

**ON TUESDAY, NOVEMBER 29, 2011, AT 6:30P.M., THE JACKSON  
TOWNSHIP COUNCIL HELD ITS MEETING IN THE MUNICIPAL BUILDING**

**ROLL CALL:**

**COUNCILMAN KAFTON (absent)                      ATTORNEY JEAN CIPRIANI**  
**COUNCILMAN MARTIN**  
**COUNCILWOMAN RIVERE                              TOWNSHIP CLERK EDEN**  
**COUNCIL VICE PRESIDENT UPDEGRAVE**  
**COUNCIL PRESIDENT BRESSI**

**ALSO IN ATTENDANCE: ADMINISTRATOR TORRES, GUY RYAN, ESQ.,  
KATHLEEN TYLER SCHOHL (SCIBAL)**

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.

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**RESOLUTION 392R-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: UPDEGRAVE**

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

**ABSENT: KAFTON**

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the 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- Flexible Spending Plan. Personnel Salary Range.
  - b) Litigation/Potential Litigation – Bogan vs. Twp. of Jackson
  - c) Potential Land Acquisition- Vacate Block 22801, Lot 1.02 and Quitclaim Deed Block 19201, Lots 5 & 6
  - d) Contracts/Agreements: ABC Liquor License Sale
3. It is anticipated that the subject matter discussed may be made public upon its conclusion or final disposition.

**DATED: 11/29/11**

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

**7:45 PM RECONVENE PUBLIC MEETING****PLEDGE OF ALLEGIANCE**

**COUNCIL PRESIDENT BRESSI** stated that Thanksgiving just passed and we have the freedom in this Country to celebrate it because of the sacrifices of all veterans: past, present and future and he asked for a moment of silence for all veterans, especially those who gave the supreme sacrifice.

**ROLL CALL:****COUNCILMAN KAFTON (8:12 p.m.)****COUNCILMAN MARTIN (8:10 p.m.)****COUNCILWOMAN RIVERE****COUNCIL VICE PRESIDENT UPDEGRAVE****COUNCIL PRESIDENT BRESSI****ATTORNEY CIPRIANI****TOWNSHIP CLERK EDEN****ALSO PRESENT: ADMINISTRATOR JOEY 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.

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**PROCLAMATION:*****Dr. Sammi Mickles – Meritorious Service***

Councilwoman Rivere read the proclamation for Dr. Sammi Mickles in recognition of his support of the Animal Welfare Committee.

***Pancreatic Cancer Awareness Month (November 2011)***

Administrator Torres read the proclamation for Pancreatic Cancer Awareness Month for the month of November 2011. Jill Rothstein, a volunteer with the Pancreatic Cancer Action Network spoke. She asked people to be aware of the disease and to support efforts for funding for research to benefit the victims. She asked people to spread the word and stated it is time for all cancers to be eliminated.

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**COMMENTS BY THE TOWNSHIP COUNCIL MEMBERS:****COUNCILMAN KAFTON (absent)****COUNCILMAN MARTIN (absent)**

**COUNCILWOMAN RIVERE** thanked Dr. Mickles, who has done so much for Animal Welfare efforts in town.

**COUNCIL VICE PRESIDENT UPDEGRAVE** stated her mother, who is 86, is a one year survivor of pancreatic cancer. She stated the most important thing to a person who is diagnosed with cancer is support and people who guide them through the burden and fear that is in their minds. She felt strides could be made in pancreatic research and spoke of her Mother's illness, adding she was told she was cancer free one year ago but is now developing subsequent complications. Councilwoman Updegrave said pancreatic cancer is a horrendous disease and asked for people who would want to volunteer in the support of those who suffer from this deadly cancer.

**COUNCIL PRESIDENT BRESSI** thanked Dr. Mickles for his service. He then spoke of his mother, who was diagnosed with and died from pancreatic cancer in 1976. With improvements made and people believing in it, it is an asset for people who support the

efforts. We are moving forward with cancer research over the years, and will make more strides with everyone's support. On a personal note, Council President Bressi stated he and his wife, Karen, celebrated their 40<sup>th</sup> wedding anniversary this past weekend, adding she is his wife, his love and soul mate and hoped for another 40 years.

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**ORDINANCES, SECOND READING:**

**ORDINANCE 39-11**

**TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 51 OF THE TOWNSHIP CODE, ENTITLED "DOGS AND OTHER ANIMALS", ARTICLE I, ENTITLED "LICENSING OF DOGS"**

**PUBLIC HEARING OPENED**

**PAUL MAYEROWITZ, 91 CYPRESS POINT LANE** didn't understand the licenses expire at the end of December but licensing isn't required until April 1. The prior ordinance, 38-11, which was not acted on, had the December 31 requirement in it, but this one does not. He asked why it was changed. Attorney Cipriani said the department that requested the ordinance also requested that change. Mr. Mayerowitz asked why the licensing couldn't be April 1 and not have a four month grace period. Attorney Cipriani responded this is the way the department requested it to be structured. Mr. Mayerowitz said his review of the ordinance only requires licensing for dogs. Based on budget review, the expenses for dog control do not make up the expenses spent for animal control, and a large expenditure is for cats. He said we need to get the revenue but no one ever introduces the ordinance.

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

**MOTION SECONDED BY: UPDEGRAVE**

**YES: RIVERE, UPDEGRAVE, & BRESSI**

**ABSENT: KAFTON & MARTIN**

**MOTION TO APPROVE ORDINANCE 39-11 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED NEWSPAPER AS REQUIRED BY LAW BY: RIVERE**

**MOTION SECONDED BY: UPDEGRAVE**

**YES: RIVERE, UPDEGRAVE & BRESSI**

**ABSENT: KAFTON & MARTIN**

**ORDINANCE 39-11**

**SECTION 1.** The Township Code of Jackson is hereby amended and supplemented so as to amend Chapter 51 entitled "Dogs and Other Animals", Article I, entitled "Licensing of Dogs" so as to amend Section 51-4 entitled "Fees; exemptions" subsection (A) in its entirety and replacing it with the following:

**51-4. Fees; Exemptions, Subsection A.**

- A. A person applying for an annual license and registration fee shall pay to the Township a total of \$16.70 for each dog if said license is applied for on or before March 31<sup>st</sup> of said year. Said fee includes a \$1.00 registration tag fee and a \$0.20 pilot clinic fund fee. A person applying for a license and registration tag after April 1<sup>st</sup> of any given year shall be assessed an additional \$5.00 late fee per license.

If a person applying for the license and registration tag presents a certificate signed by a licensed veterinarian stating that the dog has been spayed or neutered, the annual fee shall be reduced by \$3.00. Each license and tag shall be renewed annually, unless a three-year license has been purchased at a fee of three times the annual license fee. Of the above fees, for each dog and for each year, the \$1.00 registration tag fee, the \$0.20 pilot clinic fund fee and the \$3.00 spaying/neutering fee, if applicable, shall be forwarded to the State of New Jersey as required by N.J.S.A. 4:19-15.1 et seq. and the remainder of the total fees shall be the license fee retained by the Township. Each license tag shall be renewed either prior to or upon the expiration of the license previously issued and for each animal renewal, a fee for the license and registration tag shall be paid. Said license and registration tags and renewal thereof shall expire on December 31<sup>st</sup> of each year and can be renewed after January 1<sup>st</sup> of the new year..

**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).

Date: \_\_\_\_\_

\_\_\_\_\_  
**MAYOR MICHAEL REINA**

**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 November 14, 2011 and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 29<sup>th</sup> day of November, 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 West 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, R.M.C.**  
**TOWNSHIP CLERK**

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**ORDINANCES, FIRST READING:**

**BOND ORDINANCE NO. 40-11**

**TITLE: BOND ORDINANCE PROVIDING FOR STORM WATER BASIN IMPROVEMENTS, APPROPRIATING \$1,332,313 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,332,313 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, NEW JERSEY**

**MOTION TO APPROVE BOND ORDINANCE 40-11 ON FIRST READING, ADVERTISE THE APPROVAL, NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON DECEMBER 13, 2011 BY: UPDEGRAVE**

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

**BOND ORDINANCE NO. 40-11**

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

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Township of Jackson, in the County of Ocean, New Jersey (the "Township"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$1,332,313, said sum being inclusive of all appropriations heretofore made therefore. It is anticipated that the Township will finance said improvements through the Department of Environmental Protection's Barnegat Bay One Hundred Percent (100%) Principal Loan Forgiveness Financing. No down payment is required or appropriated herein, in accordance with N.J.S.A. 40A:2-11c of the Local Bond Law.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$1,332,313, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3 (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of the retrofitting of an existing detention basin and construction of a New Hampshire model gravel wetland with native, hydrophilic vegetation within the Independence Estates residential development. The project proposes to retrofit an existing detention basin located on Grant Lane and Wilson Boulevard near Don Connor Boulevard, for the purpose of wetlands enhancement and water quality improvement, together with all work and materials necessary therefor or incidental thereto, as more fully described in plans and specifications on file with the Township Clerk, as finally approved by the governing body of the Township.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$1,332,313, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$1,332,313, which is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. 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 such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

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

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,332,313 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$270,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Township are used to finance, on an interim basis, costs of said improvements or purposes, the Township reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

Section 6. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Township Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Township for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and, unless paid from other sources, the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Date: \_\_\_\_\_

\_\_\_\_\_

Mayor Michael Reina

**ORDINANCE 41-11**

**TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY VACATING ALL THE RIGHT, TITLE AND INTEREST OF THE PUBLIC IN BLOCK 22801 LOT 1.02 AND AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED FOR BLOCK 19201 LOTS 5 AND 6**

**MOTION TO APPROVE ORDINANCE 41-11 ON FIRST READING, ADVERTISE THE APPROVAL, NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON DECEMBER 13, 2011 BY: UPDEGRAVE  
MOTION SECONDED BY: RIVERE  
YES: RIVERE, UPDEGRAVE & BRESSI  
ABSENT: KAFTON & MARTIN**

**ORDINANCE 41-11**

**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.** Jackson Township retained a public interest in roads through a certain parcel of land conveyed by the Township to Michael Pack in July of 1951; and

**SECTION 2.** Pursuant to N.J.S.A. 40:67-19, the Township Council of the Township of Jackson hereby determines that the public interest will be better served by releasing the Township's interest in Block 22801 Lot 1.02; and

**SECTION 3.** There is hereby vacated, all the right, title and interest of the public from all public uses and purposes in certain lands known and designated as part of the Clayton Mining Tract; and

**SECTION 4.** Pursuant to N.J.S.A.40A:12-1, et seq. the Township has the power to privately convey any real property interest where issues of title, or any cloud thereon, are at issue in order to rectify same; and

**SECTION 5.** A search of title has revealed that the Township may have reserved interest in property identified as Block 19201 Lots 5 and 6 on the tax map of the Township of Jackson; and

**SECTION 6.** Ralph Clayton & Sons, a New Jersey partnership is the current owner of the lands; and

**SECTION 7.** In order to grant Ralph Clayton & Sons clear title to the Property without exceptions, the Township is willing to quitclaim whatever interest it may have in the Property to Ralph Clayton & Sons; and

**SECTION 8.** The Township has determined that it would serve a public purpose for it to convey to Ralph Clayton & Sons, by quitclaim deed, whatever residual interest the Township might have, if any, in and to the Property, so that it may enjoy clear title thereto, free of any record interest of the Township in and to the Property.

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

The foregoing recitals be and hereby are, incorporated herein by reference as if set forth at length, and the Township be and hereby is authorized to quitclaim whatever interest it may have in the Property to Ralph Clayton & Sons to clear title to the Property. The Mayor is hereby

authorized to execute such quitclaim documents as may be reasonable required to effectuate this conveyance.

**BE IT FURTHER ORDAINED**, that this ordinance shall take effect following adoption and approval in a time and manner prescribed by law.

Date: \_\_\_\_\_

\_\_\_\_\_  
**Mayor Michael Reina**

### NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Jackson held on the 29<sup>th</sup> day of November, 2011, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 13<sup>th</sup> day of December, 2011 at 7:30 p.m., at the Township Municipal Building, located at 95 West Veterans Highway, Jackson, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

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 Ann Marie Eden, RMC  
 Township of Jackson

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### PUBLIC HEARING OPENED, RESOLUTIONS ONLY

**PATTI PENNINGTON, 3 LONDON DRIVE** questioned 392R-11 for online registration. She is all for it but asked if there is any consideration for families that don't have computers and if that would put them at a disadvantage. Administrator Torres said they will still have face to face registration, and this is for those people who are unable to get to Town Hall. Both face to face and online registration will occur simultaneously.

**PAUL MAYEROWITZ, 91 CYPRESS POINT LANE** said 394R-11 authorizes the sale of one plenary retail consumption license and it doesn't have a starting bid price. Council President Bressi said that was discussed in Executive Session and asked for legal guidance before stating the amount. Attorney Cipriani said the number needs to be given before a vote. Council President Bressi stated the minimum bid would be \$350,000. Mr. Mayerowitz asked how they arrived at that number. Council President Bressi said it is in line with other licenses being transferred. Mr. Mayerowitz asked how much the Plain Jane's license sold for and was told \$295,000. Council President Bressi stated some sold for more and some for less, and that is how they arrived at the number.

Mr. Mayerowitz said 395R-11 appears to mean we have reached an agreement with JCP&L on the LED lighting issue and asked what the agreement is. Attorney Cipriani said the latest meeting between the Township and JCP&L about 6 weeks ago resulted in JCP&L coming more in line with the Township's estimate about the cost to install each lamp, coming down from their original estimate of several thousand dollars per light to around \$800 per light and she expected the work to begin sometime after the first of the year, weather permitting, and assuming the agreement would be signed. Council President Bressi said the number might come down from the \$800 and hoped to move forward soon. It should result in a 25% savings the first year. The grant covers the cost of the lights with installation. Councilwoman Rivere offered a copy of the agreement to Mr. Mayerowitz for his review.

*Councilman Martin arrived at 8:10 p.m.*

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

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**RESOLUTION 393R-11**

**TITLE: AMEND CY 2011 BUDGET – BUDGET TRANSFER RESOLUTION #3**

**MOTION TO APPROVE BY: UPDEGRAVE**

**MOTION SECONDED BY: MARTIN**

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

**ABSENT: KAFTON**

**APPROPRIATION TRANSFERS DURING LAST TWO MONTHS  
OF THE FISCAL YEAR OR THE FIRST THREE MONTHS OF THE CURRENT YEAR  
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**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 (#1) for the 2011 Municipal Operating Budget of the Township of Jackson are hereby made for the above stated reasons:
2. This resolution shall take effect upon two-thirds affirmative vote by the full governing body of the Township of Jackson.
3. Copies of this resolution to the Administrator, Chief Financial Officer and Auditor.

**DATED: 11/29/11**

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



TOWNSHIP OF JACKSON  
ANNEXED TRANSFER RESOLUTION  
RESOLUTION 393R-11 , 2011 TRANSFER #3  
MEETING November 29, 2011

Dept. Code #	Description	Proposed Amounts	Sub-Totals
<b>TRANSFERS FROM (INSIDE CAPS):</b>			
1-01-32-465-000-020	Sanitary Landfill-Other Expenses	(7,000.00)	
	<b>TOTAL TRANSFERS FROM (INSIDE CAPS)</b>		<u>(7,000.00)</u>
<b>TRANSFERS TO (INSIDE CAPS):</b>			
1-01-26-315-000-020	Vehicle Maintenance- Other Expenses	7,000.00	
	<b>TOTAL TRANSFERS TO (INSIDE CAPS)</b>		<u>7,000.00</u>
	<b>NET BUDGETARY TRANSFERS (PROOF)</b>		<u><u>0.00</u></u>

**RESOLUTION 394R-11**

**TITLE: AUTHORIZING THE PUBLIC SALE OF ONE (1) PLENARY RETAIL CONSUMPTION LICENSE BY WAY OF SEALED BIDS WITH A MINIMUM BID SET AT \$350,000.00**

**MOTION TO APPROVE BY: RIVERE**

**MOTION SECONDED BY: MARTIN**

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

**ABSENT: KAFTON**

**WHEREAS**, there exists in the Township of Jackson the authority to issue one (1) additional Plenary Retail Consumption License for the sale of alcoholic beverages; and

**WHEREAS**, the Township Council has determined to offer by sealed bid, as authorized by N.J.S.A. 33:1-19.3, one (1) Plenary Retail Consumption License with qualifications in accordance with this Resolution.

**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 there shall be offered for sale one (1) new Plenary Retail Consumption License for the sale of alcoholic beverages in accordance with the procedures set forth at N.J.S.A. 33:1-19.3 et. seq.

2. That the Township Clerk shall publish notice of the proposed issuance of the alcoholic beverage license indicating that the applications therefore will be accepted by the Township Council at the time, date, and place specified in the notice, after which no further applications will be accepted.

3. That said notice shall be published in a newspaper circulating generally in the municipality at least two (2) times, at least one week apart, the second of which shall be at least thirty (30) days prior to the date of the sale.

4. The minimum bid price for the alcoholic beverage license authorized by this Resolution shall be \$350,000.00.

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

**DATED: 11/29/11**

*Councilman Kafton arrived at 8:12 p.m.*

**RESOLUTION 395R-11**

**TITLE: AUTHORIZING EXECUTION OF A SPECIAL NON-TARIFF LIGHT EMITTING DIODE STREET LIGHTING AGREEMENT WITH JERSEY CENTRAL POWER & LIGHT COMPANY, A FIRSTENERGY COMPANY.**

**MOTION TO APPROVE BY: RIVERE**

**MOTION SECONDED BY: UPDEGRAVE**

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

**WHEREAS**, Jersey Central Power & Light Company, a FirstEnergy Company (JCP&L) is an electric utility company, which provides street lighting services pursuant to its Tariff for Service (“Tariff”) which is approved by and on file with the New Jersey Board of Public Utilities (“NJBP”); and

**WHEREAS**, the Township of Jackson (“Township”) has applied for and received a certain Energy Efficiency and Conservation Block Grant (“EECBG”) award from the U.S. Department of Energy (“DOE” or “Grant Provider”) for programs, which reduce fossil fuel emissions in a manner that is environmentally sustainable and maximizes cost savings, reduces the total energy use of eligible entities and improves energy efficiency in the transportation, building and other appropriate sectors; and

**WHEREAS**, the Township intends to use its EECBG grant funds, in conformance with such EECBG award, for the purpose of evaluating the effectiveness and efficacy of the installation and use of Light Emitting Diode (“LED”) street lighting within the Township for purposes of reducing fossil fuel emissions and energy consumption and improving energy efficiency; and; and

**WHEREAS**, the Township has requested the provision of LED street lighting service from JCP&L; and

**WHEREAS**, the Township has resolved to retain the services of JCP&L and determined it to be necessary and in the best interests of the Township to enter into a Non-Tariff Light Emitting Diode Street Lighting Agreement (“Agreement”) with JCP&L to provide LED street lighting service for the Township; and

**WHEREAS** NJBPU approval is a condition precedent to the effectiveness of the Agreement and the rights and obligations of the parties under the Agreement do not arise unless and until the parties receive a NJBPU final order, from which no appeal has been taken within the time permitted to take such appeals (the “Final Order”), and which approves the Agreement in its entirety without modification (the third day following the date upon which such Final Order becomes unappealable being the “Effective Date”).

**WHEREAS**, all things necessary to constitute the Agreement as valid and binding by and between the parties in accordance with the terms therein have been duly performed and execution and delivery of the Agreement has in all respects been duly authorized by the respective parties;

**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 hereby authorizes the Township to enter into a Non-Tariff Light Emitting Diode Street Lighting Agreement with JCP&L for the purposes of installation and use of Light Emitting Diode (“LED”) street lighting within the Township for purposes of reducing fossil fuel emissions and energy consumption and improving energy efficiency.
2. That the Mayor is hereby authorized to execute, and the Township Clerk to attest to, the Non-Tariff Light Emitting Diode Street Lighting Agreement between the Township and JCP&L, and any other documents necessary to effectuate the terms of this resolution. Said agreement shall be in a form acceptable to the Township Attorney. Said agreement shall be in a form substantially as the attached Schedule A.
3. Subject to NJBPU approval, the Non-Tariff Light Emitting Diode Street Lighting Agreement shall have an initial term of one (1) year from the Effective Date of the Agreement and thereafter shall renew automatically from year to year unless either party provides written notice of non-renewal to the other party at least 60 days in advance of the expiration date of the then current term or unless otherwise terminated in accordance with the terms hereof.
4. That a copy of the agreement referenced herein shall be kept on file and made available for public inspection at the Township Clerk’s Office during normal business hours.
5. That a certified copy of this resolution, together with a copy of the agreement, shall be forwarded to JCP&L.

**DATED: 11/29/11**

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

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**RESOLUTION 396R-11  
TITLE: ESTABLISHING FACE TO FACE CREDIT CARD PROCESSING SERVICES FOR VARIOUS TOWNSHIP DEPARTMENTS THROUGH THE MUNICIPAL PAYMENT SOLUTIONS.**

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

**WHEREAS**, various Municipal Departments wish to automate their payment system; and

**WHEREAS**, the Government Electronic Payment Acceptance Act (P.L.1955,c.325)

(“Act”) authorizes a municipality to establish a credit card payment system upon the passage of a Resolution by the Governing Body; and

**WHEREAS**, the Chief Financial Officer has identified the need to provide a convenient face to face payment options at no cost to the Township of Jackson; and

**WHEREAS**, the Purchasing Department and the Chief Financial Officer obtained proposals from various credit card processing providers; and

**WHEREAS**, Municipay a division of Nationwide Payment Solutions has agreed to provide a card swiping system with a merchant service fee of 2.45% (\$ 1.50 minimum) to the using cardholder; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Jackson, County of Ocean and State of New Jersey, pursuant to the provisions of the Act and the rules and regulations established by the Division of Local Government Services that the Township establish a face to face credit card payment for various programs and services offered by the Township of Jackson; and

**BE IT FURTHER RESOLVED**, by the Township Council of the Township of Jackson, County of Ocean and State of New Jersey, that the Township of Jackson enter into a contract of one (1) year with the option to renew for and additional one (1) year with the Municipay Nationwide Payment Solutions.

**DATED: 11/29/11**

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

**RESOLUTION 397R-11**

**TITLE: ESTABLISHING AN ONLINE REGISTRATION PROGRAM AND ELECTRONIC PAYMENTS WITH CAPTURE POINT AND NATIONWIDE PAYMENT SOLUTIONS FOR THE RECREATION DEPARTMENT.**

**MOTION TO APPROVE BY: MARTIN**

**MOTION SECONDED BY: UPDEGRAVE**

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

**WHEREAS**, the Department of Recreation wishes to automate the registration process in order to provide a convenience for the Townships’ approximate 2,200 registrants; and

**WHEREAS**, the Purchasing Department solicited various proposals from Recreation software providers; and

**WHEREAS**, Capture Point located in Ridgewood, N.J. submitted the lowest responsible proposal with a start up fee of \$ 1,598.00 and an annual fee of \$ 2,499.00; and

**WHEREAS**, the Government Electronic Payment Acceptance Act (P.L. 1955, c.325) (“Act”) authorizes a municipality to establish a credit card payment system and electronic funds transfer system upon the passage of a Resolution by the Governing Body; and

**WHEREAS**, in order to process the online payments for the registration transactions it is recommended by the Chief Financial Officer that Nationwide Payment Solutions provide these services; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Jackson, County of Ocean and State of New Jersey, hereby authorize the Recreation Department and the Finance Department to enter into contract with Capture Point/Nationwide Payment Solutions for the implementation of an online Recreation registration service.

**DATED: 11/29/11**

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

**RESOLUTION 398R-11**

**TITLE: CONSENTING TO SETTLEMENT ORDER OF CONDEMNATION APPEAL FILED REGARDING BLOCK 6501, LOT 40 in the amount of \$75,000**

**MOTION TO APPROVE BY: RIVERE**

**MOTION SECONDED BY: UPDEGRAVE**

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

*Council President Bressi stated this would be paid from the COAH Trust Fund*

**WHEREAS**, the Township condemned Block 6501, Lot 40 in order to facilitate compliance with the Township’s second round affordable housing plan at an appraised fair market value of \$43,000.00; and

**WHEREAS**, the property owner of Block 6501, Lot 40 filed an appeal of the determination of value, seeking \$166,700.00; and

**WHEREAS**, the Condemnation Commissioners appointed by the Superior Court issued a report determining the fair market value to be \$53,500.00; and

**WHEREAS**, the property owner of Block 6501, Lot 40 then filed a Complaint, Docket Number L3415-10 continuing to seek \$166,700.00; and

**WHEREAS**, in the totality of the circumstances including, but not limited to, the costs of litigation, it is the desire of the Township Council to settle this matter for the amount of \$75,000.00 to be paid from the Township’s affordable housing trust.

**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 matter filed under Docket Number L3415-10 regarding the condemnation of Block 6501, Lot 40 in order to facilitate compliance with the Township’s second round affordable housing plan shall be settled for the amount previously paid into Court and additional \$75,000.00 to be paid from the Township’s affordable housing trust to W&R Enterprises in full settlement of all claims and that the Township Attorney is authorized to execute any documents necessary to effectuate such settlement.

 That a copy of this resolution shall be provided by the Township Clerk to the Township attorney and the Chief Financial Officer.

**DATED: 11/29/11**

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

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**RESOLUTION 399R-11  
TITLE: AUTHORIZE CONTRACT AWARD IN THE AMOUNT OF \$28,544.00 TO  
CRESTON HYDRAULICS FOR THE PURCHASE OF EIGHT (8') SNOWPLOWS WITH  
ATTACHMENTS FOR USE ON EXISTING DPW EQUIPMENT**

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

**WHEREAS**, the Director of Public Works, Fred Rasiewicz, has requested authorization to award a contract for the purchase of eight (8) snowplows with attachments for use on existing DPW equipment; and

**WHEREAS**, Jackson Township previously advertised for the receipt of bids on November 10, 2011 at 10:00 a.m. for the purchase of eight (8') snowplows with attachments for use on existing DPW equipment; and

**WHEREAS**, at the time and place for receipt of bids, the following vendors submitted proposals for this equipment:

- |                       |              |
|-----------------------|--------------|
| 1. Creston Hydraulics | \$ 28,544.00 |
| 2. Trius              | \$ 31,808.00 |
| 3. Bristol-Donald     | \$ 33,704.00 |

and;

**WHEREAS**, pursuant to N.J.S.A. 40A:11-6.1, any purchases, contracts or agreements which require public advertisement for bids shall be awarded to the lowest responsible bidder,

**WHEREAS**, the Director of Public Works, Fred Rasiewicz, has determined that Creston Hydraulics submitted the lowest responsible bid adhering to the bid specifications outlined by the Township of Jackson; and

**WHEREAS**, the Director of Public Works, Fred Rasiewicz, has recommended that the bid for the purchase of eight (8') snowplows with attachments to be used on existing DPW equipment be awarded to Creston Hydraulics; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funding exists for this purpose; and

**WHEREAS**, it is now it is the desire of this Township Council to act upon the recommendation of the Director of Public Works.

**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 Director of Public Works, Fred Rasiewicz, is hereby authorized to award a contract for the purchase of eight (8) snowplows with attachments for use on existing DPW equipment to Creston Hydraulics in the amount of \$28,544.00. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.
2. Certified copies of this resolution to Creston Hydraulics, Trius, Bristol-Donald, Township Administrator, Chief Financial Officer, Purchasing Department and any other interested parties.

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

**DATED: 11/29/11**

**RESOLUTION 400R-11**

**TITLE: AUTHORIZE PERSON-TO-PERSON AND PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL ALCOHOLIC BEVERAGE CONSUMPTION LICENSE #1511-33-005-004 FROM JUST PLAIN JANE’S, INC. TO CORNICK INDUSTRIES, LLC**

**MOTION TO APPROVE BY: RIVERE**

**MOTION SECONDED BY: MARTIN**

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

**WHEREAS**, application has been made by Cornick Industries, LLC as transferee of Plenary Retail Alcoholic Beverage Consumption License No. 1511-33-005-004 for a person-to-person and place-to-place transfer from Just Plain Jane’s, Inc. to Cornick Industries, LLC to be held “in-pocket status” and

**WHEREAS**, written consent to such transfer signed by the present holder of the license has been made and filed with the Township Clerk and the applicant has paid the required transfer fees to both the Division of Alcoholic Beverage Control and the Township of Jackson; and

**WHEREAS**, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license in accordance with the rules and regulations of the Division of Division of Alcoholic Beverage; and

**WHEREAS**, the Jackson Township Police Department conducted the required investigations and confirmed that nothing was revealed that would prohibit the transfer of said license to Cornick Industries, LLC

**WHEREAS**, the applicant is qualified to be licensed according to all rules and regulations established by Title 33 of the New Jersey Statutes, regulations promulgated hereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS**, a Notice of Transfer in compliance with N.J.A.C. 13:2-7.4 has been published in the Asbury Park Press, a newspaper published and circulated in the Township on November 10, 2011 and November 17, 2011; and

**WHEREAS**, the applicant has submitted proof of publication in connection with this transfer; and

WHEREAS, the Municipal Clerk has not received any objection to the proposed person-to-person and place-to-place transfer pursuant to N.J.A.C. 13:2-7.5; and

WHEREAS, it is now the desire of this governing body to authorize the transfer of said Plenary Retail Alcoholic Beverage Consumption License

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 of Jackson Township hereby formally authorizes the person-to-person and place-to-place transfer of Plenary Retail Alcoholic Beverage Consumption License No. 1511-33-005-004 presently held by Just Plain Jane’s, Inc. to Cornick Industries, LLC to be held “in-pocket status”.
2. This license, subject to all the terms and conditions, is hereby transferred to Cornick Industries, LLC to be held “in-pocket status” until such time as a premises has been determined.
3. This resolution shall become effective upon the presentation of the Plenary Retail Alcoholic Beverage Consumption License to the Township Clerk for formal transfer.
4. That upon the adoption of this resolution, the Clerk is authorized and directed to forward a certified copy of it to the Director of the Division of Alcoholic Beverage Control.

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

DATED: 11/29/11

**RESOLUTION 405R-11**

**TITLE: REQUEST APPROVAL FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A: 4-87 - FOR THE DRIVE SOBER OR GET PULLED OVER 2011 Y/E STATEWIDE CRACKDOWN GRANT**

**MOTION TO APPROVE BY: RIVERE**

**MOTION SECONDED BY: MARTIN**

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

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any local unit when such item shall have been available by any public or private funding source and the amount therefore shall not have been determined at the time of adoption; and

WHEREAS, N.J.S.A. 40A: 4-87 further provides that the Director may approve the insertion of an appropriation item of an amount equal to any such special item of revenue making such item of revenue available for expenditure; and

WHEREAS, the Township of Jackson has been provided additional funds from the State of NJ, Department of Law and Public Safety, Division of Highway Traffic Safety in the amount of \$5,000.00; and

WHEREAS, the Mayor and Township Council of the Township of Jackson, request the Director of the Division of Local Government Services to approve the insertion of this amount as revenue with an offsetting appropriation.

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

1. That the Mayor and Township Council do hereby request an amendment to the 2011 Budget to provide the insertion of a special item of revenue in the amount of \$5,000.00 by the Director of the Division of Local Government Services, which is now available as a revenue from:

Miscellaneous Revenue: (Special Item of general revenue anticipated with prior written consent of the Director of Local Government Services)

State of NJ, Department of Law and Public Safety,

Division of Highway Traffic Safety  
Drive Sober or Get Pulled Over 2011 Y/E Statewide Crackdown  
\$5,000.00

- 2. That the Mayor and Township Council do hereby further request an appropriation of an equal sum under the caption of:

General Appropriations: (operations excluded from CAP)

State of NJ, Department of Law and Public Safety,  
Division of Highway Traffic Safety  
Drive Sober or Get Pulled Over 2011 Y/E Statewide Crackdown  
\$5,000.00

- 3. That two certified copies of the resolution shall be forwarded to the Director of the Division of Local Government Services, the Township Auditor, and the Chief Financial Officer.

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

DATED: 11/29/11

**RESOLUTION 406R-11**

**TITLE: AUTHORIZE PERSON-TO-PERSON AND PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL ALCOHOLIC BEVERAGE DISTRIBUTION LICENSE NO. 1511-44-028-001 FROM JACKSON WINES AND LIQUOR LLC TO MATTY 130 LLC**

**MOTION TO APPROVE BY: RIVERE**

**MOTION SECONDED BY: MARTIN**

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

**WHEREAS**, application has been made by Matty 130 LLC as transferee of Plenary Retail Alcoholic Beverage Distribution License No. 1511-44-028-001 for a person to person and place to place transfer from Jackson Wine and Liquors LLC to Matty 130 LLC for the premises located at 707 Jackson Mills Road, Jackson, New Jersey; and

**WHEREAS**, written consent to such transfer signed by the present holder of the license has been made and filed with the Township Clerk and the applicant has paid all necessary transfer fees to the Township; and

**WHEREAS**, the applicant has submitted proof of publication as required by the rules and regulations of the Division of Alcoholic Beverage Control; and

**WHEREAS**, the source of funds for the purchase of the license has been disclosed in accordance with the rules and regulations of the Division of Division of Alcoholic Beverage Control.

**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 of Jackson Township hereby formally authorizes the transfer of Plenary Retail Alcoholic Beverage Distribution License No. 1511-44-028-001 presently held by Jackson Wine and Liquors LLC to Matty 130 LLC for the premises located at 707 Jackson Mills Road, Jackson, New Jersey.
- 2. This resolution shall become effective upon the presentation of the Plenary Retail Alcoholic Beverage Distribution License to the Township Clerk for formal transfer.
- 3. That upon the adoption of this resolution, the Clerk is authorized and directed to forward a certified copy of it to the Director of the Division of Alcoholic Beverage Control.
- 4. Transfer will be authorized subject to approval from the Police Director that everything is cleared.

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

DATED: 11/29/11



**RESOLUTION 408R-11**

**TITLE: CHAPTER 78, P.L.2011, SECTION 125 PLAN**

**MOTION TO APPROVE BY: MARTIN**

**MOTION SECONDED BY: RIVERE**

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

**WHEREAS**, pursuant to Chapter 78, P.L.2011, Pension and Health Benefits Reform, the State of New Jersey has made available some sixteen (16) health plan designs, including some low cost and high deductible plans; and

**WHEREAS**, there have been no changes made to the four (4) existing plans; and

**WHEREAS**, as part of the State of New Jersey’s new health bill, the Township has a four-year phase in period commencing July 1, 2011 and ending July 1, 2014 as per the Department of Treasury percentage of premium schedule;

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWNSHIP COUNCIL OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY that** staff is hereby authorized to institute the State of New Jersey Health Benefits Program; and

**LET IT FURTHERMORE BE RESOLVED** that pursuant to the Pension and Health Benefit Reform Act, the Township is mandated to implement two Section 125 plan benefits: a “Premium Option Plan” (POP) and a Flexible Spending Account (FSA); and

**WHEREAS**, Resolution number 217R-10 authorized a Premium Option Plan on May 25, 2010; and

**BE IT FURTHER RESOLVED that** the Township Administrator is to undertake all action necessary to implement and administer said plans.

**DATED: 11/29/11**

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

**RESOLUTION 409R-11**

**TITLE: AFLAC, SECTION 125 PLAN**

**MOTION TO APPROVE BY: MARTIN**

**MOTION SECONDED BY: UPDEGRAVE**

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

**WHEREAS**, pursuant to Chapter 78, P.L.2011, the Township is mandated to offer and implement two Section 125 plan benefits: a “Premium Option Plan” (POP) and a Flexible Spending Account (FSA); and

**WHEREAS**, on May 25, 2010, the Township Council authorized a Premium Option Plan through Resolution number 217R-10; and

**WHEREAS**, AFLAC currently administers a voluntary benefit program for the Township; and

**WHEREAS**, AFLAC has offered to provide services to administer a Section 125 Plan, including Flexible Spending Account, Premium Option and Dependent Daycare, at no cost to 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 that** the Business Administrator is hereby authorized to enter into an agreement with AFLAC to administer Section 125 Plans for the Township, including those required in Chapter 78, P.L. 2011.

**DATED: 11/29/11**

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

**BILLS AND CLAIMS**

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

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

**ABSTENTIONS: MARTIN (Juan Bellu and Associates, R.C. Shea), UPDEGRAVE  
(Dasti, Murphy and Winding Ways)**

**NO: KAFTON (All Professionals except R&V)**

<b>CHECK#</b>	<b>VENDOR</b>	<b>AMOUNT</b>
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11/30/11  
08:51:11

JACKSON TOWNSHIP  
Check Register By Check Date

11-29-11  
Page No: 1

Clerks Office

Range of Checking Accts: First to Last Range of Check Dates: 11/29/11 to 11/29/11  
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					
61326	11/29/11	GAR31 GARDEN STATE PRECAST, INC.	39,458.00		4045
61327	11/29/11	MEC02 MECO, INC.	346,922.79		4045
61328	11/29/11	REH04 REHABCO, INC.	1,458.00		4045

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	3	0	0.00	387,838.79
Direct Deposit:	0	0	0.00	0.00
<b>Total:</b>	<b>3</b>	<b>0</b>	<b>0.00</b>	<b>387,838.79</b>

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
CURRENT					
85663	11/29/11	AB004 ABOVE THE REST AUTO GLASS LLC	425.00		4043
85664	11/29/11	ACE05 ANIMAL CARE EQUIP. & SVCS., LLC	570.25		4043
85665	11/29/11	ACT02 ACTION OFFICE SUPPLIES INC.	364.19		4043
85666	11/29/11	ASB01 ASBURY PARK PRESS, INC.	144.00		4043
85667	11/29/11	AUI12 AUTOMOTIVE SHOP EQUIP. SPEC.	345.35		4043
85668	11/29/11	BEL15 JUAN BELLU & ASSOC.	237.50		4043
85669	11/29/11	BRI13 BRITTON INDUSTRIES INC.	600.00		4043
85670	11/29/11	BRI15 BRICK NAPA, LLC	891.61		4043
85671	11/29/11	CAB03 CABLEVISION CORP.	119.90		4043
85672	11/29/11	CAN04 CANON BUSINESS SOLUTIONS, Inc.	1,390.43		4043
85673	11/29/11	CAN06 CANYON SPRING WATER	27.00		4043
85674	11/29/11	CCC01 CCC HEAVY DUTY TRUCK PARTS CO.	5,785.91		4043
85675	11/29/11	CED01 CEDE & COMPANY	3,259,758.75		4043
85676	11/29/11	CIT01 CITTA, HOLZAPFEL & ZABARSKY	1,875.03		4043
85677	11/29/11	CLA03 RALPH CLAYTON & SONS MATERIALS	1,041.94		4043
85678	11/29/11	CLA16 CLAYTON'S TREE NURSERY	1,106.70		4043
85679	11/29/11	COR14 CORE MECHANICAL, INC.	5,666.50		4043
85680	11/29/11	COR35 CORONATO, BRADY & KUNZ, P.C.	3,333.33		4043
85681	11/29/11	COU20 COUNTRY SUDSER CAR WASH	175.00		4043
85682	11/29/11	COU24 COUNTRY SUDSER CAR WASH	88.00		4043
85683	11/29/11	DEL06 DELL MARKETING L.P.	2,946.45		4043
85684	11/29/11	DIA13 DIAMOND COMMUNICATIONS, LLC	4,084.10		4043
85685	11/29/11	DOW01 DOWNS FORD, INCORPORATED	916.63		4043
85686	11/29/11	DSI01 DSI MEDICAL SERVICES, INC.	172.00		4043
85687	11/29/11	EYE01 EYEMED VISION CARE/FAA INC.	502.44		4043
85688	11/29/11	FIR29 FIRST CHOICE CATERERS	1,055.00		4043
85689	11/29/11	FLA07 Sheila Flamm	50.00		4043
85690	11/29/11	FLE15 FLEETSOURCE, LLC	834.90		4043
85691	11/29/11	FRE10 FRENCH & PARRELLO ASSOC., P.A.	1,840.00		4043
85692	11/29/11	GEN01 GENERAL CODE LLC	6,039.00		4043
85693	11/29/11	GIL02 GILMORE & MONAHAN, P.A.	46,206.32		4043
85694	11/29/11	IKO01 IKON OFFICE SOLUTIONS, INC.	1,400.56		4043
85695	11/29/11	JAC12 JACKSON TWP. BOARD OF ED.	6,481,108.00		4043
85696	11/29/11	JAC14 JACKSON TWP. MUN. UTILITIES AUTH	2,822.93		4043
85697	11/29/11	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	778,911.28		4043
85698	11/29/11	JCP01 JERSEY CENTRAL POWER & LIGHT	0.00	11/29/11 VOID	0
85699	11/29/11	JCP01 JERSEY CENTRAL POWER & LIGHT	0.00	11/29/11 VOID	0

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JACKSON TOWNSHIP  
Check Register By Check Date

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
85700	11/29/11	JCP01	JERSEY CENTRAL POWER & LIGHT	0.00	11/29/11 VOID 0
85701	11/29/11	JCP01	JERSEY CENTRAL POWER & LIGHT	49,877.47	4043
85702	11/29/11	JRH01	J.R. HENDERSON LABS, INC.	60.00	4043
85703	11/29/11	LAV01	LAVALLETTE HARDWARE SUPPLY	388.74	4043
85704	11/29/11	LIB05	LIBERTY POWER HOLDINGS, LLC	10,182.37	4043
85705	11/29/11	LOW02	LOWE'S COMPANY INC.	500.50	4043
85706	11/29/11	LUC12	CHARLES R LUCAS	319.21	4043
85707	11/29/11	MIC07	MICROMEDIA PUBLICATIONS, INC.	525.00	4043
85708	11/29/11	MIL18	HONORABLE PHILLIP M. MILLER	500.00	4043
85709	11/29/11	MON37	MONMOUTH TELECOM	1,230.43	4043
85710	11/29/11	MOT10	MOTOROLA	6,760.42	4043
85711	11/29/11	NAT14	NATIONAL TACTICAL OFFICERS	150.00	4043
85712	11/29/11	NJC02	NJ CONFERENCE OF MAYORS	1,140.00	4043
85713	11/29/11	NJL01	NJLM	700.00	4043
85714	11/29/11	NJN03	NEW JERSEY NATURAL GAS	0.00	11/29/11 VOID 0
85715	11/29/11	NJN03	NEW JERSEY NATURAL GAS	4,475.18	4043
85716	11/29/11	NJP02	NEW JERSEY PLANNING OFFICIALS	75.00	4043
85717	11/29/11	OCE05	OCEAN COUNTY RECYCLING	94.22	4043
85718	11/29/11	PAR28	PARDO'S TRUCK SERVICE PARTS	409.66	4043
85719	11/29/11	PET17	PET EDGE	145.06	4043
85720	11/29/11	PRI22	PRIME LUBE, INC.	393.60	4043
85721	11/29/11	REM01	REMINGTON, VERNICK & VENA ENG.	4,477.50	4043
85722	11/29/11	RUT14	RUTGERS, THE STATE UNIVERSITY	825.00	4043
85723	11/29/11	RWV01	RWV LAND/LIVESTOCK CO. INC.	60.00	4043
85724	11/29/11	SCI03	SCIBAL ASSOCIATES, INC.	30,000.00	4043
85725	11/29/11	STA42	STANDARD FUSEE CORP.	3,094.40	4043
85726	11/29/11	STE26	STEERED STRAIGHT INC.	750.00	4043
85727	11/29/11	TM02	T & M ASSOCIATES	1,703.50	4043
85728	11/29/11	TRE07	TREASURER, STATE OF NEW JERSEY	50.00	4043
85729	11/29/11	UPS02	UNITED PARCEL SERVICE	111.34	4043
85730	11/29/11	VER03	VERIZON WIRELESS	43.15	4043
85731	11/29/11	VER04	VERIZON	742.87	4043
85732	11/29/11	VER08	VERIZON WIRELESS	400.10	4043
85733	11/29/11	VET03	NORTHSTAR VETS	115.95	4043
85734	11/29/11	WAL02	WALTER R. EARLE CORPORATION	127.93	4043
85735	11/29/11	WBM01	W.B. MASON COMPANY	4,785.54	4043
85736	11/29/11	WES01	WEST-THOMSON CORPORATION	712.00	4043
85737	11/29/11	WOR01	WGS, CORPORATION	161.70	4043

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	71	4	0.00	10,738,923.84
Direct Deposit:	0	0	0.00	0.00
<b>Total:</b>	<b>71</b>	<b>4</b>	<b>0.00</b>	<b>10,738,923.84</b>

DEV FEES-COAH	DEV FEES - COAH (NEW)			
180	11/29/11	REH04	REHABCO, INC.	1,458.00 4048
181	11/29/11	TM02	T & M ASSOCIATES	4,945.75 4048

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	2	0	0.00	6,403.75
Direct Deposit:	0	0	0.00	0.00

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
Total:		2	0	0.00	6,403.75

DEVELOPERS-OF		DEVELOPERS-OCEAN FIRST		Amount Paid	Reconciled/Void	Ref Number
63353	11/29/11	DAS01	DASTI,MURPHY,MCGUCKIN PC	0.00	11/29/11 VOID	0
63354	11/29/11	DAS01	DASTI,MURPHY,MCGUCKIN PC	766.00		4044
63355	11/29/11	FER22	Hector Fernandez	640.00		4044
63356	11/29/11	GER12	GERTNER MANDEL & PESLAK	300.00		4044
63357	11/29/11	INN02	INNOVATIVE ENGINEERING INC	540.00		4044
63358	11/29/11	JAC15	JACKSON TOWNSHIP P/R ACCOUNT	10,350.00		4044
63359	11/29/11	NJN02	NEW JERSEY NATURAL GAS	8,710.52		4044
63360	11/29/11	OWE01	OWEN LITTLE & ASSOCIATES INC.	0.00	11/29/11 VOID	0
63361	11/29/11	OWE01	OWEN LITTLE & ASSOCIATES INC.	4,049.47		4044
63362	11/29/11	REM01	REMINGTON,VERNICK & VENA ENG.	141.75		4044
63363	11/29/11	REM02	NORMAN REMICK	141.75		4044
63364	11/29/11	TM02	T & M ASSOCIATES	0.00	11/29/11 VOID	0
63365	11/29/11	TM02	T & M ASSOCIATES	0.00	11/29/11 VOID	0
63366	11/29/11	TM02	T & M ASSOCIATES	0.00	11/29/11 VOID	0
63367	11/29/11	TM02	T & M ASSOCIATES	0.00	11/29/11 VOID	0
63368	11/29/11	TM02	T & M ASSOCIATES	0.00	11/29/11 VOID	0
63369	11/29/11	TM02	T & M ASSOCIATES	30,829.10		4044

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	10	7	0.00	56,468.59
Direct Deposit:	0	0	0.00	0.00
Total:	10	7	0.00	56,468.59

GENERAL TRUST		Amount Paid	Ref Number
61077	11/29/11	JAC14 JACKSON TWP.MUN.UTILITIES AUTH	151,200.00 4046
61078	11/29/11	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	1,920.00 4046
61079	11/29/11	MEC02 MECO,INC.	16,560.00 4046
61080	11/29/11	NJL01 NJLM	50.00 4046
61081	11/29/11	RCS02 R.C.SHEA & ASSOCIATES	2,000.00 4046
61082	11/29/11	TIV01 CHARLES P. TIVENAN, ESQ.	400.00 4046

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	6	0	0.00	172,130.00
Direct Deposit:	0	0	0.00	0.00
Total:	6	0	0.00	172,130.00

HANDICAPPED		Amount Paid	Ref Number
2039	11/29/11	ALW02 ALWAYS & FOREVER ENGRAVING LLC	364.00 4049

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	1	0	0.00	364.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	0.00	364.00

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
Total:		2	0	0.00	6,403.75

DEVELOPERS-OF		DEVELOPERS-OCEAN FIRST				
63353	11/29/11	DAS01	DASTI,MURPHY,MCGUCKIN PC	0.00	11/29/11 VOID	0
63354	11/29/11	DAS01	DASTI,MURPHY,MCGUCKIN PC	766.00		4044
63355	11/29/11	FER22	Hector Fernandez	640.00		4044
63356	11/29/11	GER12	GERTNER MANDEL & PESLAK	300.00		4044
63357	11/29/11	INN02	INNOVATIVE ENGINEERING INC	540.00		4044
63358	11/29/11	JAC15	JACKSON TOWNSHIP P/R ACCOUNT	10,350.00		4044
63359	11/29/11	NJN02	NEW JERSEY NATURAL GAS	8,710.52		4044
63360	11/29/11	OWE01	OWEN LITTLE & ASSOCIATES INC.	0.00	11/29/11 VOID	0
63361	11/29/11	OWE01	OWEN LITTLE & ASSOCIATES INC.	4,049.47		4044
63362	11/29/11	REM01	REMINGTON,VERNICK & VENA ENG.	141.75		4044
63363	11/29/11	REM02	NORMAN REMICK	141.75		4044
63364	11/29/11	TM02	T & M ASSOCIATES	0.00	11/29/11 VOID	0
63365	11/29/11	TM02	T & M ASSOCIATES	0.00	11/29/11 VOID	0
63366	11/29/11	TM02	T & M ASSOCIATES	0.00	11/29/11 VOID	0
63367	11/29/11	TM02	T & M ASSOCIATES	0.00	11/29/11 VOID	0
63368	11/29/11	TM02	T & M ASSOCIATES	0.00	11/29/11 VOID	0
63369	11/29/11	TM02	T & M ASSOCIATES	30,829.10		4044

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	10	7	0.00	56,468.59
Direct Deposit:	0	0	0.00	0.00
Total:	10	7	0.00	56,468.59

GENERAL TRUST						
61077	11/29/11	JAC14	JACKSON TWP.MUN.UTILITIES AUTH	151,200.00		4046
61078	11/29/11	JAC15	JACKSON TOWNSHIP P/R ACCOUNT	1,920.00		4046
61079	11/29/11	MEC02	MECO,INC.	16,560.00		4046
61080	11/29/11	NJL01	NJLM	50.00		4046
61081	11/29/11	RCS02	R.C.SHEA & ASSOCIATES	2,000.00		4046
61082	11/29/11	TIV01	CHARLES P. TIVENAN, ESQ.	400.00		4046

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	6	0	0.00	172,130.00
Direct Deposit:	0	0	0.00	0.00
Total:	6	0	0.00	172,130.00

HANDICAPPED						
2039	11/29/11	ALW02	ALWAYS & FOREVER ENGRAVING LLC	364.00		4049

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	1	0	0.00	364.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	0.00	364.00

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
OPEN SPACE					
9156	11/29/11	CED01 CEDE & COMPANY	629,413.77		4050
Checking Account Totals					
		Paid	Void	Amount Void	Amount Paid
		----	----	-----	-----
	Checks:	1	0	0.00	629,413.77
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	0.00	629,413.77
PARKS REC					
63864	11/29/11	ACM01 A.C. MOORE, INC.	138.54		4047
63865	11/29/11	ALW02 ALWAYS & FOREVER ENGRAVING LLC	840.00		4047
63866	11/29/11	BAR58 TANYA BARTOLINI	41.00		4047
63867	11/29/11	COS01 COSTCO WHOLESALE 229	426.36		4047
63868	11/29/11	GRE16 GREATER MEDIA PUBLICATIONS	732.00		4047
63869	11/29/11	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	4,351.48		4047
63870	11/29/11	MIC07 MICROMEDIA PUBLICATIONS, INC.	275.00		4047
63871	11/29/11	SCH33 DEANA SCHUELER	90.00		4047
63872	11/29/11	TOR10 DIANNE TORRI	75.00		4047
Checking Account Totals					
		Paid	Void	Amount void	Amount Paid
		----	----	-----	-----
	Checks:	9	0	0.00	6,969.38
	Direct Deposit:	0	0	0.00	0.00
	Total:	9	0	0.00	6,969.38
Report Totals					
		Paid	Void	Amount Void	Amount Paid
		----	----	-----	-----
	Checks:	103	11	0.00	11,998,512.12
	Direct Deposit:	0	0	0.00	0.00
	Total:	103	11	0.00	11,998,512.12

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Fund Description	Fund	Budget Total	Revenue Total
	0-01	50.00	0.00
	1-01	10,734,798.19	0.00
	C-04	387,838.79	0.00
	G-02	4,075.65	0.00
	T-12	172,130.00	0.00
	T-13	6,969.38	0.00
	T-14	364.00	0.00
	T-19	629,413.77	0.00
	T-20	6,403.75	0.00
	Year Total:	815,280.90	0.00
Total of All Funds:		11,942,043.53	0.00



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Project Description	Project No.	Project Total
7200064127 FARMINGDALE	P30881	125.00
7200064181FOUR SEASONS MET	P30968	1,050.00
7200064213 SAGAMORE EST	P31008	455.50
7200065156EAGLES NEST	P31048	312.50
7200065153 WESTGATE	P31069	1,387.00
7200065212-LEIGH @ JACKSON	P31089	42.00
7200135389	P31160	3,576.25
7200135438-PREMIER@WHISGROVE	P31170	102.75
7200135495 K HOV @ JCKS	P31180	71.50
7200135541 HAWKINS RIDGE	P31197	388.50
7200135560-SOUTH KNOLLS	P31205	1,429.75
7200135591 FOUR SEASONS AT MED	P31220	1,239.00
7200135714-MICHAEL COURT	P31244	31.25
7760145680 PARAMOUNT HOMES	P31354	660.75
7760145727-PARAMOUNT PROP GRP	P31386	1,978.25
7760145730-PARA CLASSICS@ROYAL	P31387	144.75
7760145913-BARTLEY	P31488	40.50
TIGER DISTRIB	P31498	275.00
CONCORD ESTATES	P31523	960.50
HOLBROOKE LITTLE LEAGUE	P31550	67.50
735 HERMAN RD	P31601	28.00
LAMBROU	P31608	160.75
NJNG	P31610	8,710.52
NJNG PROPOSED SUBSTATION	P31628	705.50
LEESVILLE CHURCH	P31650	2,285.25
OCC Primrose	P31667	112.00
JACKSON ATHLETIC	P31670	815.72

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Project Description	Project No.	Project Total
AMERICAN TOWER CORP GENERATOR	P31673	70.00
7200065093 CLEARING	TWPO0002	950.00
JF KIELY	TWPOE06	870.00
WALTER EARLE	TWPOE12	3,240.00
P&A CONSTRUCTION CO.	TWPOE129	540.00
LUCAS BROTHERS	TWPOE13	960.00
JCP&L PLANNED	TWPOE132	480.00
JA.NEARY EXCAVATING CORP	TWPOE151	480.00
ROAD SAFETY SYSTEMS	TWPOE160	900.00
NJNG	TWPOE46	2,280.00
CABLEVISION & (SUBCONTRACTORS)	TWPOE51	600.00
DERASMO EXCAVATING	TWPOE99	640.00
JT SUBDIVISION ACCT	TWPSD001	2,663.10
WEST PLEASSANT CPGT INC	Z31362	560.25
7760145852 19 PETROLEUM	Z31451	3,453.25
7760145884-GEORGE MAKSELIS	Z31469	40.50
MERIDIAN HEALTH VILLAGE	Z31544	72.50
WELLER	Z31567	60.75
commercial site	Z31584	2,929.50
conven store & gas station	Z31652	7,522.75
Total of All Projects:		56,468.59

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

**RESOLUTION 401R-11**

**TITLE: AUTHORIZE TAX OVERPAYMENT REFUNDS**

**MOTION TO APPROVE BY: RIVERE**

**MOTION SECONDED BY: MARTIN**

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

**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.

**TOWNSHIP OF JACKSON  
OVERPAYMENT REFUNDS  
RESOLUTION NO. 401R-11  
November 29, 2011**

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>YEAR-QTR</u>	<u>AMOUNT</u>
8301	7	Lucas, Charles R	2011 – 1 <sup>st</sup>	\$ 115.28
			2011 – 2 <sup>nd</sup>	203.71
			2011 – 3 <sup>rd</sup>	.22
<b>Total:</b>				<b>\$ 319.21</b>

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

**DATED: 11/29/11**

**RESOLUTION 402R-11**

**TITLE: APPROVE COUNCIL MEETING MINUTES FROM OCTOBER 11, 2011**

**MOTION TO APPROVE BY: RIVERE**

**MOTION SECONDED BY: MARTIN**

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

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

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

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

1. The following Minutes are hereby approved by the Jackson Township Council:

OCTOBER 11, 2011

2. Copies of this resolution to any interested parties.

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

**DATED: 11/29/11**

**RESOLUTION 403R-11**

**TITLE: ACKNOWLEDGE ACCEPTANCE OF THE 2012 AREA PLAN CONTRACT PROGRAM GRANT FOR THE DEPARTMENT OF RECREATION AND SENIOR SERVICES THROUGH THE OCEAN COUNTY OFFICE OF SENIOR SERVICES IN THE AMOUNT OF \$17,700.00**

**MOTION TO APPROVE BY: RIVERE**

**MOTION SECONDED BY: MARTIN**

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

**WHEREAS**, the Township of Jackson Department of Recreation and Senior Services previously submitted a grant application for the CY 2012 Area Plan Contract Program Grant through the Ocean County Office of Senior Services; and

**WHEREAS**, the Ocean County Office of Senior Services has approved the funding for 2012, contingent upon continued Area Plan Grant funding and the approval and adoption of the 2012 Ocean County budget.

**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 Township of Jackson does hereby wish to accept the funds in the amount of \$17,700.00 to be utilized toward information and assistance at the Jackson Township Senior Center.
2. Upon the adoption of this resolution, the Clerk is authorized to forward a certified copy to Municipal Administrator, Chief Financial Officer, Jackson Township Department of Senior Services and any other interested parties.

**DATED: 11/29/11**

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

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**RESOLUTION 404R-11**

**TITLE: APPROVE CHIEF FINANCIAL OFFICERS REPORT FOR MONTH OF OCTOBER 2011**

**MOTION TO APPROVE BY: RIVERE**


**MOTION SECONDED BY: MARTIN**

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

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

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

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

 The Chief Financial Officer's monthly report for October 2011 is hereby approved.

2. Copies of this Resolution to Treasurer, Administrator, Township Attorney, and any other interested parties.

**DATED: 11/29/11**

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

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**RESOLUTION 407R-11**

**TITLE: APPROVE BINGO/RAFFLE LICENSE**

**MOTION TO APPROVE BY: RIVERE**

**MOTION SECONDED BY: MARTIN**

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

**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:

#SRL 185 – Jackson Senior Citizens Club Inc.

2. Copies of the Resolution to interested parties.

DATED: 11/29/11

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

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**DISCUSSION AGENDA:**

**COUNCIL PRESIDENT BRESSI:**

- **Support of Ocean County Mayor's Association for waiver of permit fees to NJDEP for improvements to public property**

Council agreed to include a resolution of support for the waiver of NJDEP fees for improvements to public property on its December 13, 2011 agenda.

**COUNCILMAN KAFTON:**

- **Snow and Ice removal from Private Streets or Roads**

Councilman Kafton cited some residents that complained when their roads could not be plowed in a snowstorm and the Township could not plow their road because the development wasn't finished. It took 3-4 days for the residents to be able to leave their streets. There is an ordinance in place for developers to clear their roads within 24 hours or the Township would clear the roads and bill the developer. He asked Council to develop an ordinance to do the same thing. Attorney Cipriani said the ordinance would outline the rules and the Township would have to keep track of the costs, which would be acknowledged via resolution and could be done per snowstorm. Councilwoman Rivere asked if it would be enforceable and if Public Works could handle the extra workload as it has difficulty keeping up with its own Township roads within 24 hours. She asked how it would be enforced. Attorney Cipriani said the first part (the ordinance) offers clear statutory authority to clear the roads. As far as more teeth, there could be a system of higher fines. The concern is that might ultimately provide incentive, but not immediate relief. The fines would be part of the ordinance structure. This ordinance is for roads that have not been turned over to the township and not its own roads.

- **Leaf Pick Up Program**

Councilman Kafton referred to the flyer about leaf pick up. He had an issue with the program where leaves would be picked up from someone who called in but if his neighbor around the corner didn't call in till a week or so later, Public Works would come back again. Councilman Kafton asked if that wasn't ridiculous. Council President Bressi stated that the Director of Public Works said they would pick up contiguous leaves. Councilman Kafton felt people wouldn't know they have to call and the leaves wouldn't get picked up in a timely manner should it snow. Director of Public Works Fred Rasiewicz spoke, stating this year they were trying something different. Last year, the program began in early October and leaves didn't finish falling until the end of November, and the weather was an issue. This year, they started the program the second week in November. There are eight districts. People would rake leaves after Public Works came through and picked up leaves. They decided to utilize a call in basis, and they would pick up the leaves from the people who call and in addition, they would pick up all the leaves on the street. He has six crews to accommodate over 100 square miles, and it is time consuming. The residents have to be educated and must not co-mingle brush with the leaves. They sent out the flyers and utilized robo calls. It might not be a perfect plan, but it is different and they are looking to pick up the leaves and do so before the snow falls. Councilman Kafton felt they are punishing the taxpayers by requiring them to call or they won't pick up the leaves. He felt they should just go to pick up the leaves by the end of November and beginning of December. Councilman Martin said a crew came in a week ago and a number of houses weren't picked up. He felt the workers needed to be educated on that. Mr. Rasiewicz stated the response from the public has been good and is better than last year. Any communication problems would be addressed. Councilman Kafton said leaves should be picked up once the leaves are down. Councilwoman Rivere recalled a resident could call in once and if there are other leaves on the street they would be picked up, and another caller at another time results in another trip to the street. She suggested neighbors pooling their leaves and utilizing multiple pickups to maximize the leaf pickup procedure.

**ADMINISTRATOR TORRES:**

- **Chapter 97A, Towers and Wreckers**

Administrator Torres was looking for Council support to amend administrative charges for releasing a vehicle. He said at times vehicles could be subject to additional investigation and there would be a fee for releasing the vehicle, about \$15 to \$20. This is only if the vehicle is in storage and would be paid by the owner of the vehicle. Council felt this is more of a tax, and the Township should be looking for ways to cut costs instead of increase taxes and spending more. Captain Siedler of the Police Department felt the fee would be helpful to cover costs when a vehicle is used in an crime and the Police Department handles the storage and notification to owners. Council felt that is different and understood that, and agreed with a storage fee if the vehicle has to be stored at the Police Department. Attorney Cipriani will develop an ordinance and forward it to the Police Department for review.

- **Farmland Preservation – Resolution of Support**

Administrator Torres received communication from the Ocean County Agricultural Board for participation in the Planning Incentive Grant (PIG) and asked for approval and support of purchasing 1,700 acres for preservation. Resolution for December 13.

- **Menorah Lighting Ceremony – December 21, 2011, 4:00 p.m.**

Administrator Torres announced the event.

- **Employee Time Entry System – Tempo System**

Administrator Torres said this system would be helpful to document time taken and earned and assist manpower in maintaining the time records of all employees. Resolution to be prepared for the December 13 meeting.

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**PUBLIC HEARING, ANY TOPIC:**

**RAYMOND CATTONAR, 11 FORDHAM ROAD** produced a 16-page report of how in-house legal services would save money. Council received copies from the Mayor this evening. He proposed that the Township hire an in-house attorney and paralegal. He feels there could be significant savings. He said he would petition the town to have this put on an ordinance. Council President Bressi stated that Mr. Cattonar did a nice job on the report and that he would review it. He noted the suggestion for shared services with the Board of Ed and that the Township attorney has stated we couldn't do that, at least several times. He suggested Mr. Cattonar make a presentation to the Board of Education and that a copy of this report should be presented to the Citizen's Budget Advisory Committee, and in the meantime, Council could research the content of the report. Council President Bressi said this is more appropriately reviewed during the budget workshop hearings in the near future. Attorney Cipriani's opinion remained consistent that the shared legal services could not be combined with the Board of Education and she would ask the State Ethics Committee for an advisory opinion. Mr. Cattonar asked the current status of the budget and was told the numbers are preliminary and they are looking to finalize contract agreements before the end of the year. Mr. Cattonar said in house attorney rates could be 50% of what is in place now.

**BOB BLAIR, 35 BANBURY LANE** spoke of Lacey Township furlough pay. PERC sided with the union in that town, and consequently, Jackson Township TWU is suing for back pay up to \$200,000. He asked if outside legal counsel approved of the decision to furlough and Attorney Cipriani said she is not labor counsel and could not comment. Mr. Blair asked Administrator Torres if there is an accrual for these monies. Administrator Torres said no, the furlough plan was approved by the administrative code, and approved by the Department of Civil Service and then agreed to by PERC. It is a matter of litigation at this point. Attorney Cipriani knew there are many municipalities that relied on the administrative code provision and the approval from Civil Service. There is a precedent from PERC and there may be precedents from the Appellate Division as well. Mr. Blair said the last Council meeting passed ordinance 35-11 with police promotions and an increase in police officers. Council disagreed with the numbers, saying the wording was changed from 87 officers to up to 87 officers. Mr. Blair said there was no reason to do so. Councilman Martin said it doesn't mean there are 87 officers, it removed the requirement to actually have 87 officers. Mr. Blair said in June, the officers were being laid off. Then they weren't and there wasn't a good explanation for it. Council President Bressi stated there were give backs to save those jobs last year. Mr. Blair stated

the Board of Education and Municipal budgets did not adhere to the 2% cap mandated by the State last year and declared their next fiscal year budget would remain flat versus the prior year, meaning no increase from their prior year budget and asked Mr. Torres if the municipal budget would also remain flat in the same manner. Administrator Torres stated the Board of Education split their calendar year into two budget cycles and that is why they were able to hold their percentages. They are still going through the budget document and still have to hold their budget hearings. He cannot make that representation at this time. Councilman Martin said every effort will be made to keep it flat. Mr. Blair said as a trustee of Four Seasons South Knolls, their system to keep costs down is similar to Jackson Township's, and asked that taxes be kept stable.

**DAN MORELI, 2 EVERGREEN COURT** said his neighbor's leaves were picked up and not his. He thought they should pick up all the leaves in one pass if they are called out to a home. Council President Bressi said that is what was stated, and it has been made aware that is not what is being done in some cases. That is why Mr. Rasiewicz was present to make the comments tonight.

**PAUL MAYEROWITZ, 91 CYPRESS POINT LANE** thanked Ray Cattonar for his analysis. If we can't combine with the Board of Ed, it doesn't mean the Township couldn't have in house council by itself. He questioned private street snow removal and whether it depended on those streets having Title 39 and was told they must be subject to Title 39. Attorney Cipriani said her understanding is if the roads are not turned over to the township and if they are not subject to Title 39, they would have the ability to be cleared by the Township. Council clarified it is any development that is still under construction and where the roads have not been taken over by the Township. Mr. Mayerowitz then stated that his review of towers and wreckers applications showed that in the last 10 years, 50% of the towers and wreckers did not apply for license renewals in the township and whomever has the responsibility for assuring their renewals has not been doing that. Councilman Kafton said the responsibility for licensing is with the Police Department, not the Council. This would be checked, however. Mr. Mayerowitz questioned Bond Ordinance 40-11, citing over \$1 million to repair a detention basin. Administrator Torres responded Jackson was selected to participate in a loan forgiveness program and this repair would be at no cost to the Township. Council approved the application about two months ago and named Dan Burke, Municipal Engineer, to oversee the project. Mr. Mayerowitz is concerned that this being the result of the Barnegat Initiative, what will happen to all the other basins in town, and who is going to fund that? He didn't understand \$1.3 million for a hole in the ground. Finally, he has heard Council does not want to raise taxes, and if there isn't more revenue, the only remaining option is tax levies. Expenses have been controlled well, and attention needs to focus on revenue.

**GENE VECCHIONE, 609 BURKE ROAD** said his neighbor is doing things that are detrimental to his property. He has contacted Code Enforcement and Planning and Zoning numerous times. He called about loud music and was told she is within her rights. She raised her property 2.5-3' and graded it toward his property. The swale is gone. This has been going on for a few years so he wanted to let the Council know. He has issues with drainage and flooding because of her actions, and damage to his property. He has gotten no satisfaction from Code Enforcement and Planning and Zoning. Council President Bressi asked Mr. Torres to have T&M and/or Mr. Burke look into the matter, and Mr. Torres would get back to Mr. Vecchione tomorrow.

**PATTI PENNINGTON, 3 LONDON DRIVE** stated her concerns about the road in front of her house, especially near the intersection with Birmingham Drive. There is underlying damage that shouldn't be paved over, yet it was paved over recently and now the settling is occurring again. She said it was a complete waste of time and money and the underlying problem was not addressed. She has placed calls to DPW that weren't answered. Council President Bressi said he inquired as well and that two different departments are involved. Administrator Torres inquired after the last meeting to the Engineering office and found that was part of a pre-plan for the actual repair and they are bundling that job with other culverts and storm drains that need to be repaired and they will be addressed all at once. It is not a high risk priority at this time. It is part of the capital repair plan, and will provide a time frame to Council President Bressi. Ms. Pennington said she pulls weeds out of the street in front of her house. Ms. Pennington

said there is money for the things they want. She identified a situation with leaf pick up and suggested bags be used. Most people did not know they need to call to get their leaves picked up. Mr. Torres would respond to Ms. Pennington's issue on the road by tomorrow.

**KATHLEEN MUELLER, 500 BEGONIA COURT** is director of 60 Acre Reserve. She said she was told the reason 60 Acres doesn't get municipal services is because they don't vote and don't have their voices heard. She thinks Council is doing their best, but they are just as anxious to get a municipal services agreement as the Township is.

*Councilman Martin left the meeting.*

**FATHER DAVIDSON, 502 BREWERS BRIDGE ROAD** read Mr. Cattonar's proposal, and the shared services agreement are only the ones not in conflict, and it was clear in the proposal. He knows it is difficult to keep taxes down. He pays 40% of his gross income in taxes to the town. When taxes rise, they impact him greatly. He emphasized how critically important it is to keep taxes in check. There are many people on the edge of losing it all.

**CATHY GIANCOLA, 573 HENRY STREET** noted Councilman Martin left the meeting and wanted to know if his address was correct; Administrator Torres would check on that tomorrow and get back to her. She asked about moving forward with televised Council meetings. People like it. She asked what needs to be done to accommodate that. Council President Bressi said they have moved forward in putting the audio of the meetings online, and the agenda is online in total. Ms. Giancola said not everyone has access to a computer and would like to watch the meetings in progress to assess how the elected officials are handling situations. She asked again what she needs to do next in order to have the meetings televised. Council President Bressi said they inquired with the Board of Education. Councilman Kafton asked if Councilwoman Rivere and Councilman Martin, liaisons with the Board of Education, could get in touch with the Board of Education about the shared services for this. Ms. Giancola asked how much time is needed to have the agenda posted. She remarked that the agenda was not on the website until Monday and the public needs more time to look it over prior to the meeting. Council President Bressi said normally it is done sooner and no items are added to the agenda after Thursday. Also, items that were previously placed on the agenda are now discussed at a meeting prior to being recommended as an ordinance or resolution. The agenda is on the website as a courtesy for the public; it is not a requirement. Council President Bressi stated he worked with the Clerk's office on the agenda as of Wednesday and there was a holiday weekend involved. He was told it would be placed online and knew it would be. Ms. Giancola remarked again that it wasn't online until yesterday. Ms. Giancola asked what happened with recycling pickup this week. Her husband was extremely upset that they didn't pick up their recycling. Councilwoman Rivere spoke with DPW on the fact that they would pick up both Saturday and Sunday in this holiday weekend, but many residents were unaware of that, and she hoped that would not happen next year during the Thanksgiving holiday weekend. Ms. Giancola disapproves of leaves in bags as it is impractical on her street. She will call for the leaves to be picked up tomorrow and hopes the whole street is picked up as they said. Ms. Giancola asked Attorney Cipriani if she is contacting the State Ethics Committee as stated earlier. Attorney Cipriani clarified it is the Attorney Ethics; Ms. Giancola asked if she could contact them as well and Attorney Cipriani said yes.

**STEPHANIE BROWN, NEW PROSPECT ROAD** asked how the municipality files documents that are 15 years old. Ms. Brown needed the environmental impact statement from the 1970s, and it should have been at the municipality and wasn't. Clerk Eden and Council President noted she did receive her information, however. Ms. Brown asked if the light bulbs in the center of the room could be changed as they get hot and she noticed they are not environmental light bulbs.

**NICHOLAS ANTONOFF, MURRAY DRIVE** said the tax levy went up 76.4% in the past 6 years and cited the percentages of increase since 2005. There is no more money and the best hasn't been done in reducing expenses. He asked that salaries and benefits be reduced. He asked if contracts have been settled and was told not yet. Mr. Antonoff



questioned the police promotions and it was explained that the jobs were performed by the police and when retirements occurred, the promotions were given to those officers who were already performing the duties. The two new officers that were hired replaced two officers that left. Mr. Antonoff asked for the numbers and was told he would have them.

**MARIE CHAMBRA, 12 HARVEST COURT** raked her leaves to the curb and called DPW. She knows they have 7 business days to collect them. She didn't want to see them buried by the snow and was happy with the process.

**RAY CATTONAR, 11 FORDHAM ROAD** asked about the police promotions. Council President Bressi stated the police were doing the above class work for so long, they would have been awarded the promotions regardless if they went to Civil Service. Administrator Torres has the numbers to show there is no increase in this year's budget and for next year, it comes out the same or \$2,000 less. Council President Bressi said the concessions the police gave was not to justify the promotions; it saved 23 officers' jobs. Negotiations are still pending.

**JOHN SIEDLER** pointed out the two officers are not an addition. The 87 officers are not an increase. There are 73 officers. There is still a decrease. They have worked the positions without the (above class) pay.

**RICHARD ZAUNER, 109 N. COUNTY LINE ROAD** said there was never a problem with leaves. He said the forester might be able to help. Leaves could be blown back into the woods on people's property that have woods. He said the gypsy moths destroyed trees and we sprayed and now we have a problem with leaves. This is Mother Nature. He suggested having a policy for leaf pickup in place for one year so that people could prepare. Bulky waste is a service and those people whose bulky waste isn't being picked up should perhaps qualify for a tax rebate, as their taxes are already paid. He offered his services as Santa, free of charge, for those people who can't get out and would enjoy his giving back to the community he lives in. He spoke of his tax assessment, which has started a major problem for him. The assessors did not do their job.

**MARIE CHAMBRA, 12 HARVEST COURT** asked Mr. Torres if he has a cost on the time card system, how many employees are there and how many will be punching in. Mr. Torres said everyone except the Executive Branch would be punching in. The system is under the State contract and it was in the 2009 Capital improvement budget. He said there are 267 employees. Software, hardware, training and maintenance is about \$29,000. They will realize savings in this time and attendance method. It interfaces with Edmunds. There would be 4 time clocks.

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

**MOTION SECONDED BY: KAFTON**

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

**ABSENT: MARTIN**

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**MOTION TO ADJOURN BY: RIVERE**

**MOTION SECONDED BY: UPDEGRAVE**

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

**ABSENT: MARTIN**

**10:00 PM**

**RESPECTFULLY SUBMITTED,**

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**COUNCIL PRESIDENT BRESSI**

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

AME/jk