

**ON TUESDAY, JANUARY 24, 2012, AT 7:30P.M., THE JACKSON TOWNSHIP
COUNCIL HELD ITS MEETING IN THE MUNICIPAL BUILDING**

PLEDGE OF ALLEGIANCE

ROLL CALL:

COUNCILMAN KAFTON

ATTORNEY CIPRIANI

COUNCILMAN MARTIN (6:35 PM)

TOWNSHIP CLERK EDEN

COUNCILWOMAN RIVERE

COUNCIL VICE PRESIDENT UPDEGRAVE

COUNCIL PRESIDENT BRESSI

ALSO IN ATTENDANCE: MAYOR REINA (6:50 PM)

JOSE TORRES (6:50 PM)

As Clerk of this meeting, I publicly announce that in compliance with the provisions of the "Open Public Meetings Act" adequate notice of this meeting of the Jackson Township Council has been advertised in the manner prescribed by law. This statement shall be entered into the Minutes of this meeting.

RESOLUTION 014R-12

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

MOTION TO APPROVE BY: KAFTON

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, RIVERE, UPDEGRAVE & BRESSI

ABSENT: MARTIN

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: Update – salary ordinance. Clerk'Office staffing. Update – AFSCME and TWU – memorandum of understanding.
 - b) Litigation/Potential Litigation: Update – Bogan vs. Twp. of Jackson; Anticipated Litigation: TNR Committee – non-release of records (OPRA)
 - c) Potential Land Sale/Land Acquisition
 - d) Contracts/Agreements: Update – 60 Acre Reserve Municipal Services Agreement. Cell tower lease agreements.
3. It is anticipated that the subject matter discussed may be made public upon its conclusion or final disposition.

DATED: 1/24/12

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

7:30 PM RECONVENE PUBLIC MEETING

PLEDGE OF ALLEGIANCE

ROLL CALL:

COUNCILMAN KAFTON

ATTORNEY CIPRIANI

COUNCILMAN MARTIN

TOWNSHIP CLERK EDEN

COUNCILWOMAN RIVERE

COUNCIL VICE PRESIDENT UPDEGRAVE

COUNCIL PRESIDENT BRESSI

As Clerk of this meeting, I publicly announce that in compliance with the provisions of the "Open Public Meetings Act" adequate notice of this meeting of the Jackson Township Council has been advertised in the manner prescribed by law. This statement shall be entered into the Minutes of this meeting.

COUNCIL PRESIDENT BRESSI: He asked everyone to observe a moment of silence for all our veterans.

7:40 PM - PUBLIC HEARING

NJDEP LAND DIVERSION (DIVERT APPROXIMATELY 2 ACRES OF GREEN ACRES ENCUMBERED PROPERTY LOCATED ALONG JACKSON MILLS ROAD (BLOCK 147.02 P/O LOT 2) AND REPLACE WITH APPROXIMATE 4 ACRE SITE LOCATED ALONG PARK AVENUE (BLOCK 17202, LOTS 4&5)

ATTORNEY CIPRIANI: The reason for this public hearing is because if Green Acres properties are used for something else it is considered to be a diversion. In order to address this, preserve open space, and satisfy the Green Acres requirements this public hearing was necessary.

ADMINISTRATOR TORRES: He began by saying that back in October the Mayor requested the assistance of DCA Commissioner Gripa to follow up on a previous letter that was sent to Commissioner Martin for the purpose of helping them with this diversion plan. The temporary exemption for the Vista Site was due to expire on November 1st. They petitioned the DEP to help them move along with Green Acres and to submit a diversion plan. He then stated that Lori from T&M would be speaking about what they are doing to maintain the vista site as the permanent compost site.

LORI THOMPSON, T&M ASSOCIATES: She began by explaining the process of the Green Acres diversion. In the Green Acres program when you purchase a piece of property for open space and it is put on the recreational open space inventory in order to divert that property from anything other than recreational use you have to divert that property and get State House Commission approval. As part of the process you have to hold a scoping hearing, which is what we are doing tonight. This hearing has to be advertised in an approved newspaper 30 days before and a display ad has to be placed in the newspaper 15 days prior. A notice was also placed on the municipal website and a sign was placed at the site. The proposed diversion is for approximately 2 acres for a composting facility. The site is approximately 1.3 acres of uplands and 6.8 acres of wetlands. The proposed replacement parcel is about 4.19 acres and 3 acres are uplands and 1 is wetlands. The township has gone to Green Acres twice and was approved. They did look for alternative sites and evaluated 4 sites including the Vista property. They determined the Vista Site to be the best location because of public outcry against the other parcels being too close to homes. They were also located in the Pinelands and had some environmental issues associated with them. Once the scoping hearing happens it will be up to the Council to take any comments from the public and submit them into Green Acres for review and comment and if authorized they will be allowed to move on with the pre-application documents. This is quite a lengthy process gathering all the information required which will then be turned into Green Acres for review. They will review the project and determine if it is feasible and in the best interest of the public. If they determine it is in the public's best interest they will be allowed to move forward with the diversion, which will require outbound surveys, appraisals, and another public

hearings for additional comments. All these documents will be submitted to the State House Commission who will decide whether to approve the diversion. If they do approve the diversion the Township will be responsible for revising the deeds and finalizing the diversion process.

COUNCILWOMAN RIVERE: She began by saying that it is her understanding that if this moves forward the compost site will remain where it is and we have the right to stay there while this process is going on. Ms. Thompson stated that Councilwoman Rivere was correct. Councilwoman Rivere then asked whether the soccer groups that are using that site would be able to stay there? Mayor Reina stated he personally assured the soccer club that we are not taking land away from them and we will work with them to improve those fields like we promised we would do originally. In turn they are allowing us to stay there and this will help them and save the Township money. In closing, Councilwoman Rivere asked if they knew when this might become permanent. Ms. Thompson replied that they hope to be on the June 15th commission meeting agenda.

PUBLIC HEARING OPENED - NJDEP LAND DIVERSION (only)

NO ONE CAME FORWARD

MOTION TO CLOSE THE PUBLIC HEARING ON NJDEP LAND DIVERSION BY: RIVERE
MOTION SECONDED BY: MARTIN
YES: KAFTON, RIVERE, MARTIN, UPDEGRAVE AND BRESSI

COUNCIL PRESIDENT BRESSI: He explained that keeping our own compost site we would save about \$85,000 to \$160,000 a year.

ADMINISTRATOR TORRES: He stated that the bi- product of this compost facility would be the mulch and topsoil, which will be made available to our township residents.

ORDINANCE 01-12

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF FOUR ACRES OF PROPERTY LOCATED AT BLOCK 17202, LOTS 14 AND 15 FOR THE PUBLIC USE AS COMPENSATION FOR THE DIVERSION OF TWO ACRES OF THE JACKSON MILL ROAD COMPOST FACILITY LOCATED AT BLOCK 147.02, P/O LOT 2.

MOTION TO APPROVE ORDINANCE 01-12 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, FEBRUARY 14, 2012 BY: RIVERE
MOTION SECONDED BY: MARTIN
YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE & BRESSI

ORDINANCE 01-12

WHEREAS, the Township of Jackson has filed a request with the New Jersey Department of Environmental Protection, Green Acres Program, proposing to divert approximately two acres of the Jackson Mill Road Compost Facility – Block 147.02, P/O Lot 2 in connection with the continued operation of the facility; and

WHEREAS, the Jackson Mill Road Compost Facility provides Township residents with the opportunity to dispose of organic waste and provides a sustainable, cost effective solution to managing organic waste within the Township; and

WHEREAS, the as compensation for the proposed diversion, the Township of Jackson proposes to acquire, preserve and donate for public use approximately a four (4) acre wooded site located along Park Avenue at Block 17202, Lots 14 and 15 in the Township of Jackson, Ocean County, New Jersey; and

WHEREAS, Marilyn J. Artushenia is the owner of property located along Park Avenue at Block 17202, Lots 14 and 15 in the Township of Jackson.

WHEREAS, Marilyn J. Artushenia currently owes outstanding taxes on the property located along Park Avenue at Block 17202, Lots 14 and 15 in the Township of Jackson in the amount of \$1,209.64.

WHEREAS Marilyn J. Artushenia has agreed to sell the four acres located along Park Avenue at Block 17202, Lots 14 and 15 in the Township of Jackson to the Township of Jackson for consideration of \$1.00 and the Township of Jackson's agreement to forgive all current and outstanding taxes owed on the property.

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

SECTION 1. That the governing body does hereby authorize the acquisition of four acres of property located along Park Avenue at Block 17202, Lots 14 and 15 in the Township of Jackson, Ocean County, New Jersey for consideration of \$1.00 and the Township of Jackson agrees to forgive all current and outstanding taxes owed on the property.

SECTION 2. The property is being acquired for the public use as compensation for the proposed diversion of approximately two acres of the Jackson Mill Road Compost Facility – Block 147.02, P/O Lot 2 in connection with the continued operation of the facility.

SECTION 3. This ordinance shall take effect immediately upon adoption and publication according to law.

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 **24th day of January, 2012**, and will be considered for second reading and final passage at the regular meeting of the Township Council to be held on the **14th day of February, 2012** 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.

DATED: 1/24/12

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

7:55PM 5-MINUTE RECESS

COMMENTS BY THE TOWNSHIP COUNCIL MEMBERS

COUNCILMAN KAFTON: He stated that this is a very long agenda so he would keep his comments short. He thanked everyone for coming and to drive home safely.

COUNCILMAN MARTIN: He began by saying that he is happy they were able to work out a suitable plan for the compost site. He too thanked everyone for coming out.

COUNCILWOMAN RIVERE: She stated that the Legler people and the people in the vicinity of Johnson Park would be very happy to hear that we are moving forward on the compost site. In closing, she told everyone to drive home safely.

COUNCIL VICE PRESIDENT UPDEGRAVE: She thanked everyone for coming and waived comments due to the long agenda.

COUNCIL PRESIDENT BRESSI: He thanked everyone for coming and stated they will move forward now to try and get everyone out at a decent time.

**APPROVE EXECUTIVE SESSION MEETING MINUTES OF NOVEMBER 14, 2011 BY: MARTIN
SECONDED BY: RIVERE
YES: KAFTON, RIVERE, UPDEGRAVE & BRESSI
ABSTAIN: MARTIN**

PUBLIC HEARING OPENED, RESOLUTIONS ONLY:

RICHARD BORYS, 800 GREEN VALLEY ROAD: He asked what Resolution 055R-12 and 056R-12 regarding a memorandum of understanding with the unions was about and the details of the agreements? Administrator Torres explained that these two resolutions are based on an unfair labor practice suit that was filed back in 2011 with PERC. This was regarding days they were furloughed back in 2010 and 2011. These resolutions are authorizing the Mayor to go into settlement agreements with those two unions. Administrator Torres explained that it has already been case law where other unions have sued other towns because they were forced into furlough. He explained that his predecessor went by the Administrative Code, but later PERC got involved and found this not to be allowed. In order to avoid a ruling at PERC they decided to settle with the two unions. They are getting compensated for time they didn't work. The township proposed to compensate them for 50% of the time they gave up during the 2010 period. For the 2011 calendar year the Township has agreed to compensate them for 100% of the time they gave up. This would be considered compensation time and they aren't allowed to cash it out. They can use it according to the personnel handbook or accumulate it until they are no longer employed by Jackson Township and then get paid for it. There is also a provision in this agreement, which says that in the event the Township institutes layoffs

this will trigger a default clause and all the employees will have to be paid for the time they have in their bank and that will carry them until 2013. Mr. Borys then asked if this was an illegal procedure in 2010, why was the same process used again in 2011? Attorney Cipriani explained that she believed that labor counsel made this recommendation not just here, but throughout the State based on the administrative regulations. It was the PERC's decision that the contracts over-rode that. Its not like this decision was made in 2010 and we ignored it and did the same thing in 2011. It is her recollection that the Lacey decision wasn't made until 2011. Mr. Borys explained he just wanted to make sure that Administrator Torres was under the same belief as the past Administrator Mr. Del Turco. He then asked what the dollar value would have been if they couldn't settle with compensation time for these furlough days? Administrator Torres explained that within 6 months of his arrival he terminated the furloughs. Also he believes that if Mr. Del Turco negotiated with the unions instead of imposing the furlough days on them they would be at PERC defending his actions. He explained that the dollar value of these furloughs by not paying the employees is about \$1.2 Million Dollars, which could be used to offset our budget.

PAUL MAYEROWITZ, 91 CYPRESS POINTE LANE: He spoke about Resolution 052R-12 and stated that in the past members of the Township Council when appointing residents to significant positions, the Township have always solicited resumes for prospective candidates. He asked why for this particular resolution they haven't done so? Councilman Bressi stated for the record that he wouldn't be answering because he has a conflict on this subject. Mr. Mayerowitz read a list of resumes they solicited in the past. He stated that there is no rush to do this and asked why they don't defer this appointment because they may find that someone in this township has worked for a Municipal Utilities Authority and may have better qualifications then who they are appointing tonight? Councilman Martin stated every year when appointments are up they ask people to submit resumes and this is an ongoing offer. Every year there are appointments for the MUA and maybe they don't single them out but anyone can submit a resume.

GENE DAVIS, 6 UEWELLYN COURT: He asked about Resolutions 42R-12 and 43R-12 regarding the wireless towers and whether Administrator Torres negotiated the lease on that. Administrator Torres explained that this was from a bid and wasn't negotiated. He stated that this was actually a re-bid because this was awarded at one time. They found out that one of the two parcels the township did not own and had recently been sold to the MUA. The second parcel was considered to be on wetlands and the cell tower facility wouldn't have been able to be placed on there. They then identified two other parcels and put this out for re-bid. Three companies requested bid specifications and two submitted and what is being presented tonight is the vendor who is supplying us with the highest revenue for co-sharing relocation of the cell towers. Mr. Davis asked if the township received a lump sum? Administrator Torres explained the bid was structured for annual lease of the parcel over five years and there was an alternate for what percentage they would give us per month. We would get a dollar amount every year for five years and then you would get a revenue sharing. He explained for the first year for site 1 they would get \$127,000, year two \$20,600, year three \$21,218, year four \$21,854.54, year five \$22,510.18 for a grand total of \$213,182.72 plus a 37% revenue sharing. Mr. Davis stated that he has seen revenue sharing at 60% to 75% and asked why the township only received 37%? Administrator Torres explained it was probably because they received \$213,182.72 over 5 years. In closing Mr. Davis explained that he would show him after the meeting how a city received a check for \$231,000 and so much per year after that and got 75%. Administrator Torres replied we will get \$254,000 and for the next four years the balance of the \$500,000.

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

**RESOLUTION 15R-12
TITLE: AMEND 2011 BUDGET – AMEND TRANSFER RESOLUTION #5**

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

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

:

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

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

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

1. The following annexed transfer schedule (#5) 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.

(see page 8 of 71)

TOWNSHIP OF JACKSON
 ANNEXED TRANSFER RESOLUTION
 RESOLUTION 015R-12 , 2011 TRANSFER #5
 MEETING January 24, 2012

Dept. Code #	Description	Proposed Amounts	Sub-Totals
TRANSFERS FROM (INSIDE CAPS):			
1-01-20-100-000-020	General Administration-Other Expenses	(10,000.00)	
1-01-22-195-000-020	Uniform Construction Code-Other Expenses	(1,700.00)	
1-01-25-240-000-010	Police Department-S&W	(5,000.00)	
	TOTAL TRANSFERS FROM (INSIDE CAPS)		<u>(16,700.00)</u>
TRANSFERS TO (INSIDE CAPS):			
1-01-20-155-000-020	Legal Services-Other Expenses	10,000.00	
1-01-22-195-000-010	Uniform Construction Code-S&W	1,600.00	
1-01-25-250-000-010	Police Dispatch/911-S&W	5,000.00	
1-01-31-430-000-020	Utilities/Electric-Other Expenses	100.00	
	TOTAL TRANSFERS TO (INSIDE CAPS)		<u>16,700.00</u>
	NET BUDGETARY TRANSFERS (PROOF)		<u>0.00</u>

DATED: 1/24/12

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

RESOLUTION 039R-12

TITLE: AUTHORIZE CLOSE-OUT CHANGE ORDER NO. 2 TO THE CONTRACT BETWEEN TOWNSHIP OF JACKSON AND YETKA CORPORATION DECREASING THE CONTRACT BY (\$5,000.00) FOR AN ADJUSTED CONTRACT PRICE OF \$652,290.00

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: MARTIN

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE & BRESSI

WHEREAS, the Township of Jackson previously awarded a contract to Yetka Corporation for mechanical, electrical and plumbing work for the new DPW Storage Facility in the amount of \$655,845.00; and

WHEREAS, the Township previously approved Change Order No. 1 to the contract between Yetka Corporation and the Township whereby increasing the contract by \$1,445.00; and

WHEREAS, Township Engineer, Daniel Burke, has recommended the approval of Close-Out Change Order No. 2 as outlined on the attached "Schedule A" whereby decreasing the contract by (\$5,000.00) as a result of final as-built quantities; and

WHEREAS, the approval of this Close-Out Change Order #2 will result in the return of the performance guarantee posted for this project. The return of said performance guarantee will be contingent upon the posting and acceptance of a limited maintenance guarantee for the replacement boilers.

WHEREAS, it is now the desire of this governing body to act upon the Township Engineer's recommendation and to approve said Close-Out Change Order No. 2.

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

1. That the Township Council of the Township of Jackson hereby formally approve and authorize Close-Out Change Order No. 2 to the contract between the Township of Jackson and Yetka Corporation decreasing the contract by (\$5,000.00) as a result of final as built quantities for an adjusted contract price of \$652,290.00.

2. The Mayor and Township Engineer are authorized to execute Close-Out Change Order #2 to the contract between the Township of Jackson and Yetka Corporation for mechanical, electrical and plumbing work for the new DPW Storage Facility.

3. That upon the adoption of the within resolution, the Township Clerk is authorized and directed to forward a certified copy of it to the Township Engineer, Daniel Burke, Township Administrator, Chief Financial Officer, Purchasing Department, Yetka Corporation and any other interested parties.

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

DATED: 1/24/12

**RESOLUTION 041R-12
TITLE: TEMPORARY CAPITAL BUDGET OF THE TOWNSHIP OF JACKSON
2012**

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

WHEREAS, pursuant to NJAC 5:30-4.4B the Township of Jackson desires to constitute the 2012 Temporary Capital budget of said municipality by inserting therein Capital (Projects)

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Jackson as follows:

Section 1. The 2012 Temporary Capital Budget of the Township of Jackson is hereby constituted by the adoption of a schedule to read as follows:

Temporary Capital Budget of the
Township of Jackson
County of Ocean, State of New Jersey
Projects Scheduled for 2012

Project	Est. Costs	Capital Impr. Fund	Capital Surplus	General Bonds or Notes
Various Road Improvements	\$1,400,000.00	\$ 70,000.03		\$ 1,330,000.00
Acquisition Of Equipment For Public Works	\$ 389,219.00	\$ 19,460.96		\$ 369,758.00
Acquisition of Ambulance	\$ 150,000.00	\$ 7,500.00		\$ 142,500.00
Acquisition of eight non-passenger 4WD Vehicles	\$ 200,000.00	\$ 10,000.00		\$ 190,000.00
	\$2,139,219.00	\$106,961.00		\$ 2,032,258.00

Section 2. The Clerk is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of these projects for 2012 Temporary Capital Budget, to be included in the 2012 Permanent Capital Budget as adopted.

**ANN MARIE EDEN, RMC
 TOWNSHIP CLERK**

DATED:

RESOLUTION 042R-12

TITLE: AWARDING A FIVE-YEAR LEASE, WITH OPTIONS, TO WIRELESS EDGE TOWERS, LLC, FOR THE CONSTRUCTION AND OPERATION OF A WIRELESS TELECOMMUNICATION FACILITY ON A PORTION OF TOWNSHIP OWNED PROPERTY LOCATED AT BLOCK 22117, LOT 3, IN THE TOWNSHIP OF JACKSON, (ALSO KNOWN AS WIRELESS TELECOMMUNICATION FACILITY SITE NO. 1)

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

WHEREAS, the Township of Jackson duly advertised for the receipt of bids for the construction and operation of a wireless telecommunication facility on a portion of Township owned property located at Block 22117, Lot 3, in the Township of Jackson, (also known as Wireless Telecommunication Facility Site No. 1); and

WHEREAS, in response to the invitation to bidders, two (2) bids were received on January 5, 2012; and

WHEREAS, the bids have been reviewed, and it has been determined that Wireless EDGE Towers, LLC, submitted the highest responsible bid in accordance with the bid specifications, said bid being \$213,182.72, and a thirty-seven (37%) percent co-location fee; and

WHEREAS, it is the desire of the governing body to award a five-year lease, with options, for the construction and operation of a wireless telecommunication facility on a portion of Township owned property located at Block 22117, Lot 3, in the Township of Jackson, (also known as Wireless Telecommunication Facility Site No. 1), to Wireless EDGE Towers, LLC, the highest responsible bidder.

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 governing body does hereby award a five-year lease, with options, for the construction and operation of a wireless

telecommunication facility on a portion of Township owned property located at Block 22117, Lot 3, in the Township of Jackson, (also known as Wireless Telecommunication Facility Site No. 1), to Wireless EDGE Towers, LLC, at \$213,182.72, and a thirty-seven (37%) percent co-location fee.

2. That the Mayor and the Township Clerk are hereby authorized to execute a lease agreement with Wireless EDGE Towers, LLC, and any related documents, in accordance with the bid submitted by Wireless EDGE Towers, LLC, and the bid specifications.
3. That in accordance with N.J.S.A. 40A:12-14, the conveyance shall be authorized by an ordinance of the Township of Jackson.
4. That a certified copy of this resolution, together with a copy of the lease agreement between the parties, shall be forwarded to the Chief Financial Officer and to Wireless EDGE Towers, LLC.

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

DATED: 1/24/12

RESOLUTION 043R-12

TITLE: AWARDING A FIVE-YEAR LEASE, WITH OPTIONS, TO WIRELESS EDGE TOWERS, LLC, FOR THE CONSTRUCTION AND OPERATION OF A WIRELESS TELECOMMUNICATION FACILITY ON A PORTION OF TOWNSHIP OWNED PROPERTY LOCATED AT BLOCK 2002, LOT 2, IN THE TOWNSHIP OF JACKSON, (ALSO KNOWN AS WIRELESS TELECOMMUNICATION FACILITY SITE NO. 2)

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: MARTIN

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE & BRESSI

WHEREAS, the Township of Jackson duly advertised for the receipt of bids for the construction and operation of a wireless telecommunication facility on a portion of Township owned property located at Block 2002, Lot 2, in the Township of Jackson, (also known as Wireless Telecommunication Facility Site No. 2); and

WHEREAS, in response to the invitation to bidders, two (2) bids were received on January 5, 2012; and

WHEREAS, the bids have been reviewed, and it has been determined that Wireless EDGE Towers, LLC, submitted the highest responsible bid in accordance with the bid specifications, said bid being \$213,182.72, and a thirty-seven (37%) percent co-location fee; and

WHEREAS, it is the desire of the governing body to award a five-year lease, with options, for the construction and operation of a wireless telecommunication facility on a portion of Township owned property located at Block 2002, Lot 2, in the Township of Jackson, (also known as Wireless Telecommunication Facility Site No. 2), to Wireless EDGE Towers, LLC, the highest responsible bidder.

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 governing body does hereby award a five-year lease, with options, for the construction and operation of a wireless telecommunication facility on a portion of Township owned property located at Block 2002, Lot 2, in the Township of Jackson, (also known as Wireless Telecommunication Facility Site No. 2), to Wireless EDGE Towers, LLC, at \$213,182.72, and a thirty-seven (37%) percent co-location fee.

2. That the Mayor and the Township Clerk are hereby authorized to execute a lease agreement with Wireless EDGE Towers, LLC, and any related documents, in accordance with the bid submitted by Wireless EDGE Towers, LLC, and the bid specifications.
3. That in accordance with N.J.S.A. 40A:12-14, the conveyance shall be authorized by an ordinance of the Township of Jackson.
4. That a certified copy of this resolution, together with a copy of the lease agreement between the parties, shall be forwarded to the Chief Financial Officer and to Wireless EDGE Towers, LLC.

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

DATED: 1/24/12

RESOLUTION 044R-12

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE AWARD AND EXECUTION OF A ONE YEAR MAINTENANCE CONTRACT FOR THE CAD SYSTEM TO ENFORSYS NJ, INC. IN THE AMOUNT OF \$35,120.00

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: MARTIN

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE & BRESSI

WHEREAS, the Department of Public Safety has requested approval for the award of a One Year Maintenance contract for the Police Department’s CAD System; and

WHEREAS, Enforsys NJ, Inc., the vendor awarded the CAD System project, has provided a proposal for the Police System Software Application Maintenance Contract; and

WHEREAS, the Mayor and Chief of Police have considered the need for an annual maintenance contract for the CAD System; and

WHEREAS, the Mayor is requesting authorization to award this contract pursuant to N.J.S.A. 40A:11-5 (dd) (i.e. “Exceptions”); and

WHEREAS, the Chief Financial Officer has certified that sufficient funding is available for this purpose in the CY 2012 Temporary Operating Budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Jackson, County of Ocean, State of New Jersey does hereby authorize the award of an annual maintenance contract for the Police Department’s CAD System to Enforsys NJ, Inc. with a properly executed purchase order.

A copy of this resolution shall be forwarded to the Township Administrator, Chief Financial Officer, Chief of Police, Purchasing Department and any other interested parties.

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

DATED: 1/24/12

RESOLUTION 052R-12

TITLE: APPROVE APPOINTMENT OF MEMBER TO THE JACKSON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

COUNCILWOMAN RIVERE: She stated that it gives her great pleasure to nominate Geneva Clayton to that position. She explained that she has been the MUA liaison on this Council and has gone to MUA meetings. She has watched this MUA board work as a cohesive body. She has seen nothing political at those meetings. Mrs. Clayton has

been part of that group and she is very proud to have nominated her for that position again.

COUNCILWOMAN UPDEGRAVE: She explained that they received a letter from Mrs. Clayton regarding the MUA and how they are cohesively working together. They also received correspondence from another member of the MUA who highly recommended her. She comes with a lot of background in the job and she fully supports her being put in that position again.

MOTION TO APPROVE BY: RIVERE
MOTION SECONDED BY: MARTIN
YES: KAFTON, MARTIN, RIVERE & UPDEGRAVE
NOT VOTING: BRESSI

WHEREAS, a vacancy will exist on the Jackson Township Municipal Utilities Authority for a Regular Member as of January 31, 2012 due to the expiration of the term of Geneva Clayton; and

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

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

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

1. Geneva Clayton is hereby appointed as Member of the Jackson Township Municipal Utilities Authority for a five (5) year term commencing February 1, 2012 and ending January 31, 2017.
2. Appointee shall perform such duties and responsibilities as set forth by the State Statute and the Municipal Code of the Township of Jackson.
3. Certified copies of this Resolution to Municipal Administrator, Executive Director Jackson Township Municipal Utilities Authority, appointee and any other interested parties.

DATED: 1/24/12

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

RESOLUTION 054R-12

TITLE: AUTHORIZE THE AWARD AND EXECUTION OF CY 2012 ANNUAL SUPPORT MAINTENANCE SERVICES CONTRACT BETWEEN THE TOWNSHIP OF JACKSON AND EDMUNDS ASSOCIATES IN THE AMOUNT OF \$20,160.00

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

WHEREAS, the Purchasing Department has requested approval for the award of a one year maintenance contract for the Township's Edmunds System; and

WHEREAS, Edmunds & Associates, Inc., the vendor awarded the system project, has provided a proposal for the CY 2012 Annual Support Maintenance Services Contract; and

WHEREAS, the Mayor and Chief Financial Officer have considered the need for an annual maintenance contract for this system; and

WHEREAS, the Mayor is requesting authorization to award this contract pursuant to N.J.S.A. 40A:11-5 (dd) (i.e. "Exceptions"); and

WHEREAS, the Chief Financial Officer has certified that sufficient funding is available for this purpose in the CY 2012 Temporary Operating Budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Jackson, County of Ocean, State of New Jersey does hereby authorize the award of the CY 2012 Annual Support Maintenance Services contract for the Edmunds System to Edmunds & Associates with a properly executed purchase order for a total amount of \$20,160.00.

A copy of this resolution shall be forwarded to the Township Administrator, Chief Financial Officer, Purchasing Department and any other interested parties.

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

DATED: 1/24/12

RESOLUTION 055R-12

TITLE: AUTHORIZING THE RATIFICATION AND EXECUTION OF MEMORANDUM OF AGREEMENT BETWEEN THE TOWNSHIP OF JACKSON AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, LOCAL 3304-C AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES COUNCIL 71

COUNCILWOMAN RIVERE: She stated that she is very happy that they were able to resolve what could have been a difficult and financially bad situation.

COUNCILMAN MARTIN: He commended the Mayor and Administrator coming to a conclusion that works for both sides.

COUNCIL PRESIDENT BRESSI: He stated that the unions were great to work with and complimented Administrator Torres on his hard work.

COUNCILMAN KAFTON: He stated although he is sure that the agreement between the employees and the Township is mutual he just received the agreement tonight and hasn't had a chance to look it over. He will abstain from voting because he believes as a Council they should have had more time to look it over.

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

WHEREAS, the Township of Jackson and representatives of the American Federation of State, County and Municipal Employees, Local 3304-C and the American Federation of State, County and Municipal Employees Council 71 (hereinafter "AFSCME") entered into negotiations with regard to terms of employment; and

WHEREAS, the Township imposed a temporary layoff plan during the period from June 26, 2010 through December 31, 2010 and January 1, 2011 through July 1, 2011; and

WHEREAS, AFSCME filed petitions, charges and/or appeals related to the temporary layoff plan which have been put before the New Jersey Public Employee Relations Commission, the New Jersey Civil Service Commission, the Office of Administrative Law, Arbitrator or any other entity which would hear such a petition, charge or appeal; and

WHEREAS, in order to avoid any petition, charge or appeal, the Township and AFSCME have reached a settlement related to the dispute over the temporary layoff plan, the terms of which are memorialized in a Memorandum of Agreement, dated January 18, 2012; and

WHEREAS, the Township desires to ratify and authorize the execution of said Memorandum of Agreement.

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

1. That the governing body hereby ratifies the Memorandum of Agreement, dated January 18, 2012, between the negotiating committee of the Township of Jackson, the negotiating committee of the American Federation of State, County and Municipal Employees, Local 3304-C and the American Federation of State, County and Municipal Employees Council 71, with regard to the terms and conditions of employment, which is attached hereto as Schedule A.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to the Memorandum of Agreement, dated January 18, 2012, with the American Federation of State, County and Municipal Employees, Local 3304-C and the American Federation of State, County and Municipal Employees Council 71.
3. That this resolution shall become effective immediately.
4. That a certified copy of this resolution be provided by the Township Clerk to the American Federation of State, County and Municipal Employees, Local 3304-C and the American Federation of State, County and Municipal Employees Council 71, the Township Administrator, and the Chief Financial Officer.

DATED: 1/24/12

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

RESOLUTION 056R-12

TITLE: AUTHORIZING THE RATIFICATION AND EXECUTION OF MEMORANDUM OF AGREEMENT BETWEEN THE TOWNSHIP OF JACKSON AND TWU LOCAL #225, BRANCH 4

COUNCILWOMAN RIVERE: She dittoed her comments from earlier and stated she was glad they were able to come to an agreement.

COUNCILMAN KAFTON: He explained that he has the utmost respect for the employees of Jackson Township and the only reason he is abstaining is because they received this tonight and he hasn't had a chance to read it.

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: MARTIN

YES: MARTIN, RIVERE, UPDEGRAVE & BRESSI

ABSTENTIONS: KAFTON

WHEREAS, the Township of Jackson and representatives of TWU Local #225, Branch 4 (hereinafter the "TWU") entered into negotiations with regard to terms of employment; and

WHEREAS, the Township imposed a temporary layoff plan during the period from June 26, 2010 through December 31, 2010 and January 1, 2011 through July 1, 2011; and

WHEREAS, the TWU filed petitions, charges and/or appeals related to the temporary layoff plan which have been put before the New Jersey Public Employee Relations Commission, the New Jersey Civil Service Commission, the Office of Administrative Law, Arbitrator or any other entity which would hear such a petition, charge or appeal; and

WHEREAS, in order to avoid any petition, charge or appeal, the Township and the TWU have reached a settlement related to the dispute over the temporary layoff plan, the terms of which are memorialized in a Memorandum of Agreement, dated January 18, 2012; and

WHEREAS, the Township desires to ratify and authorize the execution of said Memorandum of Agreement.

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

1. That the governing body hereby ratifies the Memorandum of Agreement, dated January 18, 2012, between the negotiating committee of the Township of Jackson and the negotiating committee of TWU Local #225, Branch 4, with regard to the terms and conditions of employment, which is attached hereto as Schedule A.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to the Memorandum of Agreement, dated January 18, 2012, with TWU Local #225, Branch 4.
3. That this resolution shall become effective immediately.
4. That a certified copy of this resolution be provided by the Township Clerk to TWU Local #225, Branch 4, the Township Administrator, and the Chief Financial Officer.

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

DATED: 1/24/12

ORDINANCES, SECOND READING: NONE AT THIS TIME

ORDINANCE FIRST READING

ORDINANCE 02-12

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 91 OF THE TOWNSHIP CODE, ENTITLED "STREETS AND SIDEWALKS," ARTICLE II, ENTITLED "SNOW, ICE, GRASS, IMPEDIMENT REMOVAL," SECTION 91-7, ENTITLED "DUTY TO REMOVE" AND SECTION 91-10 ENTITLED "VIOLATIONS AND PENALTIES"

COUNCILMAN KAFTON: He believes this is a great ordinance because it will require developers on new construction to clear the roads for the residents that are living there or there will be penalties.

COUNCIL VICE PRESIDENT UPDEGRAVE: She thinks it is a great ordinance too, but has a question. There is a clause in there usually for multi-dwelling not single family home developments and asked for an explanation what possible legal action could be taken against the town if they move forward with this? Attorney Cipriani explained that the statute used for this ordinance at the end references multiple unit dwellings. She explained if the ordinance is challenged on that basis they would have to defend on the basis that there is implied statutory authority. If that is not

successful then we would have to modify the ordinance. There is also some possibility of damages, but only for compensation.

**MOTION TO APPROVE ORDINANCE 02-12 ON FIRST READING, ADVERTISE THE APPROVAL, NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, FEBRUARY 14, 2012 BY: RIVERE
MOTION SECONDED BY: MARTIN
YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE & BRESSI**

ORDINANCE 02-12

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

SECTION 1. The Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 91, entitled “Streets and Sidewalks,” Article II, entitled “Snow, Ice, Grass, Impediment Removal,” § 91-7, entitled “Duty to Remove,” so as to create a new subsection § 91-7 C. entitled "Snow and Ice Removal from Private Streets or Roads not taken over by the Township", which shall read in its entirety as follows:

- A. The owner or developer of any residential property within the Township where there has been constructed any private street, highway, lane, alley or other roadway which is open to the public or to which the public is invited, and which have not been taken over by the Township, shall be responsible to remove all snow and ice from such street, highway, lane, alley or other roadway within 24 hours of daylight after the same shall fall or be formed thereon. The provisions of this Section of the Code shall be applicable only to the owner of real property on which there has been constructed a housing development containing at least one occupied dwelling.

SECTION 2. The Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 91, entitled “Streets and Sidewalks,” Article II, entitled “Snow, Ice, Grass, Impediment Removal,” § 91-7, entitled “Duty to Remove,” so as to create a new subsection § 91-7 D. entitled "Violations of Subsection C and Enforcement of Penalties", which shall read in its entirety as follows:

- B. Violations of § 91-7 C and Enforcement of Penalties. In addition to the penalties as provided in § 91-10 of this chapter, if any owner or developer fails to comply with the regulations set forth within § 91-7, Subsection C of this Chapter, the Township may provide for the removal of such snow or ice from such street, highway, lane, alley or other roadway. The cost of removal of any such snow or ice from any privately-owned street, highway, lane, alley or other roadway by the Township shall be certified to the governing body of the Township by the Department of Public Works. The governing body shall examine such certificate, and if found to be

correct, shall by resolution accepting certification of same, cause such cost to be charged against such real property, and the amount so charged shall thereupon become a lien and tax upon such real property and be added to and be part of the taxes next to be levied and assessed thereon, and enforced and collected with interest by the same officers and in the same manner as other taxes.

SECTION 3. The Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 91, entitled “Streets and Sidewalks,” Article II, entitled “Snow, Ice, Grass, Impediment Removal,” § 91-7, entitled “Duty to Remove,” so as to create a new subsection § 91-7 E. entitled "Townships Removal of Snow and Ice on Private Roads or Streets Not Taken Over By the Township", which shall read in its entirety as follows:

- C. Townships Removal of Snow and Ice on Private Roads or Streets Not Taken Over By the Township. The Township, at its discretion, may elect to repair and maintain and provide for the removal of snow, ice and other obstructions from, and provide for the lighting of, any roads or streets upon which the travel is sufficient, in the opinion of said governing body, to warrant such expenditures, even though such roads or streets shall not have been taken over by said municipal governing body or dedicated and accepted as public highways. The municipality may also provide for the curbside collection of solid waste along such streets, or for the reimbursement of such solid waste collection costs as the municipality may determine to have been reasonably incurred by persons residing adjacent to such streets. Roads or streets so serviced, which are not shown on the official map of the municipality, may, at the option of the governing body of said municipality, be suitably improved in accordance with any requirements established pursuant to article 5 of the “Municipal Land Use Law,” P.L.1975, c. 291, ss. 23-27 (C.40:55D-32 to C.40:55D-36) and the ordinance.

SECTION 4. The Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 91, entitled “Streets and Sidewalks,” Article II, entitled “Snow, Ice, Grass, Impediment Removal,” § 91-10, entitled “Violations and Penalties,” which shall read as follows:

§ 91-10. Violations and penalties.

Any person who shall violate any of the terms or provisions of this article shall be subject to a penalty of not less than \$100 and not to exceed \$2,000, or imprisonment for a term not to exceed 90 days, or both, in the discretion of the Judge before whom such conviction may be had.

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

SECTION 6. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 7. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Jackson, in the County of Ocean, State of New Jersey, held on **January 24, 2012**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **14th day of February, 2012**, at 7:30 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 95 W. Veterans Highway, Jackson, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

DATED: 01/24/12 **ANN MARIE EDEN, R.M.C.**
TOWNSHIP CLERK

ORDINANCE 03-12

TITLE: BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT APPROPRIATING \$2,139,219 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,032,258 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 ORDINANCE 03-12 ON FIRST READING, ADVERTISE THE APPROVAL, NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, FEBRUARY 14, 2012 BY: RIVERE
MOTION SECONDED BY: UPDEGRAVE
YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE & BRESSI**

BOND ORDINANCE NO. 03-12

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 \$2,139,219, said sum being inclusive of all appropriations heretofore made therefore, including the sum of \$106,961 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq.. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

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 \$2,032,258, 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:

- i) Various road improvements throughout the Township, with a total appropriation and estimated cost of \$1,400,000, an estimated maximum amount of bonds or notes therefor of \$1,330,000, and an average period of usefulness of 20 years;
- ii) The acquisition of equipment for the Public Works Department, including but not limited to, a stock building, an electric scissor lift, snow equipment for skid steer, a seed and lime spreader, a trailer, two (2) pick ups, and a garbage truck, with total appropriation and estimated cost of \$389,219, estimated maximum amount of bond or notes therefore of \$369,758, and an average period of usefulness of 5 years.
- iii) The acquisition of an ambulance, with total appropriation and estimated cost of \$150,000, estimated maximum amount of bonds or notes therefore of \$142,500, and an average period of usefulness of 5 years.
- iv) The acquisition of eight (8) non-passenger 4WD vehicles, with total appropriation and estimated cost of \$200,000, estimated maximum amount of bonds or notes therefore of \$190,000, and an average period of usefulness of 5 years.

together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through 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 \$2,032,258, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$2,139,219, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$2,139,219 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$106,961 down payment for said purposes.

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 14.82 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 \$2,032,258 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$200,000 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.

DATED: 01/24/12

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

ORDINANCE 04-12

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE CONVEYANCE OF A LEASE TO WIRELESS EDGE TOWERS, LLC, FOR THE CONSTRUCTION AND OPERATION OF TELECOMMUNICATION FACILITIES ON A PORTION OF BLOCK 22117, LOT 3 (ALSO KNOWN AS SITE NO. 1), AND BLOCK 2002, LOT 2 (ALSO KNOWN AS SITE NO. 2)

**MOTION TO APPROVE ORDINANCE 04-12 ON FIRST READING, ADVERTISE THE APPROVAL, NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, FEBRUARY 14, 2012 BY: RIVERE
MOTION SECONDED BY: MARTIN
YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE & BRESSI**

WHEREAS, by Resolution, the Township awarded to Wireless EDGE Towers, LLC (“Wireless EDGE”) two five (5) year leases for the construction and operation of wireless telecommunication facilities; and

WHEREAS, the construction and operation of said wireless telecommunication facilities requires that the Township convey to Wireless EDGE a lease interest in portions of Block 22117, Lot 3 (also known as Site No. 1) and Block 2002, Lot 2 (also known as Site No. 2); and

WHEREAS, N.J.S.A. 40A:12-14 requires that such a conveyance be authorized by ordinance.

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

SECTION 1. That the Township of Jackson hereby conveys to Wireless EDGE Towers, LLC, a lease interest in portions of Block 22117, Lot 3 (also known as Site No. 1) and Block 2002, Lot 2 (also known as Site No. 2) for the purpose of facilitating the construction and operation of wireless telecommunication facilities.

SECTION 2. That the Mayor and Township Clerk are hereby authorized to execute the lease agreements with Wireless EDGE Towers, LLC, and any necessary related documentation, in order to facilitate the conveyance of the lease interest in a portion of Block 22117, Lot 3 (also known as Site No. 1) and Block 2002, Lot 2 (also known as Site No. 2).

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

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

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Jackson, in the County of Ocean, State of New Jersey, held on **January 24, 2012**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **14th day of February, 2012**, at 7:30 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 95 W. Veterans Highway, Jackson, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

DATED: 01/24/12

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

8:30 PM PAUL MAYEROWITZ (CHAIRMAN OF THE CITIZENS BUDGET ADVISORY COMMITTEE): At the request of Council President Bressi the Citizens Budget Advisory Committee reviewed a proposal on creating an in-house legal department and considering a shared services arrangement with the Board of Education. This proposal was submitted to the Council on November 14th by Ray Cattonar and Kathy Giancola. He acknowledged the other members of the Citizens Budget Advisory Committee (Gary Mohl, Robert Nixon, Barry Calogero, Eugene Davis and William Spedding). In particular he thanked Barry Calogero and Rob Nixon for their efforts on this analysis. He then stated as editor of this analysis if there are any mistakes he takes full responsibility. As far as the proposal for a consolidated legal department with the Board of Education, their preliminary assessment is that this should not be pursued. They do not believe that the issues relating to conflict of interest have been thoroughly explored. Their greatest concern is the perception of that conflict of interest and the confidentiality of information between the entities. Also, there is no municipality in the State of New Jersey that has this arrangement. That also weighed heavily on their recommendation because being the first raises many issues. Secondly, they took a look if it made sense for Jackson to in-source their own department of law not in a shared services arrangement. They found the current proposal had a number of issues. It needs a substantial amount of research. They did not reject the potential of an in-house legal department, but the Council did not authorize them to do their own research and make recommendations on this issue. If they are charged with that they will take a look at it, but at this point in time they are not fully prepared to say “yes”. They did identify as a result of their work a number of options relative to the way we bid out our legal services. He asked the Council to review those proposals to see if they would like to go with one of them. He went on to say they also believe the Council should look at adopting protocol on how they determine what our outside counsel reviews and doesn’t review. At this

time any Department Head, member of Administration or Council Member can call counsel and ask them to review something and that drives up our legal costs. Additionally they have a recommendation in their report that says all the billing received from our professional services should be billed on a sub-account basis so we can see who was the originator of the request. Today when we receive a bill it's a lump sum bill.

COUNCIL PRESIDENT BRESSI: He thanked Mr. Mayerowitz and all the members of the Citizens Budget Advisory Committee that worked on this in such a timely fashion.

COUNCILWOMAN RIVERE: She addressed Mr. Mayerowitz and stated that she has reviewed both of the attachments on his email and wanted to compliment him and his committee. There were some very insightful suggestions in there. Also quoting some of the suggestions that came from AFSCME a year or so ago helped her put it in perspective.

COUNCIL VICE PRESIDENT UPDEGRAVE: She addressed Mr. Mayerowitz and the Citizens Budget Advisory Committee (CBAC) and stated that making a sub-account to see who is making the request is a fabulous idea. One of the things since Council President Bressi took over was that nothing was to go to legal counsel until he was made aware of it. In the past too many people thought it was ok to call or email and request information from our legal counsel and that did drive up our bills tremendously. She always tries to direct her questions internally before she reaches out for legal counsel. She thinks the CBAC did an excellent job in making suggestions on cost saving measures.

COUNCIL PRESIDENT BRESSI: He stated that as far as the protocol he did try and institute that and it was somewhat carried out and in 2012 it will be carried out. He stated that sub-account billing should be instituted. Mr. Mayerowitz explained that the Board of Education does have a process in place where there are only two people that are allowed to contact legal counsel. In closing, Council President Bressi stated they would be working on measurements to tighten protocol this year.

**RESOLUTIONS – PROFESSIONAL APPOINTMENTS –
RECOMMENDATIONS BY MAYOR REINA WITH ADVICE AND CONSENT
OF COUNCIL:**

RESOLUTION 016R-12

**TITLE: CONSENT TO THE APPOINTMENT OF TOWNSHIP ATTORNEY,
GEORGE R.GILMORE, ESQ., OF THE FIRM GILMORE & MONAHAN, P.A.**

COUNCILMAN KAFTON: He addressed the Mayor and stated that he sees all the professional appointments on the agenda tonight that he made recommendations for and most of them are the same as last year. He asked if he approached any of the professionals and asked them to reduce their bills? Mayor Reina explained that every professional was spoken to before and after submission. Based on the amount of work given will determine how much the billing is going to be. For him to tell them to drop the prices on something they bid on would be unethical. He doesn't know of one person he spoke to that didn't say they would work with the Township. Councilman Kafton stated that based on his research it looks like they all submitted equal to or higher than the prior year. His problem is we have laid off employees, cut back on services to the residents and we continue to cut everywhere that affects the taxpayer. The first appointment is Mr. Gilmore's office and they submitted the same as they did last year. For the past two years he has voted "no" at every town meeting for the professionals. He asked that they reduce their prices because of the economy. Councilman Martin stated he has had the same concern if we are doing all we can to save money on professional fees. He explained that he researched this and from 2007 to 2011 they have seen a 21.9 % reduction in professional fees for a \$2.6 Million Dollar savings. For the past 5 years there has been a reduction compared to Mr. Kafton's regime. Councilman Kafton stated that what he understands is that the professional will still charge \$150 per hour, but they are doing less work. Mayor Reina added that if the price remains the same and everything has gone up we are saving money. You are asking professionals not to pay

their bills. He respects him for what he is trying to do, but the bigger picture is he thinks Mr. Kafton should spend more time in the office and come up with plans they can work with instead of picking on professionals who are helping this town move forward. He explained that overhead hasn't changed for the Township and they have tried every cost effective measure to save jobs. They have asked the Council, residents and the employees who gave us 50 cost saving ideas. He reiterated that everything has gone up and the prices of the professionals have stayed the same to him that is a cost saving measure. Councilman Kafton asked if everyone knows why we past Resolution 55R-12 and 56R-12? He explained that the Township didn't go to the employees and tell them this is tough times and we need you to giveback, but instead they just implemented furloughs. Also, they didn't go door to door to each resident and tell them we needed to cut back, instead they just eliminated bulky waste pick-up. That's the way everything has been done except for the professionals. He then stated that professionals outside municipal government are cutting their costs to get clients. They are not willing to do this because these professional fund their campaigns. Mayor Reina replied that the furloughs that were implemented were from a township ordinance that the Council had written and the Administrator then followed the Administrative Code. He stated if he was so concerned about the employees he would have checked into this himself. Councilman Kafton again stated that Mayor Reina has cut everywhere, but the professionals. This is the reason why for the past two years he votes "no" on the bills for the professionals and why he will continue to do so.

COUNCILWOMAN RIVERE: She stated that she would address the billing process for the professionals at the budget hearing.

COUNCIL PRESIDENT BRESSI: He addressed the Mayor and asked him to mention to the firm sub-account billing.

MOTION TO APPROVE BY: MARTIN
MOTION SECONDED BY: UPDEGRAVE
YES: MARTIN, RIVERE, UPDEGRAVE & BRESSI
NO: KAFTON

WHEREAS, there exists a need for legal services as Attorney of the Township of Jackson; and

WHEREAS, the Township issued a solicitation of professional services contracts in accordance with a fair and open process adopted by the Township of Jackson in accordance with Ch. 9, P.L. 2004; and

WHEREAS, said solicitation of professional services contracts satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 *et seq.*; and

WHEREAS, a determination of value has been made by the Township that said contract shall be a value in excess of \$17,500; and

WHEREAS, all proposals were to be submitted to the Office of the Township Clerk by November 29, 2011; and

WHEREAS, after reviewing the proposals submitted, the Mayor, with the advice and consent of the Township Council, desires to appoint George R. Gilmore, Esq. of the firm Gilmore & Monahan, P.A. as Attorney; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the 2012 municipal budget for legal services; and

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

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 George R. Gilmore, Esq. of the firm Gilmore & Monahan, P.A. is hereby appointed Attorney for a 12 month period, commencing January 1, 2012 and ending December 31, 2012, and shall perform all legal services under the contract authorized herein.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to an agreement with George R. Gilmore, Esq. of the firm Gilmore & Monahan, P.A.
3. That this contract is awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a)(I) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately.
6. That a certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and George R. Gilmore, Esq. of the firm Gilmore & Monahan, P.A.

DATE: 1/24/12

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funding for this contract will be available pending the adoption of the 2012 Municipal Operating Budget.

**Sharon Pinkava
Chief Financial Officer,
Jackson Township**

**RESOLUTION 017R-12
TITLE: CONSENT TO THE APPOINTMENT MEGHAN BENNETT CLARK
FROM THE FIRM DILWORTH PAXSON, LLP, AS BOND COUNSEL FOR
CY 2012**

**MOTION TO APPROVE BY: UPDEGRAVE
MOTION SECONDED BY: RIVERE
YES: MARTIN, RIVERE, UPDEGRAVE & BRESSI
NO: KAFTON**

WHEREAS, there exists a need for legal services as Bond Counsel of the Township of Jackson; and

WHEREAS, the Township issued a solicitation of professional services contracts in accordance with a fair and open process adopted by the Township of Jackson in accordance with Ch. 9, P.L. 2004; and

WHEREAS, said solicitation of professional services contracts satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 et seq.; and

WHEREAS, a determination of value has been made by the Township that said contract shall be a value in excess of \$17,500; and

WHEREAS, all proposals were to be submitted to the Office of the Township Clerk by November 29, 2011; and

WHEREAS, after reviewing the proposals submitted, the Mayor, with the advice and consent of the Township Council, desires to appoint the firm Dilworth Paxson, LLP, as Bond Counsel; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the 2012 municipal budget for legal services; and

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

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 firm Dilworth Paxson, LLP, is hereby appointed Bond Counsel for a 12 month period, commencing January 1, 2012 and ending December 31, 2012, and shall perform all legal services under the contract authorized herein.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to an agreement with the firm Dilworth Paxson, LLP.
3. That this contract is awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a)(I) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately.
6. That a certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and Dilworth Paxson, LLP.

DATE: 1/24/12

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funds are available for a contract with the firm Dilworth Paxson, LLP per schedule from capital accounts and as amended by the adoption of the 2012 budget.

The funds, which are available for this contract, are found in the following line item appropriations or ordinances: Capital Ordinance (“C” Accounts).

**Sharon Pinkava
Chief Financial Officer,
Jackson Township**

RESOLUTION 018R-12

TITLE: CONSENT TO THE APPOINTMENT OF TOWNSHIP PROSECUTOR, JOSEPH D. CORONATO, ESQ. OF THE FIRM CORONATO, BRADY & KUNZ

COUNCILMAN KAFTON: He began by saying he looked through all of this and he couldn’t find an amount. Councilman Martin replied the cost is \$40,000 like it is every year. Mayor Reina addressed Councilman Kafton and stated that those cds are the same ones that he tried to put in his cd player and couldn’t get to work and never bothered to put them in the computer. Council President Bressi read \$40,000 off a spreadsheet. Councilman Kafton stated he asked for a spreadsheet and was told the Council needed to get their own information, so he would like to find out where that spreadsheet came from.

Councilwoman Updegrave explained that she requested a copy of it. Councilwoman Rivere stated she didn't get one either.

MOTION TO APPROVE BY: MARTIN
MOTION SECONDED BY: UPDEGRAVE
YES: MARTIN, RIVERE, UPDEGRAVE & BRESSI
NO: KAFTON

WHEREAS, there exists a need for legal services as Prosecutor of the Township of Jackson; and

WHEREAS, the Township issued a solicitation of professional services contracts in accordance with a fair and open process adopted by the Township of Jackson in accordance with Ch.. 9, P.L. 2004; and

WHEREAS, said solicitation of professional services contracts satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 et seq.; and

WHEREAS, a determination of value has been made by the Township that said contract shall be a value in excess of \$17,500; and

WHEREAS, all proposals were to be submitted to the Office of the Township Clerk by November 29, 2011; and

WHEREAS, after reviewing the proposals submitted, the Mayor, with the advice and consent of the Township Council, desires to appoint Joseph D. Coronato, Esq. of the firm Coronato, Brady & Kunz as Township Prosecutor; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the 2012 municipal budget for legal services; and

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

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 Joseph D. Coronato, Esq. of the firm Coronato, Brady & Kunz is hereby appointed Township Prosecutor for a 12 month period, commencing January 1, 2012 and ending December 31, 2012 and shall perform all legal services under the contract authorized herein.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to an agreement with Joseph D. Coronato, Esq. of the firm Coronato, Brady & Kunz.
3. That this contract is awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a)(I) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately.
6. That a certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and Joseph D. Coronato, Esq. of the firm Coronato, Brady & Kunz.

DATE: 1/24/12

ANN MARIE EDEN, RMC
TOWNSHIP CLERK

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funding for this contract will be available pending the adoption of the 2012 Municipal Operating Budget.

**Sharon Pinkava
Chief Financial Officer,
Jackson Township**

RESOLUTION 019R-12

TITLE: CONSENT TO THE APPOINTMENT OF KIM A. PASCARELLA, ESQ. AND JERRY J. DASTI OF THE FIRM DASTI, MURPHY, McGUCKIN, ULKAY, CHERKOS AND CONNORS AS ALTERNATE MUNICIPAL PROSECUTORS FOR CY 2012

**MOTION TO APPROVE BY: MARTIN
MOTION SECONDED BY: UPDEGRAVE
YES: MARTIN, RIVERE, UPDEGRAVE & BRESSI
NO: KAFTON**

COUNCILMAN KAFTON: He asked for a copy of the spreadsheet that he was told he wasn't entitled to get. He read an email from the Mayor saying to save on paper and cost the Council would be given a copy of the cds instead of spreadsheets. The email also stated that if they asked township employees to put this together for the Council they would be doing the Council's job instead of their own. Councilman Kafton stated other Council members obviously received one and he would like one too. Mayor Reina stated that he received the cds over a month ago and he could have gone through them and made up a spreadsheet. Councilwoman Rivere stated in all fairness if some of the Council received them then they all should have.

WHEREAS, municipalities within the State of New Jersey are required to appoint Alternate Municipal Prosecutor(s) to act in the absence of the Municipal Prosecutor; and

WHEREAS, the Township accordingly needs to appoint Alternate Municipal Prosecutor(s) in accordance with the requirements of said law; and

WHEREAS, the Township issued a solicitation of professional services contracts in accordance with a fair and open process adopted by the Township of Jackson in accordance with Ch. 9, P.L. 2004 although this contract will not exceed \$17,500.00 as outlined in N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, said solicitation of professional services contracts satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 et seq.; and

WHEREAS, all proposals were to be submitted to the Office of the Township Clerk by November 29, 2011; and

WHEREAS, after reviewing the proposals submitted, the mayor, with the advice and consent to the Township Council, desires to appoint Kim Pascarella and Jerry J. Dasti of the firm Dasti, Murphy, McGuckin, Ulkay, Cherkos and Connors as Alternate Municipal Prosecutors; and

WHEREAS, the Mayor, with the advice and consent of the Township Council, desires to appoint Kim Pascarella, Esq. and Jerry J. Dasti of the firm Dasti, Murphy, McGuckin, Ulkay, Cherkos and Connors as Alternate Municipal Prosecutors; and

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

WHEREAS, the Mayor, with the advice and consent of the Township Council, desires to appoint Kim A. Pascarella, Esq. and Jerry J. Dasti of the firm Dasti, Murphy, McGuckin, Ulkay, Cherkos and Connors as Alternate Municipal Prosecutors for CY 2012.

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 Kim A. Pascarella, Esq., 815 Blvd., Box 248, Seaside Heights, NJ 08751 and Jerry J. Dasti of the firm Dasti, Murphy, McGuckin, Ulkay, Cherkos and Connors are hereby appointed to the position of Alternate Municipal Prosecutors for a 12 month term commencing January 1, 2012 and ending December 31, 2012 and shall perform all legal services under the contract authorized herein.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to a contract agreement with Kim A. Pascarella, Esq. and Jerry J. Dasti of the firm Dasti, Murphy, McGuckin, Ulkay, Cherkos and Connors. Said contracts will provide for the payment of services through the Municipal Prosecutor in the event that the Township calls upon said Alternate Municipal Prosecutor during CY 2012.
3. That this contract is awarded as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(l)(a)(i) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately
6. That a certified copy of this resolution shall be provided by the Township Clerk to the Township Administrator, Chief Financial Officer, Purchasing Agent, Municipal Court, Appointees and any other interested party.

DATE: 1/24/12

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funding for this contract will be available pending the adoption of the 2012 Municipal Operating Budget.

**Sharon Pinkava
Chief Financial Officer,
Jackson Township**

RESOLUTION 020R-12

**TITLE: CONSENT TO THE APPOINTMENT OF PUBLIC DEFENDER,
DINA M. VICARI, ESQ. OF THE FIRM R.C. SHEA & ASSOCIATES**

COUNCILMAN KAFTON: He reiterated that he has the utmost respect for the professionals, but he is voting "no" because he doesn't believe this process is in the best interest of the taxpayers of Jackson.

MOTION TO APPROVE BY: UPDEGRAVE

MOTION SECONDED BY: RIVERE

YES: RIVERE, UPDEGRAVE & BRESSI

NO: KAFTON

ABSTENTIONS: MARTIN

WHEREAS, there exists a need for legal services as Public Defender of the Township of Jackson; and

WHEREAS, the Township issued a solicitation of professional services contracts in accordance with a fair and open process adopted by the Township of Jackson in accordance with Ch. 9, P.L. 2004; and

WHEREAS, said solicitation of professional services contracts satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 *et seq.*; and

WHEREAS, a determination of value has been made by the Township that said contract shall be a value in excess of \$17,500; and

WHEREAS, all proposals were to be submitted to the Office of the Township Clerk by November 29, 2011; and

WHEREAS, after reviewing the proposals submitted, the Mayor, with the advice and consent of the Township Council, desires to appoint Dina M. Vicari, Esq. of the firm R.C. Shea & Associates as Public Defender; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the 2012 municipal budget for legal services; and

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

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 Dina M. Vicari, Esq. of the firm R.C. Shea & Associates is hereby appointed Public Defender for a 12 month term, commencing January 1, 2012 and ending December 31, 2012, and shall perform all legal services under the contract authorized herein.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to an agreement with Dina M. Vicari, Esq. of the firm R.C. Shea & Associates.
3. That this contract is awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a)(I) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately.
6. That a certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and Dina M. Vicari, Esq. of the firm R.C. Shea & Associates.

DATE: 1/24/12

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funding for this contract will be available pending the adoption of the 2012 Municipal Operating Budget.

**Sharon Pinkava
Chief Financial Officer,
Jackson Township**



RESOLUTION 021R-12

TITLE: CONSENT TO THE APPOINTMENT OF CHARLES TIVENAN, ESQ., CARLOS FERREIRA, ESQ. AND TERRANCE TURNBACH, ESQ. AS CONFLICT/ALTERNATE PUBLIC DEFENDERS CY 2012

**MOTION TO APPROVE BY: MARTIN
MOTION SECONDED BY: UPDEGRAVE
YES: MARTIN, RIVERE, UPDEGRAVE & BRESSI
NO: KAFTON**

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

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

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

WHEREAS, the Township issued a solicitation of professional services contracts in accordance with a fair and open process adopted by the Township of Jackson in accordance with Ch. 9, P.L. 2004 although this contract will not exceed \$17,500.00 as outlined in N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, said solicitation of professional services contracts satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 *et seq.*; and

WHEREAS, all proposals were to be submitted to the Office of the Township Clerk by November 29, 2011; and

WHEREAS, said contract shall provide for the payment of \$200.00 per client in the event the Township calls upon said Conflict/Alternate Public Defender for CY 2012; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the 2012 municipal budget for legal services; and

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

WHEREAS, the Mayor, with the advice and consent of the Township Council, desires to appoint Charles Tivenan, Esq., Carlos A. Ferreira, Esq. and Terrance Turnbach, Esq. Conflict/Alternate Public Defenders.

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 Charles Tivenan, Esq., Carlos A. Ferreira, Esq. and Terrance Turnbach, Esq. are hereby appointed Township Conflict/Alternate Public Defenders for 12 month term commencing January 1, 2012 and December 31, 2012 and shall perform all legal services under the contract authorized herein.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to a contract agreement with Charles Tivenan, Esq., Carlos A. Ferreira, Esq. and Terrance Turnbach, Esq. Said contract will provide for the payment of \$200.00 per client in the event that the Township calls upon said Conflict/Alternate Public Defender(s) during CY 2012.
4. That this contract is awarded as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(l)(a)(i) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.

- 5. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
- 6. That this resolution shall take effect immediately
- 7. That a certified copy of this resolution shall be provided by the Township Clerk to the Township Administrator, Chief Financial Officer, Purchasing Agent, Municipal Court, Appointees and any other interested party.

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funding for this contract will be available pending the adoption of the 2012 Municipal Operating Budget

**Sharon Pinkava
Chief Financial Officer,
Jackson Township**

**RESOLUTION 022R-12
TITLE: CONSENT TO THE APPOINTMENT OF AFFORDABLE HOUSING ATTORNEY, JEAN CIPRIANI, ESQ. OF THE FIRM GILMORE AND MONAHAN, ESQ.**

**MOTION TO APPROVE BY: MARTIN
MOTION SECONDED BY: RIVERE
YES: MARTIN, RIVERE, UPDEGRAVE & BRESSI
NO: KAFTON**

WHEREAS, there exists a need for legal services as Affordable Housing Attorney of the Township of Jackson; and

WHEREAS, the Township issued a solicitation of professional services contracts in accordance with a fair and open process adopted by the Township of Jackson in accordance with Ch. 9, P.L. 2004; and

WHEREAS, said solicitation of professional services contracts satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 et seq.; and

WHEREAS, a determination of value has been made by the Township that said contract shall be a value in excess of \$17,500; and

WHEREAS, all proposals were to be submitted to the Office of the Township Clerk by November 29, 2011; and

WHEREAS, after reviewing the proposals submitted, the Mayor, with the advice and consent of the Township Council, desires to appoint Jean Cipriani, Esq. of the firm Gilmore and Monahan, Esq. as Affordable Housing Attorney; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the 2012 municipal budget for legal services; and

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

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 Jean Cipriani, Esq. of the firm Gilmore & Monahan, Esq., is hereby appointed Affordable Housing Attorney for a 12 month period

commencing January 1, 2012 and ending December 31, 2012 and shall perform all legal services under the contract authorized herein.

2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to an agreement with Gilmore & Monahan, Esq.
3. That this contract is awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a)(I) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately.
6. That a certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and Gilmore & Monahan, Esq.

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

DATE: 1/24/12

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funding for this contract will be available pending the adoption of the 2012 Municipal Operating Budget.

**Sharon Pinkava
Chief Financial Officer,
Jackson Township**

RESOLUTION 023R-12

TITLE: CONSENT TO THE APPOINTMENT OF TOWNSHIP TAX MAP MAINTAINER, REMINGTON, VERNICK & VENA ENGINEERS

COUNCILMAN KAFTON: He explained that he will vote “yes” because Remington, Vernick & Vena reduced their cost last year and maintained it this year.

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: MARTIN

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE & BRESSI

WHEREAS, there exists a need for services as Tax Map Maintainer of the Township of Jackson; and

WHEREAS, the Township issued a solicitation of professional services contracts in accordance with a fair and open process adopted by the Township of Jackson in accordance with Ch. 9, P.L. 2004; and

WHEREAS, said solicitation of professional services contracts satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 et seq.; and

WHEREAS, a determination of value has been made by the Township that said contract shall be a value in excess of \$17,500; and

WHEREAS, all proposals were to be submitted to the Office of the Township Clerk by November 29, 2011; and

WHEREAS, after reviewing the proposals submitted, the Mayor, with the advice and consent of the Township Council, desires to appoint Remington, Vernick & Vena Engineers as Tax Map Maintainer; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the 2012 municipal budget for said services; and

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

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 Remington, Vernick & Vena Engineers is hereby appointed Tax Map Maintainer for a 12 month term, commencing January 1, 2012 and ending December 31, 2012, and shall perform all services under the contract authorized herein.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to an agreement with Remington, Vernick & Vena Engineers.
3. That this contract is awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a)(I) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately.
6. That a certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and Remington, Vernick & Vena Engineers.

DATE: 1/24/12

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funding for this contract will be available pending the adoption of the 2012 Municipal Operating Budget.

**Sharon Pinkava
Chief Financial Officer,
Jackson Township**

RESOLUTION 024R-12

TITLE: CONSENT TO THE APPOINTMENT OF TOWNSHIP ENGINEER, CHARLES ROONEY, P.E., P.P., C.M.E. OF THE FIRM T&M ASSOCIATES

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: RIVERE

YES: MARTIN, RIVERE, UPDEGRAVE & BRESSI

NO: KAFTON

WHEREAS, there exists a need for engineering services as Township Engineer of the Township of Jackson; and

WHEREAS, the Township issued a solicitation of professional services contracts in accordance with a fair and open process adopted by the Township of Jackson in accordance with Ch. 9, P.L. 2004; and

WHEREAS, said solicitation of professional services contracts satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 et seq.; and

WHEREAS, a determination of value has been made by the Township that said contract shall be a value in excess of \$17,500; and

WHEREAS, all proposals were to be submitted to the Office of the Township Clerk by November 29, 2011; and

WHEREAS, after reviewing the proposals submitted, the Mayor, with the advice and consent of the Township Council, desires to appoint Charles Rooney, P.E., P.P., C.M.E. of the firm T&M Associates as Township Engineer; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the 2012 municipal budget for engineering services; and

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

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 Charles Rooney, P.E., P.P., C.M.E., of the firm T&M Associates is hereby appointed Township Engineer for a 12 month term, commencing January 1, 2012 and ending December 31, 2012, and shall perform all engineering services under the contract authorized herein.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to an agreement with Charles Rooney, P.E., P.P., C.M.F. of the firm T&M Associates.
3. That this contract is awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a)(I) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately.
6. That a certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and Charles Rooney, P.E., P.P., C.M.E., of the firm T&M Associates.

DATE: 1/24/12

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funding for this contract will be available pending the adoption of the 2012 Municipal Operating Budget

**Sharon Pinkava
Chief Financial Officer,
Jackson Township**

**RESOLUTION 025R-12
TITLE: CONSENT TO THE APPOINTMENT OF TOWNSHIP PLANNER,
REMINGTON, VERNICK & VENA ENGINEERS**

COUNCILMAN KAFTON: He reiterated that he will vote “yes” because Remington, Vernick & Vena reduced their cost last year and maintained it this year.

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

WHEREAS, there exists a need for planning services as Planner of the Township of Jackson; and

WHEREAS, the Township issued a solicitation of professional services contracts in accordance with a fair and open process adopted by the Township of Jackson in accordance with Ch. 9, P.L. 2004; and

WHEREAS, said solicitation of professional services contracts satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 *et seq.*; and

WHEREAS, a determination of value has been made by the Township that said contract shall be a value in excess of \$17,500; and

WHEREAS, all proposals were to be submitted to the Office of the Township Clerk by November 29, 2011; and

WHEREAS, after reviewing the proposals submitted, the Mayor, with the advice and consent of the Township Council, desires to appoint Remington, Vernick & Vena Engineers as Township Planner; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the 2012 municipal budget for planning services; and;

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

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 Remington, Vernick & Vena Engineers is hereby appointed Township Planner for a 12 month term, commencing January 1, 2012 and ending December 31, 2012, and shall perform all planning services under the contract authorized herein.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to an agreement with Remington, Vernick & Vena Engineers.
3. That this contract is awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a)(I) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately.
6. That a certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and Remington, Vernick & Vena Engineers.

DATE: 1/24/12

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funding for this contract will be available pending the adoption of the 2012 Municipal Operating Budget.

**Sharon Pinkava
Chief Financial Officer
Jackson Township**

RESOLUTION 026R-12

TITLE: CONSENT TO THE APPOINTMENT OF TOWNSHIP FORECLOSURE ATTORNEY, GEORGE R. GILMORE, ESQ., OF THE FIRM GILMORE & MONAHAN, P.A. FOR CY 2012

MOTION TO APPROVE BY: UPDEGRAVE

MOTION SECONDED BY: MARTIN

YES: MARTIN, RIVERE, UPDEGRAVE & BRESSI

NO: KAFTON

WHEREAS, there exists a need for legal services as Township Foreclosure Attorney of the Township of Jackson; and

WHEREAS, the Township issued a solicitation of professional services contracts in accordance with a fair and open process adopted by the Township of Jackson in accordance with Ch. 9, P.L. 2004; and

WHEREAS, said solicitation of professional services contracts satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 *et seq.*; and

WHEREAS, a determination of value has been made by the Township that said contract shall be a value in excess of \$17,500; and

WHEREAS, all proposals were to be submitted to the Office of the Township Clerk by November 29, 2011; and

WHEREAS, after reviewing the proposals submitted, the Mayor, with the advice and consent of the Township Council, desires to appoint George R. Gilmore, Esq. of the firm Gilmore & Monahan, P.A. as Township Foreclosure Attorney; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the 2012 municipal budget for legal services; and

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

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 George R. Gilmore, Esq. of the firm Gilmore & Monahan, P.A. is hereby appointed Township Foreclosure Attorney for a 12 month term commencing January 1, 2012 and ending December 31, 2012, and shall perform all legal services under the contract authorized herein.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to an agreement with George R. Gilmore, Esq. of the firm Gilmore & Monahan, P.A.
3. That this contract is awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a)(I) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately.
6. That a certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and George R. Gilmore, Esq. of the firm Gilmore & Monahan, P.A.

DATE: 1/24/12

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funding for this contract will be available pending the adoption of the 2012 Municipal Operating Budget.

**Sharon Pinkava
Chief Financial Officer,
Jackson Township**

RESOLUTION 027R-12

TITLE: CONSENT TO THE APPOINTMENT OF JOHN MACZUGA OF T & M ASSOCIATES AS AFFORDABLE HOUSING PLANNER

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: MARTIN, RIVERE, UPDEGRAVE & BRESSI

NO: KAFTON

WHEREAS, there exists a need for an Affordable Housing Planner for the Township of Jackson; and

WHEREAS, the Township issued a solicitation of professional services contracts in accordance with a fair and open process adopted by the Township of Jackson in accordance with Ch. 9, P.L. 2004; and

WHEREAS, said solicitation of professional services contracts satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 et seq.; and

WHEREAS, a determination of value has been made by the Township that said contract shall be a value in excess of \$17,500; and

WHEREAS, all proposals were to be submitted to the Office of the Township Clerk by November 29, 2011; and

WHEREAS, after reviewing the proposals submitted, the Mayor, with the advice and consent of the Township Council, desires to appoint John Maczuga of T & M Associates as Affordable Housing Planner; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the 2012 municipal budget for affordable housing planning services and

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

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 John Maczuga of T & M Associates is hereby appointed Affordable Housing Planner for a 12 month term, commencing January 1, 2012 and ending December 31, 2012, and shall perform all engineering services under the contract authorized herein.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to an agreement with John Maczuga of the firm T & M Associates.
3. That this contract is awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a)(I) of the Local Public Contracts Law because it is

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

- 4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
- 5. That this resolution shall take effect immediately.
- 6. That a certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and John Maczuga of the firm T & M Associates.

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funding for this contract will be available pending the adoption of the 2012 Municipal Operating Budget.

**Sharon Pinkava
Chief Financial Officer
Jackson Township**

**RESOLUTION 028R-12
TITLE: CONSENT TO THE APPOINTMENT OF SPECIAL LEGAL COUNSEL,
KEVIN N. STARKEY, ESQ. OF THE FIRM STARKEY, KELLY, BAUER,
KENNEALLY AND CUNNINGHAM, ESQ. FOR CY 2012**

**MOTION TO APPROVE BY: RIVERE
MOTION SECONDED BY: UPDEGRAVE
YES: MARTIN, RIVERE, UPDEGRAVE & BRESSI
NO: KAFTON**

WHEREAS, there exists a need for legal services as Special Counsel for the Township of Jackson; and

WHEREAS, the Township issued a solicitation of professional services contracts in accordance with a fair and open process adopted by the Township of Jackson in accordance with Ch. 9, P.L. 2004; and

WHEREAS, said solicitation of professional services contracts satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 et seq.; and

WHEREAS, a determination of value has been made by the Township that said contract shall be a value in excess of \$17,500; and

WHEREAS, all proposals were to be submitted to the Office of the Township Clerk by November 29, 2011; and

WHEREAS, after reviewing the proposals submitted, the Mayor, with the advice and consent of the Township Council, desires to appoint Kevin N. Starkey of the firm Starkey, Kelly, Bauer, Kenneally & Cunningham as Special Legal Counsel; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the 2012 municipal budget for legal services; and

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

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 Kevin N. Starkey, Esq. of the firm Starkey, Kelly, Bauer, Kenneally & Cunningham is hereby appointed Special Counsel for a 12 month term commencing January 1, 2012 and ending December 31, 2012, and shall perform all legal services under the contract authorized herein.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to an agreement with Kevin N. Starkey, Esq., of the firm Starkey, Kelly, Bauer, Kenneally & Cunningham.
3. That this contract is awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a)(I) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately.
6. That a certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer, Kevin N. Starkey, Esq. of the firm Starkey, Kelly, Bauer, Kenneally & Cunningham, Esq

DATE: 1/24/12

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funding for this contract will be available pending the adoption of the 2012 Municipal Operating Budget.

**Sharon Pinkava
Chief Financial Officer,
Jackson Township**

**RESOLUTION 029R-12
TITLE: CONSENT TO THE APPOINTMENT OF FRENCH & PARRELLO AS
ENVIRONMENTAL IMPACT STUDY CONSULTANT**

**MOTION TO APPROVE BY: UPDEGRAVE
MOTION SECONDED BY: MARTIN
YES: MARTIN, RIVERE, UPDEGRAVE & BRESSI
NO: KAFTON**

WHEREAS, there exists a need for engineering services as an Environmental Impact Study Consultant of the Township of Jackson; and

WHEREAS, the Township issued a solicitation of professional services contracts in accordance with a fair and open process adopted by the Township of Jackson in accordance with Ch. 9, P.L. 2004; and

WHEREAS, said solicitation of professional services contracts satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 *et seq.*; and

WHEREAS, a determination of value has been made by the Township that said contract shall be a value in excess of \$17,500; and

WHEREAS, all proposals were to be submitted to the Office of the Township Clerk by November 29, 2011; and

WHEREAS, after reviewing the proposals submitted, the Mayor, with the advice and consent of the Township Council, desires to appoint the firm French & Parrello as Environmental Impact Study Consultant; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the 2012 municipal budget for engineering services; and

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

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 firm French & Parrello is hereby appointed Environmental Impact Study Consultant for a 12 month term, commencing January 1, 2012 and ending December 31, 2012, and shall perform all engineering services under the contract authorized herein.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to an agreement with French & Parrello.
3. That this contract is awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a)(I) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately.
6. That a certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer, Purchasing and French & Parrello.

DATE: 1/24/12

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funding for this contract will be available pending the adoption of the 2012 Municipal Operating Budget.

**Sharon Pinkava
Chief Financial Officer
Jackson Township**

**RESOLUTION 030R-12
TITLE: CONSENT TO THE APPOINTMENT OF FRENCH & PARRELLO AS ENVIRONMENTAL ENGINEER**

**MOTION TO APPROVE BY: MARTIN
MOTION SECONDED BY: RIVERE
YES: MARTIN, RIVERE, UPDEGRAVE & BRESSI
NO: KAFTON**

WHEREAS, there exists a need for engineering services as an Environmental Engineer of the Township of Jackson; and

WHEREAS, the Township issued a solicitation of professional services contracts in accordance with a fair and open process adopted by the Township of Jackson in accordance with Ch. 9, P.L. 2004; and

WHEREAS, said solicitation of professional services contracts satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 *et seq.*; and

WHEREAS, a determination of value has been made by the Township that said contract shall be a value in excess of \$17,500; and

WHEREAS, all proposals were to be submitted to the Office of the Township Clerk by November 29, 2011; and

WHEREAS, after reviewing the proposals submitted, the Mayor, with the advice and consent of the Township Council, desires to appoint the firm French & Parrello as Environmental Engineer; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the 2012 municipal budget for engineering services; and

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

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 firm French & Parrello is hereby appointed Environmental Engineer for a 12 month term, commencing January 1, 2012 and ending December 31, 2012, and shall perform all engineering services under the contract authorized herein.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to an agreement with French & Parrello.
3. That this contract is awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a)(I) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately.
6. That a certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer, Purchasing and French & Parrello.

DATE: 1/24/12

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funding for this contract will be available pending the adoption of the 2012 Municipal Operating Budget.

**Sharon Pinkava
Chief Financial Officer
Jackson Township**

**RESOLUTION 031R-12
TITLE: CONSENT TO THE APPOINTMENT OF CME ASSOCIATES AS
CERTIFIED TREE EXPERT FOR CY 2012**

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

WHEREAS, there exists a need for forestry services as Certified Tree Expert of the Township of Jackson; and

WHEREAS, the Township issued a solicitation of professional services contracts in accordance with a fair and open process adopted by the Township of Jackson in accordance with Ch.9, P.L. 2004; and

WHEREAS, said solicitation of professional services contracts satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 *et seq.*; and

WHEREAS, a determination of value has been made by the Township that said contract shall be a value in excess of \$17,500; and

WHEREAS, all proposals were to be submitted to the Office of the Township Clerk by November 29, 2011; and

WHEREAS, after reviewing the proposals submitted, the Mayor, with the advice and consent of the Township Council, desires to appoint CME Associates as Certified Tree Expert; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the 2012 municipal budget for forestry services; and

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

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 CME Associates is hereby appointed Certified Tree Expert for a 12 month term commencing January 1, 2012 and ending December 31, 2012 and shall perform all forestry services under the contract authorized herein.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to the attached agreement with CME Associates.
3. That this contract is awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a)(I) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately.
6. That a certified copy of this resolution shall be provided by the Township Clerk to the Township Administrator, Chief Financial Officer, Planning & Zoning, CME Associates and any other interested parties.

DATE: 1/24/12

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funding for this contract will be available pending the adoption of the 2012 Municipal Operating Budget

**Sharon Pinkava
Chief Financial Officer
Jackson Township**

RESOLUTION 032R-12

TITLE: CONSENT TO THE APPOINTMENT OF REMINGTON, VERNICK & VENA AS TRAFFIC ANALYSIS ENGINEER FOR CY 2012

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE & BRESSI

WHEREAS, there exists a need for engineering services as a Traffic Analysis Engineer of the Township of Jackson; and

WHEREAS, the Township issued a solicitation of professional services contracts in accordance with a fair and open process adopted by the Township of Jackson in accordance with Ch. 9, P.L. 2004; and

WHEREAS, said solicitation of professional services contracts satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 et seq.; and

WHEREAS, a determination of value has been made by the Township that said contract shall be a value in excess of \$17,500; and

WHEREAS, all proposals were to be submitted to the Office of the Township Clerk by November 29, 2011; and

WHEREAS, after reviewing the proposals submitted, the Mayor, with the advice and consent of the Township Council, desires to appoint the firm Remington, Vernick & Vena as Traffic Analysis Engineer; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the 2012 municipal budget for engineering services; and

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

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 firm Remington, Vernick & Vena is hereby appointed Traffic Analysis Engineer for a 12 month term, commencing January 1, 2012 and ending December 31, 2012, and shall perform all engineering services under the contract authorized herein.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to an agreement with Remington, Vernick & Vena.
3. That this contract is awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a)(I) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately.
6. That a certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer, Purchasing and Remington, Vernick & Vena.

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funding for this contract will be available pending the adoption of the 2012 Municipal Operating Budget.

Sharon Pinkava
Chief Financial Officer
Jackson Township

RESOLUTION 033R-12

TITLE: CONSENT TO THE APPOINTMENT OF HOUSING REHABILITATION PROGRAM ADMINISTRATOR/COORDINATOR, REHABCO, INC.

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: MARTIN

YES: MARTIN, RIVERE, UPDEGRAVE & BRESSI

NO: KAFTON

WHEREAS, there exists a need for a Housing Rehabilitation Program Administrator/Coordinator for the Township of Jackson; and

WHEREAS, the Township issued a solicitation of professional services contracts in accordance with a fair and open process adopted by the Township of Jackson in accordance with Ch. 9, P.L. 2004; and

WHEREAS, said solicitation of professional services contracts satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 et seq.; and

WHEREAS, a determination of value has been made by the Township that said contract shall be a value in excess of \$17,500; and

WHEREAS, all proposals were to be submitted to the Office of the Township Clerk by November 29, 2011; and

WHEREAS, after reviewing the proposals submitted, the Mayor, with the advice and consent of the Township Council, desires to appoint Rehabco, Inc. as Housing Rehabilitation Program Administrator/Coordinator; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the 2012 municipal budget for housing rehabilitation services; and

WHEREAS, Rehabco, Inc. previously held the position of Housing Rehabilitation Program Administrator/Coordinator and has on-going projects within the Township of Jackson; and

WHEREAS, the Township recognizes the need to renew this professional service contract and complete the on-going projects; however, no new applications will be accepted or approved on behalf of the Township of Jackson; and

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

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 Rehabco, Inc. is hereby appointed Housing Rehabilitation Program Administrator/Coordinator for a 12 month term, commencing January 1, 2012 and ending December 31, 2012, and shall perform all professional services under the contract authorized herein.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to an agreement with Rehabco, Inc.
3. That this contract is awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a)(I) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately.

- 6. That a certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and Rehabco., Inc.

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funding for this contract will be available pending the adoption of the 2012 Municipal Operating Budget

Sharon Pinkava,
Chief Financial Officer
Jackson Township

RESOLUTION 034R-12

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AWARDED A CONTRACT TO HENRY J. MANCINI, MAI, CRE, OF HENRY J. MANCINI & ASSOCIATES, INC., TO PERFORM APPRAISAL SERVICES FOR THE TOWNSHIP OF JACKSON FOR CY 2012

MOTION TO APPROVE BY: UPDEGRAVE

MOTION SECONDED BY: MARTIN

YES: MARTIN, RIVIERE, UPDEGRAVE & BRESSI

NO: KAFTON

WHEREAS, it is necessary for the Township of Jackson to procure appraisal services for certain parcels of land located in the Township of Jackson; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the award of contracts for Professional Services without competitive bids; and

WHEREAS, the anticipated cost for said appraisal services is expected to exceed \$17,500, so as to require a "fair and open process" in accordance with N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, the Council of the Township of Jackson solicited a Request for Statements of Qualifications and Proposals for appraisal services; and

WHEREAS, said proposal procedure satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 et seq.; and

WHEREAS, all proposals were submitted to the Office of the Township Clerk on November 29, 2011; and

WHEREAS, after reviewing the proposals submitted, the Mayor, with the advice and consent of the Township Council, desires to appoint Henry J. Mancini, MAI, CRE, of Henry J. Mancini & Associates, Inc.; and

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

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 Henry J. Mancini, MAI, CRE, of Henry J. Mancini & Associates, Inc. is hereby appointed to perform appraisal services on behalf of the Township of Jackson, for a 12 month term commencing January 1, 2012 and ending December 31, 2012.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to agreement with Henry J. Mancini, MAI, CRE, of Henry J. Mancini & Associates, Inc.

3. That these contracts are awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because they are for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately.
6. That the agreements shall be open-ended with funds being encumbered contingent upon the availability of funds in the budget year. No services shall be rendered under the contracts until the Chief Financial Officer has certified the availability of funds for such services.
7. That a certified copy of this resolution, together with a copy of the contract between the parties, shall be forwarded to the Township Administrator, Chief Financial Officer, Tax Assessor and Henry J. Mancini, MAI, CRE, of Henry J. Mancini & Associates, Inc.

DATE: 1/24/12

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funding for this contract will be available pending the adoption of the 2012 Municipal Operating Budget

**Sharon Pinkava
Chief Financial Officer
Jackson Township**

**RESOLUTION 035R-12
TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY APPOINTING FRENCH & PARRELLO, CME ASSOCIATES, REMINGTON, VERNICK & VENA AND BIRDSALL ENGINEERING AS TOWNSHIP LAND SURVEYORS**

**MOTION TO APPROVE BY: MARTIN
MOTION SECONDED BY: UPDEGRAVE
YES: MARTIN, RIVERE, UPDEGRAVE & BRESSI
NO: KAFTON**

WHEREAS, it is necessary for the Township of Jackson to procure land surveying services for the Township of Jackson; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, authorizes the award of contracts for Professional Services without competitive bids; and

WHEREAS, the anticipated cost for said appraisal services is expected to exceed \$17,500, so as to require a "fair and open process" in accordance with N.J.S.A. 19:44A-20.1 *et seq.*; and

WHEREAS, all proposals were to be submitted to the Office of the Township Clerk by November 29, 2011; and

WHEREAS, said proposal procedure satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 *et seq.*; and

WHEREAS, after reviewing the proposals submitted, the Mayor, with the advice and consent of the Township Council, desires to appoint French & Parrello, CME Associates, Remington, Vernick & Vena and Birdsall Engineering as Township Land Surveyors; and

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

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 French & Parrello, CME Associates, Remington, Vernick & Vena and Birdsall Engineering are hereby appointed to perform land surveying services on behalf of the Township of Jackson, for a 12 month term commencing January 1, 2012 and ending December 31, 2012.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to agreements with French & Parrello, CME Associates, Remington, Vernick & Vena and Birdsall Engineering.
3. That these contracts are awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because they are for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately.
6. That the agreements shall be open-ended with funds being encumbered contingent upon the availability of funds in the budget year. No services shall be rendered under the contracts until the Chief Financial Officer has certified the availability of funds for such services.
8. That a certified copy of this resolution, together with a copy of the contract between the parties, shall be forwarded to the Township Administrator, Chief Financial Officer, Tax Assessor, French & Parrello, CME Associates, Remington, Vernick & Vena and Birdsall Engineering.

DATE: 1/24/12

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funding for this contract will be available pending the adoption of the 2012 Municipal Operating Budget

**Sharon Pinkava
Chief Financial Officer
Jackson Township**

**RESOLUTION 036R-12
TITLE: CONSENT TO THE APPOINTMENT OF AMANDA M. LANUTO
AS SPECIAL PROJECTS ARCHITECT FOR CY 2012**

**MOTION TO APPROVE BY: MARTIN
MOTION SECONDED BY: UPDEGRAVE
YES: MARTIN, RIVERE, UPDEGRAVE & BRESSI
NO: KAFTON**

WHEREAS, there exists a need for architectural services for the Township of Jackson; and

WHEREAS, the Township issued a solicitation of professional services contracts in accordance with a fair and open process adopted by the Township of Jackson in accordance with Ch. 9, P.L. 2004; and

WHEREAS, said solicitation of professional services contracts satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 et seq.; and

WHEREAS, a determination of value has been made by the Township that said contract shall be a value in excess of \$17,500; and

WHEREAS, all proposals were to be submitted to the Office of the Township Clerk by November 29, 2011; and

WHEREAS, after reviewing the proposals submitted, the Mayor, with the advice and consent of the Township Council, desires to appoint Amanda M. Lanuto as Special Projects Architect; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the 2012 municipal budget for architectural services; and

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

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 Amanda M. Lanuto is hereby appointed Special Projects Architect for a 12 month term, commencing January 1, 2012 and ending December 31, 2012, and shall perform all engineering services under the contract authorized herein.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to an agreement with Amanda M. Lanuto.
3. That this contract is awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a)(I) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately.
6. That a certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and Amanda M. Lanuto.

DATE: 1/24/12

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funding for this contract will be available pending the adoption of the 2012 Municipal Operating Budget

**Sharon Pinkava
Chief Financial Officer,
Jackson Township**

**RESOLUTION 037R-12
TITLE: CONSENT TO THE APPOINTMENT OF TOWNSHIP SPECIAL
PROJECT ENGINEERS: FRENCH & PARRELLO, BIRDSALL ENGINEERING
AND CME ASSOCIATES**

MOTION TO APPROVE BY: UPDEGRAVE
MOTION SECONDED BY: MARTIN
YES: MARTIN, RIVERE, UPDEGRAVE & BRESSI
NO: KAFTON

WHEREAS, there exists a need for engineering services as Special Project Engineer of the Township of Jackson; and

WHEREAS, the Township issued a solicitation of professional services contracts in accordance with a fair and open process adopted by the Township of Jackson in accordance with Ch. 9, P.L. 2004; and

WHEREAS, said solicitation of professional services contracts satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 *et seq.*; and

WHEREAS, a determination of value has been made by the Township that said contract shall be a value in excess of \$17,500; and

WHEREAS, all proposals were to be submitted to the Office of the Township Clerk by November 29, 2011; and

WHEREAS, after reviewing the proposals submitted, the Mayor, with the advice and consent of the Township Council, desires to appoint French & Parrello, Birdsall Engineering and CME Associates as Special Project Engineers; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the 2012 municipal budget for engineering services; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for these contracts (on an as-needed basis); and

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

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 French & Parrello, Birdsall Engineering and CME Associates are hereby appointed Special Project Engineers for a 12 month term, commencing January 1, 2012 and ending December 31, 2012, and shall perform all engineering services under the contracts authorized herein.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to agreements with French & Parrello, Birdsall Engineering and CME Associates as Special Project Engineers.
3. That these contracts are awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a)(I) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately.
6. That the agreements shall be open-ended contracts with funds being encumbered contingent upon the availability of funds in the budget year. No services shall be rendered under the contract until the Chief Financial Officer has certified the availability of funds for such services.
7. That a certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer, French & Parrello, Birdsall Engineering and CME Associates.

DATE: 1/24/12

ANN MARIE EDEN, RMC
TOWNSHIP CLERK

CERTIFICATE OF AVAILABILITY OF FUNDS

I, Sharon Pinkava, Chief Financial Officer for the Township of Jackson, do hereby certify that adequate funding for this contract will be available pending the adoption of the 2012 Municipal Operating Budget.

**Sharon Pinkava
Chief Financial Officer,
Jackson Township**

RESOLUTION 038R-12

TITLE: APPROVE APPOINTMENT OF TOWNSHIP ADMINISTRATOR, JOSE TORRES AS FUND COMMISSIONER AND DANIEL BURKE, MUNICIPAL ENGINEER, AS ALTERNATE FUND COMMISSIONER TO THE OCEAN COUNTY JOINT INSURANCE FUND FOR CY 2012

MOTION TO APPROVE BY: UPDEGRAVE

MOTION SECONDED BY: MARTIN

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE & BRESSI

WHEREAS, membership in the Fund provides for the appointment of a Fund Commissioner to represent the interest of the township; and

WHEREAS, it is the desire of the Mayor with the advise and consent of the Township Council to fill said positions.

WHEREAS, the Mayor, with the advice and consent of the Township Council, desires to appoint Jose Torres as Fund Commissioner and Daniel Burke as Alternate Fund Commissioner to the Ocean County Joint Insurance Fund.

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

1. Jose Torres is hereby appointed a Fund Commissioner to the Ocean County Joint Insurance Fund for a term commencing January 1, 2012 and ending December 31, 2012.
2. Daniel Burke is hereby appointed as Alternate Fund Commissioner to the Ocean County Joint Insurance Fund for a term commencing January 1, 2012 and ending December 31, 2012.
3. Appointees shall serve without additional compensation.
4. Certified copies of this resolution to Municipal Administrator, the Fund, Appointees and any other interested parties.

DATE: 1/24/12

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

040R-12 – NOT USED

BILLS AND CLAIMS

COUNCILMAN KAFTON: He spoke about a bill where we are paying a tree service company \$450 for the removal of lights. He asked if this is to remove the Christmas lights off the tree? Administrator Torres explained it is for the installation and removal of the lights on the Christmas tree because it requires a cherry picker and the township

03/12/12
15:50:37

JACKSON TOWNSHIP
Check Register By Check Date

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
86009	01/24/12	HUN03 HUNTER JERSEY PETERBILT	1,251.99	02/29/12	4080
86010	01/24/12	IAE01 INTERNATIONAL ASSOCIATION OF	170.00	02/29/12	4080
86011	01/24/12	IND12 INDUSTRIAL RUBBER CO.	1,978.24	01/31/12	4080
86012	01/24/12	JAC12 JACKSON TWP. BOARD OF ED.	6,481,108.00	02/29/12	4080
86013	01/24/12	JAC134 JACKSON TWP-SECTION 125	1,097.08	01/31/12	4080
86014	01/24/12	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	1,298,792.72	01/31/12	4080
86015	01/24/12	JCP01 JERSEY CENTRAL POWER & LIGHT	57,355.72		4080
86016	01/24/12	JER29 JERRY'S AUTO BODY, LLC	1,631.40	02/29/12	4080
86017	01/24/12	KES04 JEFFREY & SUSANNE KESPER	250.00	01/31/12	4080
86018	01/24/12	LIB05 LIBERTY POWER HOLDINGS, LLC	0.00	01/24/12 VOID	0
86019	01/24/12	LIB05 LIBERTY POWER HOLDINGS, LLC	9,754.74	02/29/12	4080
86020	01/24/12	LOT02 ETTORE F LOTESORIERE	10,990.06	02/29/12	4080
86021	01/24/12	LUS02 MICHAEL & PATRICIA LUSZIK	491.35	02/29/12	4080
86022	01/24/12	MAJ04 MAJESTIC OIL CO. INC.	826.82	01/31/12	4080
86023	01/24/12	MAN17 HENRY J MANCINI & ASSOCIATES	2,470.00	02/29/12	4080
86024	01/24/12	MAZ04 MAZA RECYCLING, INC.	18,021.18	01/31/12	4080
86025	01/24/12	MCC26 McCARTER & ENGLISH, LLP	2,843.18	02/29/12	4080
86026	01/24/12	MGL01 MGL PRINTING SOLUTIONS	580.00	01/31/12	4080
86027	01/24/12	MON37 MONMOUTH TELECOM	1,232.95	02/29/12	4080
86028	01/24/12	MRA01 M&R ACQUISITIONS	1,403.19	02/29/12	4080
86029	01/24/12	MSP01 M&S PROPERTY GROUP, LLC	1,575.84	02/29/12	4080
86030	01/24/12	NAP02 NAPCO/R. S. KNAPP CO. INC	381.74	01/31/12	4080
86031	01/24/12	NEO01 NEOPOST, INC.	1,597.83	02/29/12	4080
86032	01/24/12	NJN03 NEW JERSEY NATURAL GAS	0.00	01/24/12 VOID	0
86033	01/24/12	NJN03 NEW JERSEY NATURAL GAS	7,696.70	02/29/12	4080
86034	01/24/12	OFF06 OFFICE NEEDS	1,856.06	01/31/12	4080
86035	01/24/12	PAR28 PARDO'S TRUCK SERVICE PARTS	691.63	02/29/12	4080
86036	01/24/12	PEP01 PEDRONI FUEL COMPANY, INC.	59,894.99	01/31/12	4080
86037	01/24/12	PEP04 PEPCO ENERGY SERVICES, INC.	3,966.96		4080
86038	01/24/12	POR11 PORTER LEE CORP.	135.00	02/29/12	4080
86039	01/24/12	REM01 REMINGTON, VERNICK & VENA ENG.	7,488.00	01/31/12	4080
86040	01/24/12	ROB04 KATHRYN ROBINSON	250.00	01/31/12	4080
86041	01/24/12	SCA11 DANIEL & ANDREA SCAROLA	508.29	01/31/12	4080
86042	01/24/12	SPR02 SPRINT	317.84	01/31/12	4080
86043	01/24/12	STO18 FLOYD STOLLSSTEIMER	230.76	02/29/12	4080
86044	01/24/12	TIC01 JAMES & HILDA TICE	250.00	02/29/12	4080
86045	01/24/12	TRE12 TREASURER, STATE OF NEW JERSEY	16,144.00	02/29/12	4080
86046	01/24/12	TRE34 TREC-STATE OF NJ	1,225.00	02/29/12	4080
86047	01/24/12	TRI18 TRI-STATE BATTERY INC & AUTO	1,892.70	02/29/12	4080
86048	01/24/12	TYG01 MARY LEE TYGER	438.47	02/29/12	4080
86049	01/24/12	USM01 U.S. MUNICIPAL SUPPLY INC.	845.15	01/31/12	4080
86050	01/24/12	USP01 U.S. POSTAL SVC (NEOPOST POC)	10,000.00	01/31/12	4080
86051	01/24/12	VAN01 VAN SANT EQUIPMENT	499.95	02/29/12	4080
86052	01/24/12	VAN02 VAN DERVEER TIRE & SERVICE CTR	86.00	02/29/12	4080
86053	01/24/12	VER03 VERIZON WIRELESS	1,602.48	01/31/12	4080
86054	01/24/12	VER04 VERIZON	0.00	01/24/12 VOID	0
86055	01/24/12	VER04 VERIZON	979.80	02/29/12	4080
86056	01/24/12	VET03 NORTHSTAR VETS	313.65	02/29/12	4080
86057	01/24/12	WBM01 W.B. MASON COMPANY	816.63	02/29/12	4080
86058	01/24/12	WEL17 ERNEST WELTER	250.00	01/31/12	4080
86059	01/24/12	WIN11 KELLY WINTHROP, LLC	180.00	02/29/12	4080
86060	01/24/12	LOT02 ETTORE F LOTESORIERE	8,990.94	02/29/12	4088
Checking Account Totals		Paid	Void	Amount Void	Amount Paid

03/12/12
15:50:37

JACKSON TOWNSHIP
Check Register By Check Date

Page No: 3

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
Checks:	84	6	0.00	14,112,744.10	
Direct Deposit:	0	0	0.00	0.00	
Total:	84	6	0.00	14,112,744.10	
DEV FEES-COAH DEV FEES - COAH (NEW)					
184	01/24/12	TM02 T & M ASSOCIATES	1,913.25	01/31/12	4086
Checking Account Totals					
Checks:	1	0	0.00	1,913.25	
Direct Deposit:	0	0	0.00	0.00	
Total:	1	0	0.00	1,913.25	
DEVELOPERS-OF DEVELOPERS-OCEAN FIRST					
63395	01/24/12	BUR30 JERRY BURKE	205.00		4081
63396	01/24/12	CHE16 CHESTNUT ARBORICULTURAL &	0.00	01/24/12 VOID	0
63397	01/24/12	CHE16 CHESTNUT ARBORICULTURAL &	468.75		4081
63398	01/24/12	COU02 COUNTY LINE CONSTRUCTION INC.	391.50		4081
63399	01/24/12	DAS01 DASTI,MURPHY,MCGUCKIN PC	112.00	01/31/12	4081
63400	01/24/12	FER23 REBECCA FERRIOLA	182.61		4081
63401	01/24/12	GER12 GERTNER MANDEL & PESLAK	0.00	01/24/12 VOID	0
63402	01/24/12	GER12 GERTNER MANDEL & PESLAK	1,757.07	01/31/12	4081
63403	01/24/12	GER14 ANITA GERSHMAN	949.73	01/31/12	4081
63404	01/24/12	INN02 INNOVATIVE ENGINEERING INC	360.00		4081
63405	01/24/12	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	19,980.00	01/31/12	4081
63406	01/24/12	OWE01 OWEN LITTLE & ASSOCIATES INC.	945.00	01/31/12	4081
63407	01/24/12	PAR04 PARAMOUNT HOMES @ JACKSON	20,669.66		4081
63408	01/24/12	REM01 REMINGTON,VERNICK & VENA ENG.	1,869.00	01/31/12	4081
63409	01/24/12	TM02 T & M ASSOCIATES	0.00	01/24/12 VOID	0
63410	01/24/12	TM02 T & M ASSOCIATES	0.00	01/24/12 VOID	0
63411	01/24/12	TM02 T & M ASSOCIATES	0.00	01/24/12 VOID	0
63412	01/24/12	TM02 T & M ASSOCIATES	0.00	01/24/12 VOID	0
63413	01/24/12	TM02 T & M ASSOCIATES	0.00	01/24/12 VOID	0
63414	01/24/12	TM02 T & M ASSOCIATES	0.00	01/24/12 VOID	0
63415	01/24/12	TM02 T & M ASSOCIATES	37,878.22	01/31/12	4081
Checking Account Totals					
Checks:	13	8	0.00	85,768.54	
Direct Deposit:	0	0	0.00	0.00	
Total:	13	8	0.00	85,768.54	
DOG DOG ACCOUNT - NEW					
507	01/24/12	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	2,357.60	01/31/12	4083
Checking Account Totals					
Checks:	1	0	0.00	2,357.60	
Direct Deposit:	0	0	0.00	0.00	

03/12/12
15:50:37

JACKSON TOWNSHIP
Check Register By Check Date

Page No: 4

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
Total:		1 0	0.00	2,357.60	

GENERAL TRUST

61092	01/24/12	CHE16	CHESTNUT ARBORICULTURAL &	0.00	01/24/12 VOID	0
61093	01/24/12	CHE16	CHESTNUT ARBORICULTURAL &	4,518.75	02/29/12	4085
61094	01/24/12	EAS17	EAST COAST NJ SPAY CLINIC	748.00	02/29/12	4085
61095	01/24/12	FER16	CARLOS FERREIRA	1,200.00	02/29/12	4085
61096	01/24/12	MEC02	MECO, INC.	90,188.00	01/31/12	4085
61097	01/24/12	MOT10	MOTOROLA	2,025.00	02/29/12	4085
61098	01/24/12	TM01	T & M ASSOCIATES, INC.	7,625.00	01/31/12	4085
61099	01/24/12	TMF01	T.M. FITZGERALD & ASSOC.	1,132.90	01/31/12	4085

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	7	1	0.00	107,437.65
Direct Deposit:	0	0	0.00	0.00
Total:	7	1	0.00	107,437.65

HANDICAPPED

2045	01/24/12	JAC15	JACKSON TOWNSHIP P/R ACCOUNT	241.50	01/31/12	4087
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Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	1	0	0.00	241.50
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	0.00	241.50

PARKS REC

63910	01/24/12	ARB01	ARBOR TREE SERVICE	450.00		4082
63911	01/24/12	BOB01	BOB KISLIN'S INCORPORATED	107.64	02/29/12	4082
63912	01/24/12	BSN01	BSN SPORTS	379.00	01/31/12	4082
63913	01/24/12	CAP15	CAPTUREPOINT.COM	4,097.00	01/31/12	4082
63914	01/24/12	CLA31	CLASSIC TOURS	655.00	01/31/12	4082
63915	01/24/12	DEV06	DARA DEVINCENZO	41.00	02/29/12	4082
63916	01/24/12	JAC12	JACKSON TWP. BOARD OF ED.	161.05	02/29/12	4082
63917	01/24/12	JAC15	JACKSON TOWNSHIP P/R ACCOUNT	6,454.08	01/31/12	4082
63918	01/24/12	MAS08	MASUNE FIRST AID & SAFETY	109.40	02/29/12	4082
63919	01/24/12	MUR20	BRIAN J MURRAY	41.00	01/31/12	4082
63920	01/24/12	NJR01	NJ RECREATION & PARK ASSOC. INC	8,189.00	02/29/12	4082
63921	01/24/12	RIS02	RISE BALL CAMPS & CLINICS LLC	2,000.00	01/31/12	4082
63922	01/24/12	ROE03	ALEXIS ROE	60.00		4082
63923	01/24/12	YURO4	KIM YURO	10.00	02/29/12	4082

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	14	0	0.00	22,754.17
Direct Deposit:	0	0	0.00	0.00
Total:	14	0	0.00	22,754.17

Report Totals	Paid	Void	Amount Void	Amount Paid

03/12/12
15:50:37

JACKSON TOWNSHIP
Check Register By Check Date

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void Ref Number
Checks:	123	15	0.00	14,494,461.82
Direct Deposit:	0	0	0.00	0.00
Total:	123	15	0.00	14,494,461.82



03/12/12
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JACKSON TOWNSHIP
Check Register By Check Date

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Fund Description	Fund	Budget Total	Revenue Total
	1-01	295,121.59	0.00
	2-01	13,800,227.69	0.00
	C-04	161,245.01	0.00
	G-02	17,394.82	0.00
	T-12	107,437.65	0.00
	T-13	22,754.17	0.00
	T-14	241.50	0.00
	T-17	2,357.60	0.00
	T-20	1,913.25	0.00
Year Total:		134,704.17	0.00
Total Of All Funds:		14,408,693.28	0.00



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JACKSON TOWNSHIP
Check Register By Check Date

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Project Description	Project No.	Project Total
7760145675	1512-2325	20,669.66
7200063949 TOLL/WESTLAKE/SEC4A	P30608	434.50
7200063950 WESTLAKE 4B	P30609	54.00
7200063980WESTLK SEC.2B INSP.	P30660	54.00
7200064155 TOLL BROS SEC 6C	P30917	54.00
7200064177-WESTLAKE SEC6D	P30956	54.00
7200064181FOUR SEASONS MET	P30968	8,508.75
7200064197-TOLL BROS SEC 6E	P30987	54.00
7200064198-WESTLAKE SEC6F	P30988	54.00
7200064206-SEC1A SOUTH KNOLLS	P31000	241.25
7200064215 2003 COASTER	P31011	112.00
7200065156EAGLES NEST	P31048	652.25
7200065340 SYDNEY KRUPNICK	P31151	35.75
7200135389	P31160	8,349.00
7200135438-PREMIER@WHISGROVE	P31170	201.00
7200135560-SOUTH KNOLLS	P31205	1,013.75
7200135591 FOUR SEASONS AT MED	P31220	1,304.00
7200135714-MICHAEL COURT	P31244	715.57
7760145680 PARAMOUNT HOMES	P31354	245.75
7760145727-PARAMOUNT PROP GRP	P31386	611.75
7760145730-PARA CLASSICS@ROYAL	P31387	192.00
CONCORD ESTATES	P31523	143.00
16701/5.01 CVS	P31556	35.75
NEW PROSP PLAZA	P31599	214.50
NJNG PROPOSED SUBSTATION	P31628	178.75
minor sub1376	P31648	270.00
SD#622	P31653	321.50

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JACKSON TOWNSHIP
Check Register By Check Date

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Project Description	Project No.	Project Total
WHITESVILLE RD	P31660	1,620.00
OCC Primrose	P31667	472.50
JACKSON ATHLETIC	P31670	225.00
4 NORTH POINTE DRIVE	P31674	37.50
7200065093 CLEARING	TWP00002	780.00
ASHLEY ESTATES(CHRISTINA COURT	TWP00014	31.25
MELODY WOODS -ZAIDI HOMES	TWP00015	46.25
JF KIELY	TWPOE06	2,190.00
DERASMO EXCAVATING	TWPOE100	600.00
KLINE	TWPOE107	3,840.00
VERIZON-	TWPOE114	1,680.00
WALTER EARLE	TWPOE12	1,920.00
LUCAS BROTHERS	TWPOE13	1,320.00
JCP&L PLANNED	TWPOE132	5,040.00
MONMOUTH EXCAVATORS	TWPOE150	1,860.00
JA. NEARY EXCAVATING CORP	TWPOE151	720.00
D&D UTILITY	TWPOE16	330.00
ST ALOYSIUS	TWPOE24	480.00
JT SUBDIVISION ACCT	TWPSD001	4,429.40
7200065260 ATT WIRELESS	Z31122	143.00
7200065330	Z31142	18.75
7760145852 19 PETROLEUM	Z31451	1,467.50
bank retail bldg/minor sd	Z31504	37.50
GERSHMAN	Z31528	949.73
WELLER	Z31567	1,194.30
commercial site	Z31584	6,781.00
use variance	Z31586	205.00

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JACKSON TOWNSHIP
Check Register By Check Date

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Project Description	Project No.	Project Total
THEBANK PROJECT	Z31605	889.00
COOKSBRIDGE RD	Z31615	391.50
303 CAYUGA LANE/LIPPERT	Z31651	455.50
487 whiteville rd	Z31657	182.61
FORMAN SIGN CO	Z31658	472.77
FOREMAN SIGN/SUN OIL CO	Z31659	121.50
MERIDIAN HEALTH VILLAGE	Z31675	62.50
Total of All Projects:		85,768.54

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

RESOLUTION 045R-12

TITLE: AUTHORIZE TAX OVERPAYMENT REFUNDS

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

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.

DATED: 1/24/12 ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

TOWNSHIP OF JACKSON

OVERPAYMENT REFUNDS

Resolution 045R-12

January 24, 2012

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>YEAR-QTR</u>	<u>AMOUNT</u>
701	346	Cook, John R & Joan	2011 – 4 th	\$ 250.00
701	425	Kesper, Jeffrey A & Susanne	2011 – 4 th	250.00
701	706	Tice, James D & Hilda J	2011 – 4 th	250.00
4301	42	Scarola, Daniel & Andrea	2011 – 4 th	502.50
			<i>interest</i>	5.79
5810	77	Welter, Ernest F	2011 – 4 th	250.00
6202	3	Stollssteimer, Floyd O	2011 – 4 th	228.14
			<i>interest</i>	2.62
6501	42.05	McCarter & English, LLP	2011 – 4 th	2,813.10
			<i>interest</i>	30.08
7304	5	Robinson, Kathryn L	2011 – 4 th	250.00
7309	11	M & S Property Group LLC	2011 – 4 th	1,558.31
			<i>interest</i>	17.53
7309	13	M & R Acquistions	2011 – 4 th	1,387.20
			<i>interest</i>	15.99
9701	31.38	Garvey, James P & Christine c/o Peter R LaFrance, Esq	2011 – 3 rd	1,538.94
10101	93	Feller, Barbara J & Amrhein, R K	2011 – 4 th	250.00
14606	51	Luszik, Michael & Patricia	2012 – 1 st	491.35
18701	3	Tyger, Mary Lee	2012 – 1 st	438.47
20601	27	Donnelly, Jack & Doreen	2010– 4 th	115.09
22112	5	Filynco Properties LLC	2011 – 4 th	3,754.19
			<i>interest</i>	43.27
23103	20	Lotesoriere, Ettore F & L M Fleury	2009 – 1 st	1,347.62
			2009 – 2 nd	1,347.61
			2009 – 3 rd	1,340.13
			2009 – 4 th	1,340.12

2010 – 1 st	1,343.87
2010 – 2 nd	1,343.87
2010 – 3 rd	1,463.42
2010 – 4 th	1,463.42
2011 – 1 st	1,403.65
2011 – 2 nd	1,403.64
2011 – 3 rd	1,593.34
2011 – 4 th	1,593.33
2012 – 1 st	1,498.49
2012 – 2 nd	<u>1,498.49</u>
<i>Total:</i>	<i>\$34,423.57</i>

DATED: 1/24/12

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

RESOLUTION 046R-12

TITLE: APPROVE BINGO/RAFFLE LICENSE

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

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:

- #RA-1456 – NJ 782nd AFJROTC Parents Group of Jackson Memorial and Liberty High School
- #RA-1457 – NJ 782nd AFJROTC Parents Group of Jackson Memorial and Liberty High School
- #RA-1458 – Christa McAuliffe School & Home Association
- #RA-1459 – Christa McAuliffe School & Home Association
- #RA-1460 – PTO HC Johnson Elementary School
- #RA-1461 – PTO HC Johnson Elementary School
- #RA-1462 – Jackson Liberty H.S. PTSN

2. Copies of the Resolution to interested parties.

DATED: 1/24/12

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

RESOLUTION 047R-12

TITLE: APPROVE JACKSON TOWNSHIP COUNCIL MEETING MINUTES OF NOVEMBER 14, 2011 AND NOVEMBER 29, 2011

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: RIVERE, UPDEGRAVE & BRESSI

ABSTENTIONS: KAFTON & MARTIN

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

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

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

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

NOVEMBER 14, 2011
NOVEMBER 29, 2011

2. Copies of this resolution to any interested parties.

DATED: 1/24/12

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

RESOLUTION 048R-12 – NOT PASSED
TITLE: AUTHORIZE RENEWAL OF MOBILE HOME PARK LICENSE FOR THE YEAR 2012 TO MGM JACKSON, LLC T/A MAPLE GLEN MOBILE HOME PARK, BLOCK 18602, LOT 1 (BOWMAN & MILLER ROAD)

COUNCILMAN KAFTON: He explained that he would have to vote “no” on this because he believes there are issues that need to be resolved there.

COUNCILMAN MARTIN: He stated that he agrees with Councilman Kafton on this and he too believes there are still issues.

COUNCIL PRESIDENT BRESSI: He explained that if Councilman Martin and Councilman Kafton are the liaisons to the Rent Control Board he feels they must have reasons for this so he will also vote “no”.

MOTION TO APPROVE BY: RIVERE
MOTION SECONDED BY: UPDEGRAVE
YES: RIVERE & UPDEGRAVE
NO: KAFTON, MARTIN & BRESSI
(MOTION FAILED)

WHEREAS, MGM Jackson, LLC t/a Maple Glen Mobile Home Park has requested a renewal of its Mobile Home Park License for Calendar Year 2012 for property located at Bowman and Miller Road, a/k/a Block 18602, Lot 1, Jackson Township; and

WHEREAS, per Chapter 77 of the Jackson Code, said applicant has submitted an application in proper form, paid the required fees and has received approval from various municipal departments and agencies.

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

1. The application of MGM Jackson, LLC t/a Maple Glen Mobile Home Park for renewal of its Mobile Home Park License for the premises known as Bowman & Miller Road Block 18602, Lot 1, Jackson Township, is hereby approved.
2. The Township Clerk is hereby authorized to issue the aforesaid renewal to the applicant.
3. Said license is issued for a period commencing February 1, 2012 and ending January 31, 2013.

4. Said license is issued subject to any and all restrictions imposed by the Jackson Township Zoning Board of Adjustment and the Jackson Township Planning Board.
5. That upon the adoption of this resolution, the Township Clerk is authorized and directed to forward a certified copy of it to the Township Administrator and MGM Jackson, LLC, t/a Maple Glen Mobile Home Park.

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

DATED: 1/24/12

RESOLUTION 049R-12

TITLE: APPROVE CHIEF FINANCIAL OFFICERS REPORT FOR MONTH OF DECEMBER 2011

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

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:

1. The Chief Financial Officer’s monthly report for December 2011 is hereby approved.
2. Copies of this Resolution to Treasurer, Administrator, Township Attorney, and any other interested parties.

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

DATED: 1/24/12

RESOLUTION 050R-12

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING REDUCTION TO THE PERFORMANCE GUARANTEES POSTED BY PARAMOUNT HOMES FOR WHISPERING MEADOWS (A.K.A. JACKSON MILLS MANOR) LOCATED ON BLOCK 111, LOT 14.01

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE & BRESSI

WHEREAS, Paramount Homes has requested a Reduction of the Performance Guarantee posted for Whispering Meadows (a.k.a. Jackson Mills Manor) located on Block 111, Lot 14.01, Jackson Township; and

WHEREAS, the following Performance Guarantees currently in place are:

1. Performance guarantee in the form of Performance Bond # 5019021 in the amount of \$1,189,238.37 issued by Bond Safeguard Insurance Company.
2. Cash Guarantee in the amount of \$132,137.60.

WHEREAS, Michael Miller, Township Engineer, T&M Associates, has reviewed and approved the reduction of the Performance Guarantee in a letter report dated January 5, 2012 in the following amount:

1. Reduction of the Performance Bond to not less than \$887,176.30
2. Reduction of the Cash Guarantee to not less than \$98,575.14

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Jackson, County of Ocean and State of New Jersey, that the Performance Bond is hereby reduced from \$1,189,238.37 to not less than \$887,176.30 and the Cash Guarantee from \$132,137.60 to not less than \$98,575.14. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

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

DATED: 1/24/12

RESOLUTION 051R-12

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING REDUCTION TO THE PERFORMANCE GUARANTEES POSTED BY PARAMOUNT HOMES FOR WHISPERING GROVE LOCATED ON BLOCK 83, LOTS VARIOUS

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE & BRESSI

WHEREAS, Paramount Homes has requested a Reduction of the Performance Guarantee posted for Whispering Grove located on Block 83, Lots Various, Jackson Township; and

WHEREAS, the following Performance Guarantees currently in place are:

1. Performance guarantee in the form of Performance Bond # 5007757 in the amount of \$533,659.86 issued by Bond Safeguard Insurance Company.
2. Cash Guarantee in the amount of \$59,295.54.

WHEREAS, Michael Miller, Township Engineer, T&M Associates, has reviewed and approved the reduction of the Performance Guarantee in a letter report dated December 23, 2011 in the following amount:

1. Reduction of the Performance Bond to not less than \$480,779.06
2. Reduction of the Cash Guarantee to not less than \$53,419.90

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Jackson, County of Ocean and State of New Jersey, that the Performance Bond is hereby reduced from \$533,659.86 to not less than \$480,779.06 and the Cash Guarantee from \$59,295.54 to not less than \$53,419.90. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

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

DATED: 1/24/12

RESOLUTION 053R-12

TITLE: ACKNOWLEDGE ACCEPTANCE OF FY 2011 BULLETPROOF VEST PARTNERSHIP GRANT THROUGH THE FEDERAL BUREAU OF JUSTICE ASSISTANCE

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE & BRESSI

WHEREAS, the Federal Bureau of Justice Assistance has established the FY 2011 Bulletproof Vest Partnership Grant; and

WHEREAS, the Jackson Township Police Department previously submitted a grant application to the Federal Bureau of Justice Assistance for the FY 2011 Bulletproof Vest Partnership Grant; and

WHEREAS, the Township of Jackson has previously approved similar grant funding in previous years for Body Armor; and

WHEREAS, the amount of said funding is \$13,650.00 pursuant to the Department of Justice and the matching funds in the amount of \$13,650.00 would be taken from the State of New Jersey Bulletproof Vest Program/Body Armor Grant, which the Township currently holds; and

WHEREAS, it is the desire of the Township Council to accept this grant.

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

1. The Township of Jackson hereby accepts the award set forth in the FY 2011 Bulletproof Vest Partnership Grant in the amount of \$13,650.00.
2. That upon adoption of this resolution, the Clerk is authorized to forward a certified copy to Municipal Administrator, Chief of Police, CFO and any interested parties.

DATED: 1/24/12

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

DISCUSSION AGENDA:

1. SALE OF ONE PLENARY RETAIL DISTRIBUTION LICENSE:

COUNCIL PRESIDENT BRESSI: He began by saying they have an option of going out to bid for one plenary retail distribution license. This was prompted by the public inquiring about it and wanting to bid on it. He asked the Council if they would consider putting one of the retail licenses up for bid? He then stated they needed to decide on a minimum bid. Township Clerk Eden stated in 2008 the Township went out to bid on a retail distribution license and the minimum bid was set at \$250,000 and it was sold for \$318,000. Council President Bressi asked if this should be an auction or a sealed bid? Attorney Cipriani explained the Township didn't need to hire an auctioneer if they feel they have an employee or an elected official with the proper tone and personality. Council President Bressi stated that the Council was in agreement to go out to bid for one plenary retail distribution license with a minimum bid of \$300,000 and this will be done by auction. The resolution will be on the agenda at the 2/14/12 meeting.

2. AMENDMENT TO FORESTRY PLAN AS APPROVED BY THE SHADE TREE COMMISSION:

ADMINISTRATOR TORRES: He explained that back in 2008 the Township approved a Forestry Management Plan, which will expire in 2013. The Shade Tree

Commission made some amendments, which will require the governing body to give a concurrent resolution as to the amendments. He then read the amendments into the record and asked for the Council's approval. Council President Bressi polled the Council and they decided to put a resolution of the agenda approving this at the 2/14/12 meeting.

3. UPDATE – RENT LEVELING ISSUES (OIL TANKS):

ATTORNEY CIPRIANI: She explained that she has heard from Mr. Visconi (of her firm) and has spoken to the Counsel for the Rent Leveling Board and at this point the landlords haven't made any application to the Board that would allow them to pass along the cost of removal of the tanks. The only way that could be done is if they put in an application for a hardship increase or capital project increase. This hasn't occurred, therefore they have no authority to pass along those charges.

PUBLIC HEARING, ANY TOPIC

GARY MILLER, 48 BOXWOOD DRIVE: He addressed Attorney Cipriani and asked regarding the oil tank issue how's that enforceable? Attorney Cipriani explained all they can do is make sure the landlords comply with state laws and the Township code. Mr. Miller stated the landlords have sent an amendment around and they have been charging. They have also asked a new resident in Maple Glen to sign that he would be responsible for the tank as condition of the sale. He had an email from a realtor dealing with Fountainhead and they too are claiming no responsibility. He explained that they spoke at the last Rent Leveling Board meeting and was basically told by Mr. Rumpf that the only enforceability they have is if they enter into a civil suit. If that is necessary they would be willing to do that, but he sees no advantage for the town or the residents of Maple Glen because they would have to bring in the members from the Rent Leveling Board and the Council and this will also increase taxes, which the landowner doesn't pay, but we pay. He then thanked the three Council Members who voted "no" on the Maple Glen license tonight to send a message. Councilman Martin stated that there are considerable issues over at MGM. He would like to set up a meeting with Mr. Miller, Mr. Rumpf and a delegate from MGM as soon as possible. Attorney Cipriani stated this was an excellent idea. If this isn't able to be resolved, the course of action would be a civil suit, but she hopes it won't come to that. Mr. Miller went on to say he is also the Treasurer of the State Manufactured Homeowners Association and this is an issue brought by an attorney who lost a case in 1997. He would like to retry it here in Jackson. He is also doing the same thing in Hazlet and going to try to do it in Hamilton Township. He spent yesterday in the Department of Legal Services discussing this. He then explained that the Chairman of the Rent Leveling Board says unless there is an application on the agenda they will not hold a meeting. Councilman Kafton stated the Township Council decided that the Rent Leveling Board must hold one meeting a month regardless of whether or not something is on the agenda to give the residents the right to speak. Mayor Reina complimented the three Councilmen for taking a stance this evening he didn't realize how grave the situation is. He stated he did speak with Mr. Miller via email and guaranteed him full participation from his office and the Township legal counsel. Mr. Miller thanked the Mayor and stated that the Chairman of the Rent Leveling Board said "if he is forced to hold these meetings once a month then he will resign". Councilman Kafton said they should then get his resignation.

JOE MARCANTE, 39 ROSE DRIVE: He stated that he would back Mr. Miller 100%. Fountainhead is telling people they have to take their tanks out if they want to sell their house. If the person who is selling the home agrees to take the tank out and oil is dripping in there the land is dead. Maybe they should get the DEP in there.

GENE DAVIS, 6 LLEWELLYN COURT: He addressed Councilman Martin and said he stated earlier that the Municipal Prosecutors salary is \$40,000 and asked what the Alternate Prosecutor makes? Township Clerk Eden explained that it comes out of the Municipal Prosecutor's salary as he is paid directly by the Prosecutor. Councilman Martin explained that the Public Defender and Prosecutor are the only two paid by salary. Mr. Davis then asked when they make these appointments if they could put in the amount they can't exceed on the agenda because they most likely will exceed it. Council President Bressi explained that it would have to be brought before the Council if they

were going to exceed it. Councilman Martin said that he has been here for 5 years and the Prosecutor and Public Defender haven't ever exceeded the amount. These two are the only two with annual salaries and the rest of the professionals have hourly rates.

TRISHA PONGRACZ, FOREST DRIVE: She stated that she is concerned about the break-in's going on in Jackson. She asked what can be done to help the Police Department protect this town more than they have been? She asked how many police officers have been laid off over the past couple of years? Council President Bressi replied that they haven't laid off any police officers. He then explained that some arrests have been made this week and the police are doing the best they can. Mayor Reina asked Captain Wagner to come up and speak.

CAPTAIN WAGNER: He began by saying there are 73 officers on the force. They have increased patrols during the day and have officers in unmarked cars and plain clothes. He explained that he didn't want to give out a lot of information, but he was willing to speak to Ms. Pongracz after the meeting.

PAUL MAYEROWITZ, 91 CYPRESS POINTE LANE: He addressed the Mayor and stated he was glad to see he was in good health despite rumors to the contrary. He spoke about the discussion regarding the mobile home parks. He stated that mobile home park licenses are due to be renewed on February 1st. The township ordinance limits the number of mobile home parks to no more than six and the number of adult parks to no more than three. Today is the last meeting before the February 1st renewal date so that means we have a substantial number of mobile home parks that haven't submitted their applications on a timely basis for inspections to occur. Township Clerk Eden stated they have already done a few and there could be some in the process. We might not have heard back from all the agencies that need to inspect. She stated that off the top of her head she doesn't know all the applications that have been submitted or where they stand at this time. As long as they submitted their application by February 1st they are fine. Mr. Mayerowitz stated he sent a report to the Council regarding the timeliness of permits, licenses and fees in Jackson Township. A failure to get these licenses and permits in on a timely basis makes us not only lose revenue, but also jeopardizes the public safety and welfare. If we don't get the applications in on a timely basis then Code Enforcement should be doing their job. He has spoke to the Council President and he agrees that they need to take a closer look at our fee schedule and to see if some of the fees that haven't been raised since the early 1970's can be adjusted to recover the cost of the application process and also take a look at what other towns are charging. At the same time the Technology Committee will move forward and take a look at the processes we use in the town to see if we can implement a system either utilizing the Edmunds or Mitchell Humphrey Systems that we already maintain to see if we can come up with something that will allow for more timely processing in the departments so we can get better control over this process. One thing he heard tonight that he didn't know about was the Council taking a step concerning the Rent Leveling Board needing a minimum of one meeting per month so they can hear from the residents. He suggested that if residents show up for a meeting and the Rent Leveling Board doesn't have a quorum, but there are members present those members should still meet with the residents to hear their concerns so that their issues can be resolved in a timely manner at the next meeting. Administrator Torres said he was directed by Council to send correspondence to the Rent Leveling Board saying the public must be heard once a month and preferably at the first meeting of the month whether they have business or not on the agenda. Mr. Mayerowitz stated this shouldn't only apply to the Rent Leveling Board, but any of the township committees/boards that we have. He explained that he was trying to attend a Township board meeting and showed up to find out it was cancelled. Councilman Kafton asked him which meeting? Mr. Mayerowitz replied that wasn't relevant. Councilman Martin stated that is worth considering. Mr. Mayerowitz in closing stated when the CBAC read the report that was given to them it contained an argument that talked about rising legal costs. They took a close look at that and they concluded that looking at legal fees or professional fees just by looking at the total cost of what is being spent on that particular service is inappropriate. You need to look at the driver of the cost, which is how many hours being worked. If the cost goes up one year, but the hourly rate remains the same the rate isn't the driver, but the amount of work being done. He went on to speak about a flat rate for any of our professionals over a five-year period in fact represents a reduction

in rates in real terms because they haven't recouped any of the inflationary expenses they have had. He has heard a challenge that the professionals should be reducing their rates, but haven't heard about any research that has been done showing that these professionals have been charging any other municipalities less. Councilman Kafton stated for the record that he totally disagrees.

TOM CHIRICO, 74 W. PLEASANT GROVE ROAD: He explained that he was denied a tree permit to take his trees down. He was approved for an addition, but he can't take the two trees down that are in the way. He was told he needed to bring this before the Township Council because he can't take the trees down because they are historic. His insurance has been canceled because of these trees damaging his house. He asked what he needs to do? Council President Bressi asked Administrator Torres to look into this and get back to Mr. Chirico.

SEAN GIBLIN, 515 SO. COOKSBRIDGE ROAD: He began by saying he reads what Mr. Mayerowitz puts in the paper and if you don't attend these meetings you are led to believe there is a problem with Councilman Kafton refusing to answer a question. He stated that as he was sitting here and heard Mr. Mayerowitz bring up a meeting that didn't take place and Councilman Kafton asked him which meeting so he could look into it. Mr. Mayerowitz wouldn't answer him. Mr. Giblin then spoke about Mr. Mayerowitz talking about legal fees and how Councilman Martin brought up 2001-2006 and how there has been a reduction of \$2.1 Million Dollars. Councilman Martin stated it was 2001-2005 and it was a reduction of \$2.6 Million Dollars. Mr. Giblin stated as Mr. Mayerowitz stated earlier that is a "generality" that can't be made. You don't know how much work the law firm is doing. He then stated that tomorrow he will be asking for a copy of the spreadsheet that some Council Members have and some don't. Council President Bressi explained that Council Vice President Updegrave had the spreadsheet and handed to him. Mr. Giblin went on to say that people don't realize these professionals don't bid on these jobs, they ask for them. If there is a legal binding bid you take the lowest bidder. He explained that all Councilman Kafton was suggesting was that the Mayor ask for a 5% reduction on their proposal and this doesn't violate any law. As Mr. Mayerowitz pointed out the hourly rate isn't the driver, but you can ask for a reduction in the hourly rate and therefore reduce the cost of the work being done.

ROB SKINNER, 404 LARKSPUR LANE: He stated that he is fairly new to the Rent Leveling Board and this is the first time he heard about having one meeting a month. He is happy about it because these people are suffering and they are very discouraged by the fact that we are canceling meetings all the time. He was told that by canceling a meeting we are saving \$600 so if there is nothing on the agenda we shouldn't hold meetings. He disagrees with that. If we need to save the money then we should hold the meetings without the attorney. He also asked if the meeting they are having with Gary Miller, if they could invite members of the Rent Leveling Board? Councilman Martin stated they would have to go through the Chairman, but he is fine with that.

PAUL MAYEROWITZ, 91 CYPRESS POINT LANE: He addressed Councilman Kafton and explained he didn't think it was germane so he decided not to get into it especially since there are people here who know that the meeting that was canceled was the Jackson Township Animal Welfare Committee. Councilwoman Rivere asked Attorney Cipriani if there is a requirement under OPMA for a resident to sit in or be invited to participate in a township committee meeting? Attorney Cipriani stated that things that make a meeting subject to the Open Public Meetings Act is a public entity with a quorum and if that group has the ability to engage in the spending of public funds or the decision making to lead to same. Councilwoman Rivere stated that TNR doesn't raise or encumber funds of any kind. Mr. Mayerowitz stated the point he was trying to make was for this particular meeting there were points that needed to be clarified. The committee chose not to meet with a resident similar to what was just discussed about the Rent Leveling Board. There was no forum for a resident to present their concerns about the way a township committee is functioning. That is why he wanted to understand if they could apply the same principles throughout the township committees. He requested the Business Administrator set up a meeting with the Animal Welfare Committee so that the issues he wanted to be discussed could be resolved. Councilman Kafton asked Mr. Mayerowitz if at the last meeting he asked the Council to take a look at fees that haven't

been changed in a long time? Mr. Mayerowitz explained that he has spoke about this issue previously and also spoke about it tonight. Councilman Kafton stated at the last meeting Mr. Mayerowitz polled the Council asking if that was a good idea and they all agreed including himself. Therefore, he doesn't appreciate him sending a letter to the editor saying something different. Mr. Mayerowitz stated he would verify what was said.

COUNCILMAN KAFTON: He explained that he and Council President Bressi were just talking and it appears that there was a liquor license sold for a lot more then they thought. They will verify the amount, but before they set the price they should review sales of licenses that sold in town. Attorney Cipriani explained that she could prepare the resolution, but leave a blank for the minimum and set the amount at the next meeting prior to adoption.

TOWNSHIP CLERK EDEN: She announced that all dog licenses are due by January 31st.

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

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

10:02P.M.

RESPECTFULLY SUBMITTED,

COUNCIL PRESIDENT BRESSI

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

AME/tvc