The amount of Tax Anticipation Notes outstanding at one time shall not exceed \$11,100,000, which is within the gross borrowing power (as certified by the Chief Financial Officer) of the Township, and the amount of Tax Anticipation Notes authorized hereby is within the net borrowing power (as certified by the Chief Financial Officer) of the Township. On March 8, 2011, the Chief Financial Officer executed a certificate setting forth the gross borrowing power and the net borrowing power of the Township in accordance with N.J.S.A. 40A:4-66. Such certificate has been filed in the office of the Township Clerk, and a copy thereof is attached hereto as Exhibit A and is hereby incorporated herein in its entirety.

**SECTION 3.** Tax Anticipation Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that all such Tax Anticipation Notes and any renewals thereof shall mature within 120 days after the beginning of the next succeeding fiscal year. The Chief Financial Officer shall determine all matters in connection with the Tax Anticipation Notes issued pursuant to this resolution, and the Chief Financial Officer's signature upon the Tax Anticipation Notes shall be conclusive evidence as to all such determinations. All Tax Anticipation Notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:4-67. The Chief Financial Officer is hereby authorized to sell part or all of the Tax Anticipation Notes from time to time, at not less than par and accrued interest, at private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price plus accrued interest from their date to the date of delivery thereof.

**SECTION 4.** The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of Tax Anticipation Notes pursuant to this resolution is made, the amount, the description, the interest rate and the maturities of the Tax Anticipation Notes sold, the price obtained and the name of the purchaser, and such report shall be entered in full on the minutes of such meeting.

**SECTION 5.** The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the Tax Anticipation Notes authorized by this resolution. The Tax Anticipation Notes shall be direct, unlimited obligations of the Township. The power and obligation of the Township to pay any Tax Anticipation Notes issued pursuant to this resolution and the Local Budget Law shall be



unlimited and the Township shall have the power and be obligated to levy *ad valorem* taxes upon all taxable property within the Township for the payment of such Tax Anticipation Notes and interest thereon, without limitation of rate or amount.

**SECTION 6.** All Tax Anticipation Notes issued pursuant to this resolution shall be executed by the Chief Financial Officer and the Mayor of the Township, and shall be under the seal of the Township and attested by the Township Clerk. Such officers are hereby authorized to execute and deliver all documents necessary or convenient in connection with the issuance, sale and delivery of the Tax Anticipation Notes.

**SECTION 7.** A certified copy of this resolution shall be filed with the Director of Local Government Services in the Department of Community Affairs, State of New Jersey.

**SECTION 8.** This resolution shall take effect immediately.

**CERTIFICATE OF CHIEF FINANCIAL OFFICER**

I, Sharon Pinkava, the duly appointed and acting Chief Financial Officer of the Township of Jackson, in the County of Ocean, New Jersey (the "Township"), DO HEREBY CERTIFY, in accordance with N.J.S.A 40A:4-66, and with respect to the Township's fiscal year commencing January 1, 2011 as follows:

1. The gross borrowing power in respect to tax anticipation notes of such fiscal year, being 30% of the tax levy of the next preceding fiscal year for all purposes, plus 30% of the amount of miscellaneous revenues realized in cash during the next preceding fiscal year, is \$41,257,287.94.
2. The amount of notes outstanding in anticipation of the collection of taxes of such fiscal year, except such notes as will be renewed or paid from the proceeds of the notes to be issued, is \$0.00.
3. The net borrowing power of the Township, being the excess of the first over the second of the two above amounts, is \$41,257,287.94.

IN WITNESS WHEREOF, I have hereunto set my hand as Chief Financial Officer of the Township this 8th day of March, 2011.

\_\_\_\_\_  
SHARON PINKAVA  
CHIEF FINANCIAL OFFICER

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

**DATED: 3/8/11**

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

**RESOLUTION 098R-11  
TITLE: AUTHORIZE TAX OVERPAYMENT REFUNDS**

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

**WHEREAS**, it has been determined by the Township Tax Collector that the taxpayers as indicated on the attached Schedule "A" are entitled to overpayment refunds, and;

WHEREAS, it is the desire of the Township Council to have these overpayments returned to the respective taxpayers;

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

- 1. The Tax Collector is hereby authorized to make overpayment refunds in the amount shown and to the taxpayers, as appears on Schedule "A" which made apart hereof.
- 2. Copies of this Resolution to the Tax Collector.

DATED: 3/8/11

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

RESOLUTION 098R-11  
TITLE: APPROVE BINGO/RAFFLE LICENSE

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

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-1402 – Spring Point Foundation Inc.
  - #RA-1403 – Jackson Liberty Band Parents & Students Association
  - #RA-1404 – Jackson Senior Citizens Club Inc.
  - #RA-1405 – Carl W. Goetz Middle School PTN Corporation
- 2. Copies of the Resolution to interested parties.

DATED: 3/8/11

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

RESOLUTION 100R-11  
TITLE: AUTHORIZE RENEWAL OF MOBILE HOME PARK LICENSE FOR THE YEAR 2011 TO UNITED MOBILE HOMES, T/A SOUTHWIND VILLAGE A/K/A BLOCK 15501, LOT 22

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

WHEREAS, United Mobile Homes t/a Southwind Village has requested a renewal of its Mobile Home Park License for Calendar Year 2011 for property located at 435 E. Veterans Highway, a/k/a Block 15501, Lot 22, Jackson Township; and

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

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

1. The application of United Mobile Homes t/a Southwind Village for renewal of its Mobile Home Park License for the premises located at 435 E. Veterans Highway a/k/a Block 15501, Lot 22, Jackson Township, is hereby approved.
2. The Township Clerk is hereby authorized to issue the aforesaid renewal to the applicant.
3. Said license is issued for a period commencing February 1, 2011 and ending January 31, 2012.
4. Said license is issued subject to any and all restrictions imposed by the Jackson Township Zoning Board of Adjustment and the Jackson Township Planning Board.
5. That upon the adoption of this resolution, the Township Clerk is authorized and directed to forward a certified copy of it to the Township Administrator and United Mobile Homes t/a Southwind Village.

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

DATED: 3/8/11

**RESOLUTION 104R-11**

**TITLE: AUTHORIZE THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF JACKSON AND THE COUNTY OF OCEAN FOR FY 2010 HOMELAND SECURITY GRANT**

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

WHEREAS, the FY 2010 Homeland Security Grant is a program run by the Ocean County Sheriffs Department for the purchase of equipment; and

WHEREAS, the New Jersey Department of Law and Public Safety will provide supplemental funding to the County of Ocean, through the FY 2010 Homeland Security Grant; and

WHEREAS, the County will provide for the funding in an amount not to exceed \$31,000.00 for equipment purchases made in accordance with the New Jersey State Police approved equipment list for the FY 2010 Homeland Security Grant; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes local units as defined to enter into Shared Services Agreements for the provision of governmental services.

WHEREAS, the Township of Jackson is desirous to enter into this Agreement the County of Ocean in accordance with the terms and conditions outlined in the attached Shared Services Agreement.

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

1. That the Township Council hereby formally authorizes the Mayor and Clerk to execute the attached Shared Services Agreement with the Ocean County Sheriff's Department.

- 2. That upon the adoption of the within resolution and the execution of said Shared Services Agreement, the Township Clerk is authorized to forward copies of same to the County of Ocean Office of the Sheriff for their execution and return of a fully executed agreement to Jackson Township.

DATED: 3/8/11

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

**RESOLUTION 106R-11**  
**TITLE: RESOLUTION APPROVING A DISABLED VETERAN EXEMPTION**  
**ON BLOCK 13401 LOT 22**

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

**WHEREAS**, The Department of Veteran Affairs determined that Richard Cook at 375 Brewers Bridge Rd, Block 13401 Lot 22 had a service connected disability that was totally disabling effective 3/12/10, and has owned the above listed parcel since 11/15/76, and;

**WHEREAS**, the property owner has made application to the Township as a totally disabled veteran, which has been approved by the Tax Assessor as of 2/8/11, and;

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

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

- 1. The Tax Collector is directed to cancel taxes as follows:
  - 2010 - \$4,906.81
  - 2011 - \$2,910.57 – 1<sup>st</sup> half 2011 taxes (until parcel is formally exempt)
- 2. The Tax Collector is directed to process a refund for any overpayment due to the cancellation of taxes.
- 3. The parcel is to be exempted on the 2012 tax list.

Copy to: Collector, Assessor, Finance

DATED: 3/8/11

\_\_\_\_\_  
ANN MARIE EDEN, RMC  
MUNICIPAL CLERK

**RESOLUTION 107R-11**  
**TITLE: RESOLUTION CANCELING ERRONEOUS 2010 TAXES ON BLOCK**  
**6504 LOT 12 EXEMPT PROPERTY**

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

**WHEREAS**, Block 6504 Lot 12 was previously exempt in 2009 and prior as a property class 15D, and was erroneously listed as a class 1 parcel on the 2010 Tax List generating taxes for 2010 in error, and;

**WHEREAS**, the property is listed as 15D exempt for 2011 and the 2010 taxes need to be cancelled;

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

1. The Tax Collector is directed to cancel taxes as follows:

2010 - \$15.34

2. The Tax Collector is directed to process a refund for any overpayment due to the cancellation of taxes.

Copy to: Collector, Assessor, Finance

**DATED: 3/8/11**

**ANN MARIE EDEN, RMC  
MUNICIPAL CLERK**

**RESOLUTION 108R-11**

**TITLE: AUTHORIZE DIRECTOR OF PUBLIC WORKS TO PREPARE BID SPECIFICATIONS AND ADVERTISE FOR THE RECEIPT OF SEALED BIDS FOR "TRANSFER STATION COMPACTOR"**

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

**WHEREAS**, Fred Rasiewicz, Director of Public Works, has requested approval to prepare bid specifications and advertise for receipt of bids for "Transfer Station Compactor".

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

1. Fred Rasiewicz, Director of Public Works, is hereby authorized to prepare bid specifications and advertise for receipts of bids (date undetermined) for "Transfer Station Compactor".
2. The Township Clerk shall advertise the Notice to Bidders for the purpose of the receipt of sealed bids for the above-named purpose or project.
3. Each bid shall be submitted as a written proposal in the manner designated in the specifications and shall be signed by bidder. The bid shall be enclosed in a sealed envelope bearing the name and the address of the bidder on the outside and addressed to Township Clerk, Township of Jackson, 95 West Veterans Highway, Jackson, New Jersey 08527. Said envelope shall be clearly labeled that it contains a bid for the purpose of "Transfer Station Compactor".
4. Plans, specifications, proposal sheets and form of bids may be inspected or obtained during normal business hours at the Jackson Township Purchasing Department, 95 West Veterans Highway, Jackson, New Jersey 08527 until 48 hours prior to the time set for the opening of bids.
5. It is the sole responsibility of each bidder to see that bids are submitted in date and time specified, and **IN NO EVENT SHALL ANY BID BE CONSIDERED OR**

ACCEPTED AFTER THE DATE AND TIME SPECIFIED FOR THE RECEIPT OF BIDS. In the event that a bidder does not personally deliver the sealed bid on the date and time specified for receipt of bids, such bidder shall assume all risks of loss or misplacement of the sealed bid by the Municipal Officers or any other risk relative to the failure of the bidder to personally deliver the bid.

6. The bid quote shall be net to the Township of Jackson and shall be exclusive of State or Federal taxes. Each and every deviation from the specifications shall be clearly listed by the bidder. Failure to comply with this requirement shall be grounds for rejection of the bid.

7. Each bid must be accompanied by a bid bond, certified check or cashiers check payable to the Township of Jackson for not less than ten percent (10%) of the amount of the bid, but not in excess of \$20,000.00 and shall be delivered at the place and time specified above. This requirement will not be waived.

8. A contract will be awarded to the lowest qualified responsible bidder. The Township Committee reserves the right to reject any and all bids. The Township Committee reserves the right to waive insubstantial irregularities in any bid.

9. A Non-Collusion Affidavit in the usual form will be supplied with the specifications and shall be executed by the person or corporate office submitting the bid. Said Affidavit must be properly notarized. A Non-Collusive Affidavit must accompany each bid. These requirements will not be waived.

10. Bidders are required to comply with the requirements of P.L. 1975, Chapter 127 (N.J.S.A. 10:5-31 et seq.) and N.J.A.C.17:27. Successful bidders shall execute a contract containing Affirmative Action Requirements established by regulations pursuant to P.L. 1975, Chapter 127.

11. Corporate and partnership bidders shall comply with P.L. 1977, Chapter 33, by submitting a list of the names and addresses of all stockholders or owners holding ten percent (10%) or more of the stock or owning a ten percent (10%) or greater interest therein. Failure to submit such a list either prior to the time for the receipt of the bids or with the sealed bid will be grounds for the rejection of the bid.

12. Performance date shall commence as stipulated in agreement or as stated in specifications.

13. The second lowest bid shall be retained for a period of thirty (30) days after the award of bid.

14. Bidders are required to comply with P.L. 2004, Chapter 57 effective September 1, 2004 "New Jersey Business Registration Requirements".

15. That upon the adoption of this resolution, the Township Clerk is authorized and directed to forward a certified copy of it to the Township Administrator, Chief Financial Officer, Director of Public Works, Municipal Engineer, Purchasing Department and any other interested parties.

**DATED: 3/8/11**

\_\_\_\_\_  
**ANN MARIE EDEN, RMC  
MUNICIPAL CLERK**

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**DISCUSSION AGENDA:**

**TOWNSHIP CLERK EDEN:** She stated that the Council is aware that the Township is able to increase the number of liquor licenses and at some point they will discuss selling them, public auction, etc. The first thing they need to do is amend the ordinance increasing the number of licenses they have now. They can increase consumption by

four and distribution by two. Councilman Kafton added that there is a consumption license on the real estate market. He thinks they were asking between \$360,000 or \$370,000. He wants them to be aware that someone is carrying a license and they are trying to sell it. Township Clerk Eden will prepare an amendment to the ordinance for next meeting.

**TOWNSHIP CLERK EDEN:** She spoke about the defeated 2011 – Fire District No. 4 budget. Council President Martin explained that according to State Law the Council has to review the budget and have a decision by March 21<sup>st</sup> and their next Council meeting is March 22<sup>nd</sup>. He asked if they could get a one-day extension? Attorney Cipriani explained that she believes they can, but she would like to check into it further. Township Clerk Eden stated even if it is held at the regularly scheduled meeting she would still advertise the hearing on the Fire District No. 4 budget. Councilman Kafton stated that the last time the Fire District budget didn't pass, they set up a subcommittee. Council President Martin stated he and Councilman Bressi are going to work on it.

**ADMINISTRATOR TORRES:** He wanted to speak about the conversation that went on earlier regarding the referendum. He thanked the Council for approving something that right now is just a safety net. The law was signed by the Governor, which holds Townships and School Boards not to exceed the 2% cap. The only way to go over the 2% cap is a vote by the people through the referendum at the April 27<sup>th</sup> School Board Election. The referendum replaces a process where local officials turned to the State and Local Finance Board for permission to exceed a 4% cap. He explained that at this time they are preparing to present to the Department of Labor a reduction in force, which will address what the Township has been doing with the furlough. He added that the Superintendent also would like to sit down with individuals or the Council as a whole to discuss the School Board budget. Council President Martin announced that he and Councilwoman Rivere are meeting with the Superintendent this week.

**COUNCILMAN KAFTON:** He spoke about Mr. Davis who expressed an interest in sitting on the Budget Advisory Board and he believes there is an opening. Mr. Davis has extensive municipal budget experience and he thinks the Council should consider having him on there. Councilwoman Rivere stated that she thinks the Council should be very specific about what the Budget Advisory Board should be doing. They should be giving them direction. Council President Martin stated the Budget Advisory Board would work directly with Department Heads gathering information. He then stated he doesn't have a problem with them working with the Mayor to prepare the budget. Township Clerk Eden stated that the resolution creating this board says there should be five-members, but no alternates. Councilman Kafton stated that maybe they should consider changing this to include two alternates. Township Eden is going to research this to see exactly what the resolution says.

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## **PUBLIC HEARING, ANY TOPIC**

**PETER GRZELAK, 3 ABES WAY:** He asked if anyone has looked into the outstanding bonds and if some of them can be paid down? He went on to ask if anyone looked into the LED street lighting and what is going on with the grant? Councilman Bressi replied that once they get the numbers from the budget they would be looking into the outstanding bonds. Dan Burke (Municipal Engineer) explained that he has been active in keeping up with the LED street lighting grant. In December he wrote to the President of the Board of Public Utilities (BPU) and copied the Lieutenant Governor's Office to let them know the difficulty they are having getting JCP&L to cooperate. He explained that tomorrow he and the Mayor would be meeting with representatives from JCP&L to talk about implementation.

**PETER KITAY, 473 NO. COUNTY LINE ROAD:** He explained that he is a local custom builder. He has a job he started back in 1999 and put in a request to the Township Engineer to come off bond. He was given a punch list which he completed except the last item was transfer of streetlights. In order to do this you need to have 50% occupancy, which he doesn't have at this time. It might be a couple of years because of the economy. He would like to go on maintenance bond, he doesn't mind paying for the

streetlights. He asked the Council if they could look into him getting some kind of relief. Attorney Cipriani replied that if this is a requirement they could not give relief. They would have to change the ordinance. There may be more to this that she is aware of and this may not be the forum to discuss it.

**MR. OSSOWSKI, 5 RHODE ISLAND DRIVE:** He began by saying he has been a resident of Brookwood 4 since 1977. He is aware of the Township's financial problems, but he is here to ask the Township to take a proactive stance so the same problems don't occur next year. He spoke about the leaves not being picked-up. He then went on to talk about the first snowstorm where they got a call from the Police asking them to remove their vehicles from the street and he did so, but some of his neighbors didn't and there were no consequences. When the plow came they couldn't get close to the curb and the closest they could get was 3 ½ feet in front of his house. He spoke about how Jackson Township took out an ad telling residents where to deposit their Christmas trees, but people chose not to do that and they were all over the road. He stated that there should be consequences for the people who don't follow the procedures. He asked them to do something about this because he doesn't want the same problems next year.

**GARRY BLACK, LEWIS LANE:** He explained that he wanted to vent about a National issue. There are people who call themselves "Christians" who go around and disrupt military funerals because they are against homosexuals. That is considered legal, but if someone dares to recite the Lord's Prayer at a meeting that's unconstitutional. He went on to speak about notifying people of meetings. He suggested that maybe the reverse 911 system could be used for people who sign up to notify them of a meeting.

**ALLEN STERN, 3 ARIZONA AVENUE:** He began by saying that he is wearing a bright red t-shirt that symbolizes public employee solidarity. He will wear this every meeting until something is done for the employees of Jackson. He asked them to try and cut something, besides services, to get the employees of Jackson back to a full workweek. Public employees spend money in the community and by cutting back on their money they are cutting back on revenue to the private sector and tax revenue to the State and Federal Government. A lot of money the Township gets they get from the Federal Government.

**STEPHANIE BROWN, 310 SO. NEW PROSPECT:** She spoke about the incident that happened at Jackson Memorial last week where every police officer on duty had to go there. She feels this is a big problem when all the police are in one location because if there is an emergency across town there will be a problem. They need to put something in place so this won't happen again. Councilman Bressi explained that if the police force was depleted by this incident there is mutual aid in place. Police, Fire & First Aid would report from other towns.

**PAUL MAYEROWITZ, 91 CYPRESS POINTE LANE:** He spoke about how the Brookwoods were concerned about why summons weren't issued to vehicles that didn't adhere to the snow emergency. Both the Police Department and Code Enforcement can issue summons according to our ordinance. He asked how many summons were issued during the snow emergency and then we will find out if our Police Department and Code Enforcement is doing their job. He then spoke about notifying residents about meetings. He explained that we already have a Township mailing list of e-mail addresses. He suggested on a regular basis they should send out agendas and meeting dates to keep people apprised. He went on to say that he fully supports the restoration of the Jackson Township employees to a full workweek. They have already gone through a 20% pay cut over the last two years and it is a great sacrifice on their part. The cost of installing those employees to full time status is about \$1.2 Million and they have to find this money in the budget. Over the last two years only some of the employees sacrificed the money voluntarily. You have to ask yourself about the other employees who didn't suffer. There are going to be some deep cuts in our budget and unfortunately medical and pension costs have skyrocketed. In the past it has been our elected officials that have "given away the store" and we are now paying the price. We need to fix this in the negotiations we are conducting with the unions. Last year as the chair of Budget Advisory Committee they asked the Township Council for some input on the budget and they got none. He told them to be part of the process and let the Mayor and



Administrator know what they think we should be doing. Councilwoman Rivere addressed Mr. Mayerowitz and stated she is waiting to be invited to the Budget Advisory Meetings because she attended three last year. Mr. Mayerowitz replied that the Administrator is putting together a schedule. Councilman Kafton stated that they created a Budget Advisory Board in 2008 so that they could go ahead and look at the budget and give advice to the Council and he doesn't see that being done.

**SEAN GIBLIN, 515 SO. COOKSBRIDGE ROAD:** He asked the Council how many complaints have they fielded regarding leaf pick-up this year? Council President Martin stated they have received numerous complaints. The system was changed this year and obviously it's not working so he asked if they will be changing it back? He then read from an article stating that leaves that weren't picked up in front of his home caught on fire and they are still out there.

**ALLEN STERN, 3 ARIZONA:** He spoke about the leaf pick-up and stated that they started too early this year. The leaves are still on the trees when they came around. They need to be more flexible. Council President Martin stated he understands they have to wait and not go out picking up leaves that aren't even on the ground yet.

**DAN PEKARCHIK, ALASKA AVENUE:** He stated that he doesn't think it is a good idea to put two budget questions on at the same time. It's not good for the Township or the School Board. Attorney Cipriani agreed, but unfortunately the DCA has decided this is the only time it can go on.

**GENE DAVIS, 6 LLEWELLYN COURT:** He asked where the Mayor has been since the Re-organization meeting? He then asked where Mr. Gilmore was? He later asked who is on the committee to negotiate the union contracts? In closing he addressed Administrator Torres and asked him if he taught at Essex Community College? Council President Martin stated the Mayor is sick tonight and Ms. Cipriani is representing Mr. Gilmore. He then explained that the Mayor, Mayor's Representative, Labor Attorney, Denise Fluck (Personnel) and Sharon Pinkava (CFO) are negotiating the contracts. Administrator Torres replied he taught Political Science at Essex Community College in 2008 & 2009.

**MOTION TO CLOSE PUBLIC HEARING ON ANY TOPIC BY: RIVERE**

**MOTION SECONDED BY: KAFTON**

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

**ABSENT: UPDEGRAVE**

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**MOTION TO ADJOURN BY: RIVERE**

**MOTION SECONDED BY: KAFTON**

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

**ABSENT: UPDEGRAVE**

**9:15 PM**

**RESPECTFULLY SUBMITTED,**

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**COUNCIL PRESIDENT MARTIN**

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

AME/tvc