

**ON TUESDAY, JUNE 26, 2012, AT 7:00P.M. THE JACKSON TOWNSHIP
COUNCIL HELD ITS (EXECUTIVE SESSION) MEETING IN THE MUNICIPAL
BUILDING**

ROLL CALL:

COUNCILMAN KAFTON
COUNCILMAN MARTIN - *Absent*
COUNCILWOMAN RIVERE
COUNCIL VICE PRESIDENT UPDEGRAVE
COUNCIL PRESIDENT BRESSI

ATTORNEY DENIS KELLY
TOWNSHIP CLERK EDEN

ALSO IN ATTENDANCE: ADMINISTRATOR TORRES

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

RESOLUTION 235R-12

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

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: KAFTON

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:
 - b) Litigation/Potential Litigation:
 - c) Potential Land Sale/Land Acquisition: Land swap Cornerstone Presbyterian Church. RFP's – possible land lease – church restoration and rehabilitation.
 - d) Contracts/Agreements: Summer Camp Discount/Fees
3. It is anticipated that the subject matter discussed may be made public upon its conclusion or final disposition.

DATED: 6-26-12

ANN MARIE EDEN, RMC
TOWNSHIP CLERK

7:30 P.M. - RECONVENE PUBLIC MEETING**PLEDGE OF ALLEGIANCE**

COUNCIL PRESIDENT BRESSI – As we approach the 4th of July, we ask those in attendance not to forget the many freedoms we have. Yesterday was an anniversary from 1950 when 75,000 North Korean troops crossed the 38th parallel called the “Korean Conflict”. Please think of all the those who gave the supreme sacrifice to allow the freedoms that are sustained for us.

ROLL CALL:**COUNCILMAN KAFTON****ATTORNEY DENIS KELLY****COUNCILMAN MARTIN****TOWNSHIP CLERK EDEN****COUNCILWOMAN RIVERE****COUNCIL VICE PRESIDENT UPDEGRAVE****COUNCIL PRESIDENT BRESSI****ALSO IN ATTENDANCE: ADMINISTRATOR TORRES**

As Clerk of this meeting, I publicly announce that in compliance with the provisions of the “Open Public Meetings Act” adequate notice of this meeting of the Jackson Township Council has been advertised in the manner prescribed by law.

COUNCILMAN KAFTON – Welcomed all this evening. Regarding paragraph 3 in the Attorney’s agreement, it states any other extraordinary legal services as determined & authorized by the Township Council, which cannot be anticipated at the time of this agreement shall be authorized by separate Resolution & contract of the Township Council. He feels it appears that this agreement was drawn up for the Mayor and it would be extra billing for the Council. It appears that any Council actions would spark billing outside of this agreement. Attorney Kelly stated he didn’t have the agreement in front of him. Council President Bressi suggested putting it on the Discussion Agenda for the next meeting. Mr. Bressi explained that it means anything other than general billing and separate litigation.

Township Clerk Eden advised at the last meeting (to which she was absent) there was an amendment to that contract. She asked if Mr. Kafton was reading from the amended or original copy. Mr. Kafton advised it was the original and the amended copy removed paragraph 4. Ms. Eden stated she didn’t have it in front of her. Mr. Kafton wasn’t sure who worked on it and thinks it doesn’t serve in our best interest. Mr. Kafton requested a copy of Schedule A per the resolution, as it is not attached.

Council President Bressi explained the bill list having a balance for the Attorneys from the May billing and from June 1 – 15th (general billing) was \$11,250; a \$1900 savings in the first 15 days and we anticipate greater savings in the next 2 weeks. When the bill comes in for July, we’ll know if it was or was not a savings. Mr. Torres explained the billing cycle was split and ½ of May carried over and 15 days of June into new payment cycle at the flat rate. Mr. Kafton asked what was the cost for May? Mr. Torres explained the general bill was \$17,130; half of June was \$11,250. In general fees, the total is \$28,380 and \$18,567 special litigation. Mr. Kafton went over prior months costs with Mr. Torres and doesn’t understand how the firm will break it down to \$22,500 per month. Mr. Bressi explained you wouldn’t see charges for each month until you break it down and after July 30th, we’ll see the exact savings. Mr. Kafton feels the Council doesn’t have the ability to use the attorneys. Mr. Kelly stated as we go into a specific billing cycle, it will be more apparent as the billing cycle goes forward.

Mr. Kafton asked for a status of Today in America. Mr. Torres explained the data is being collected. They are looking into airing such items as provisions in the Master Plan, items approved by the Planning Board, a strategic plan done in collaboration with the NJIT & DCA Planning Divisions and after the editorial process we should begin airing approximately mid-July. It will be a 5-minute segment and we will be given the days and times for airing. It will be one airing on a major station and multiple airings on sister

stations. This costs approximately \$20,000 and we will own the marketing piece. Mr. Kafton felt the Council had money to spend on this but not for an external audit of the Recreation Department. Mr. Martin felt it is a worthwhile investment. Mr. Kafton feels our Chamber of Commerce could have done advertisements. Mr. Bressi stated the EDC approves & endorses it as well as the Chamber of Commerce. Mr. Kafton suggested being an election year any political candidate running for office should not be in the segment.

COUNCILMAN MARTIN – He had the pleasure of attending graduations at Memorial & Liberty High School and wished all of the graduates well in their future endeavors. We have some of the best teachers and it was a pleasure to have attended. Have a great 4th of July.

COUNCILWOMAN RIVERE – Wished everyone a great holiday and waived her comments.

COUNCIL VICE PRESIDENT UPDEGRAVE – Thanked all for coming out and wished a safe & happy 4th of July.

COUNCIL PRESIDENT BRESSI - Thanked all for coming out and asked to think of all the Veterans on the 4th of July.

APPROVE EXECUTIVE SESSION MEETING MINUTES: JUNE 12, 2012

MOTION BY: RIVERE
SECONDED BY: MARTIN
YES: RIVERE, UPDEGRAVE, BRESSI
ABSTAIN: KAFTON, MARTIN

ORDINANCES, SECOND READING:
NONE AT THIS TIME.

ORDINANCE FIRST READING:

ORDINANCE: 19-12
TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE DEDICATION OF A ROAD EASEMENT TO THE COUNTY OF OCEAN.

MOTION TO APPROVE ORDINANCE 19-12 ON FIRST READING, ADVERTISE THE APPROVAL, NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON JULY 10, 2012 BY: RIVERE
MOTION SECONDED BY: MARTIN
YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

ORDINANCE NO. 19-12

WHEREAS, Jackson Township is the assessed owner of all the subject property located at Block 19404, Lot 41 on the Tax Map of the Township of Jackson; and

WHEREAS, Jackson Township wishes to dedicate a as a road easement to the County of Ocean a portion of the subject property known as “Parcel #1” in association with the proposed reconstruction of the roadway.

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 governing body does hereby authorize the dedication of a road easement to the County of Ocean in association with the proposed reconstruction of Block 19404, p/o Lot 41, Parcel #1.

SECTION 2. That the Mayor and Municipal Clerk are hereby authorized to execute any and all documents necessary for the dedication of the subject property to the County of Ocean.

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

SECTION 4. If any section, 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.

Date: _____

MAYOR MICHAEL REINA

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Jackson, in the County of Ocean, State of New Jersey, held on **June 26, 2012**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **10th date of July, 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.

ANN MARIE EDEN, RMC
Township Clerk, Township of Jackson

BILLS AND CLAIMS:

MOTION TO APPROVE BILLS AND CLAIMS BY: MARTIN

MOTION SECONDED BY: RIVERE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

NO: KAFTON (No to all professionals except YES to Remington & Vernick), P1200200 & P1200182

ABSTAIN: UPDEGRAVE (WINDING WAYS)

DISCUSSION – Mr. Kafton asked if the \$14,549.00 was the schools summer camp actual cost? Mr. Torres stated it is a deposit. Mr. Kafton asked if they are actual amounts or estimates? Mr. Bressi explained they are estimated at this time. Mr. Torres stated it is estimated on the high side; they can't go up only down. Mr. Kafton asked if there is anything over and above the cost that the school makes money on or is it a direct wash. Mr. Torres explained it's a pass through; exact costs. Mr. Martin asked if in years past, have we ever gotten hit with a bill months later that's been excessive. Mr. Torres answered no and it's a slight increase because the custodians' had a percentage increase. Mr. Kafton asked to discuss the employees' relationship to an outside vendor during tonight's Discussion Agenda.

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT					
Continued					
86950	06/26/12	JAC12 JACKSON TWP. BOARD OF ED.	6,534,169.00		4213
86951	06/26/12	JAC14 JACKSON TWP.MUN.UTILITIES AUTH	43.85		4213
86952	06/26/12	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	639,840.97		4213
86953	06/26/12	JAC45 TOWNSHIP OF JACKSON	1,398.50		4213
86954	06/26/12	JCP01 JERSEY CENTRAL POWER & LIGHT	0.00	06/26/12 VOID	0
86955	06/26/12	JCP01 JERSEY CENTRAL POWER & LIGHT	24,652.27		4213
86956	06/26/12	KAV03 ANIL KAVVAS	60.00	06/26/12 VOID	4213
86957	06/26/12	LAW01 LAWREN SUPPLY CO. OF N.J.,INC	1,509.51		4213
86958	06/26/12	LOW01 LOWE'S COMPANIES,INC.	286.93		4213
86959	06/26/12	MAZ04 MAZZA RECYCLING,INC.	18,963.86		4213
86960	06/26/12	MC001 MCCRYSTAL REPORTING INC.	200.00		4213
86961	06/26/12	MIR03 MIRACLE CHEMICAL COMPANY	86.40		4213
86962	06/26/12	MON37 MONMOUTH TELECOM	1,267.16		4213
86963	06/26/12	MRD01 WILLIAM EVERSON	86.18		4213
86964	06/26/12	NEO01 NEOPOST,INC.	1,493.00		4213
86965	06/26/12	NEO02 NEOFUNDS BY NEOPOST	6,955.41		4213
86966	06/26/12	NJD04 TREASURER-STATE OF NEW JERSEY	60.00		4213
86967	06/26/12	NJN03 NEW JERSEY NATURAL GAS	3,721.48		4213
86968	06/26/12	OBR01 DENNIS O'BRIEN	112.96		4213
86969	06/26/12	OCE02 OCEAN COUNTY BOARD OF HEALTH	2,070.00		4213
86970	06/26/12	OFF06 OFFICE NEEDS	314.49		4213
86971	06/26/12	OFF07 OFFICE FURNITURE PLUS,INC	412.00		4213
86972	06/26/12	PAL02 SALVATORE & EILEEN PALMIERI	573.28		4213
86973	06/26/12	RIC25 RICOH AMERICAS COPORATION	850.59		4213
86974	06/26/12	ROD08 M. A. RODRIGUEZ	473.75		4213
86975	06/26/12	RUB05 RUBBERCYCLE	201.60		4213
86976	06/26/12	RUT02 RUTGERS,THE STATE UNIVERSITY	170.00		4213
86977	06/26/12	SIL09 SHERI SILVERSMITH - PETTY CASH	177.09		4213
86978	06/26/12	STA29 STARKEY,KELLY,BAUER,KENNEALLY&	5,145.00		4213
86979	06/26/12	TMO3 T&M ASSOCIATES	1,301.50		4213
86980	06/26/12	TRE01 TREC - ADVANCED COMPUTER	6,000.00		4213
86981	06/26/12	TRI04 TRICO EQUIPMENT SERVICES, LLC	212.00		4213
86982	06/26/12	UNI12 UNITED REFRIGERATION INC.	250.14		4213
86983	06/26/12	UNI20 UNITED STATES ELEVATOR, INC.	200.00		4213
86984	06/26/12	USA03 USA MOBILITY WIRELESS,INC.	17.92		4213
86985	06/26/12	VAN01 VAN SANT EQUIPMENT	416.91		4213
86986	06/26/12	VER03 VERIZON WIRELESS	43.63		4213
86987	06/26/12	VER04 VERIZON	773.70		4213
86988	06/26/12	VER08 VERIZON WIRELESS	254.15		4213
86989	06/26/12	WAG04 BILL WAGNER & SON, INC.	40.32		4213
86990	06/26/12	WAL02 WALTER R. EARLE CORPORATION	492.11		4213
86991	06/26/12	WEL18 GEORGE WELLER	1,135.76		4213
86992	06/26/12	WES01 WEST-THOMSON CORPORATION	588.00		4213

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	77	5	8,570,096.41	60.00
Direct Deposit:	0	0	0.00	0.00
Total:	77	5	8,570,096.41	60.00

DEV FEES-COAH	DEV FEES - COAH (NEW)			
191	06/26/12	JAC08 JACKSON TOWNSHIP CURRENT FUND	7,033.50	4218

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
DEV FEES-COAH DEV FEES - COAH (NEW) Continued					
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	1	0	7,033.50	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	7,033.50	0.00
DEVELOPERS-OF DEVELOPERS-OCEAN FIRST					
63570	06/26/12	CME01 CONSULTING & MUNICIPAL ENG LLP	720.00		4215
63571	06/26/12	DAS01 DASTI,MURPHY,MCGUCKIN PC	2,488.00		4215
63572	06/26/12	GER12 GERTNER MANDEL & PESLAK	984.30		4215
63573	06/26/12	JAC08 JACKSON TOWNSHIP CURRENT FUND	894.30		4215
63574	06/26/12	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	23,280.00		4215
63575	06/26/12	REM01 REMINGTON,VERNICK & VENA ENG.	510.00		4215
63576	06/26/12	TMO2 T & M ASSOCIATES	19,092.00		4215
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	7	0	47,968.60	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	7	0	47,968.60	0.00
GENERAL TRUST					
61141	06/26/12	CLA40 CLAVIN TREE SERVICE,LLC	300.00		4217
61142	06/26/12	FAS02 FASTENAL COMPANY	920.00		4217
61143	06/26/12	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	8,959.89		4217
61144	06/26/12	OCE49 OCEAN WHOLESALE NURSERY, LLC	600.00		4217
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	4	0	10,779.89	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	4	0	10,779.89	0.00
HANDICAPPED					
2055	06/26/12	OFF09 MICHAEL GINOLFI	400.00		4219
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	1	0	400.00	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	400.00	0.00
PARKS REC					
64068	06/26/12	ADA11 RAQUEL ADAME	30.00		4214
64069	06/26/12	ADE04 YOLANDA ADEMILOLA	10.00		4214
64070	06/26/12	ANA03 JENNIFER ANAMA	650.00		4214
64071	06/26/12	CAP17 CHRIS CAPUA	10.00		4214
64072	06/26/12	CAT10 KAREN CATANESE	10.00		4214
64073	06/26/12	CER07 DINEEN CERINO	10.00		4214
64074	06/26/12	CLA31 CLASSIC TOURS	855.00		4214
64075	06/26/12	CON26 ELLEN CONNOLLY	10.00		4214
64076	06/26/12	COS01 COSTCO WHOLESALE 229	516.16		4214
64077	06/26/12	COT04 DONALD COTTRELL	10.00		4214
64078	06/26/12	CUR02 CHERYL CURET	689.00		4214
64079	06/26/12	DEB09 LAURA DEBLASI	10.00		4214
64080	06/26/12	DEP05 DEPENDABILITEES	935.00		4214

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PARKS REC		Continued			
64081	06/26/12	DIO01 BRITTANY L DIODATO	41.00		4214
64082	06/26/12	ELA01 CHRISTINE ELARDI	10.00		4214
64083	06/26/12	ENG08 ROBERT E. ENGLERT	10.00		4214
64084	06/26/12	ESP06 TRACI ESPOSITO	20.00		4214
64085	06/26/12	GIU02 ERIN GIULIANO	42.00		4214
64086	06/26/12	HAL02 LISA HALL	10.00		4214
64087	06/26/12	JAC12 JACKSON TWP. BOARD OF ED.	14,549.25		4214
64088	06/26/12	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	7,210.44		4214
64089	06/26/12	JAR01 REMIGIJUS JARUSEVICIUS	10.00		4214
64090	06/26/12	JON05 ASHLEY JONES	41.00		4214
64091	06/26/12	KAL02 SUZANNE KALIN	32.00		4214
64092	06/26/12	KAV03 ANIL KAVVAS	10.00		4214
64093	06/26/12	LIN09 MARIO LINALE	650.00		4214
64094	06/26/12	MAF03 JOANNE MAFFEI	10.00		4214
64095	06/26/12	MIK03 ANDREA MIKULKA	400.00		4214
64096	06/26/12	MYC02 RENATA MYCEK	175.00		4214
64097	06/26/12	PAC09 AZITA PACHOMSKI	10.00		4214
64098	06/26/12	PET27 BRIAN PETERSON	41.00		4214
64099	06/26/12	PET28 BRITTANY PETERS	41.00		4214
64100	06/26/12	POT02 DOROTA POTOK	51.00		4214
64101	06/26/12	PRI17 JOHN PRIMTANO	20.00		4214
64102	06/26/12	ROM01 LINDA ROMANOWSKI	39.00		4214
64103	06/26/12	SAL17 KIM SALTZ	255.00		4214
64104	06/26/12	SAN03 PATRICIA SANDOR	10.00		4214
64105	06/26/12	SAV05 GEORGETTE SAVARESE	10.00		4214
64106	06/26/12	SHA18 REBECCA SHACK	41.00		4214
64107	06/26/12	SHO13 SHOPRITE/PERLMART, INC.	27.26		4214
64108	06/26/12	STA22 SUSANNE STALKER	2,743.00		4214
64109	06/26/12	STA73 MICHELE STARK	100.00		4214
64110	06/26/12	STO08 CINDY STONEY	150.00		4214
64111	06/26/12	TEO01 JOEL & CHERILYN TEOPACO	20.00		4214
64112	06/26/12	WIL41 MELISSA WILLIAMS	7.00		4214
64113	06/26/12	WOO16 MARIANNE WOOD	10.00		4214

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	46	0	30,541.11	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	46	0	30,541.11	0.00

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	139	5	8,819,768.14	60.00
Direct Deposit:	0	0	0.00	0.00
Total:	139	5	8,819,768.14	60.00

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Fund Description	Fund	Budget Total	Revenue Total
	1-01	24,820.18	0.00
	2-01	8,542,198.62	120.00
	C-04	152,948.63	0.00
	G-02	2,957.61	0.00
	T-12	10,779.89	0.00
	T-13	30,541.11	0.00
	T-14	400.00	0.00
	T-20	<u>7,033.50</u>	<u>0.00</u>
Year Total:		48,754.50	0.00
Total of All Funds:		<u>8,771,679.54</u>	<u>120.00</u>

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Project Description	Project No.	Project Total
7200135541 HAWKINS RIDGE	P31197	270.00
7200135560-SOUTH KNOLLS	P31205	4,650.00
7760145913-BARTLEY	P31488	70.00
ATLANTIC COAST GASTRO	P31679	360.00
RESIDENTIAL UNITS	P31680	1,904.00
RESERVE AT PLEASANT GROVE	P31688	454.00
7200065093 CLEARING	TWPO0002	810.00
JF KIELY	TWPOE06	7,110.00
LUCAS BROTHERS	TWPOE13	480.00
JCP&L PLANNED	TWPOE132	1,440.00
D&D UTILITY	TWPOE16	360.00
CARUSO EXCAVATING CO INC	TWPOE163	10,410.00
KRUSH PROMOTIONS	TWPOE168	1,560.00
ST ALOYSIUS	TWPOE24	1,920.00
JT SUBDIVISION ACCT	TWPSD001	894.30
7760145852 19 PETROLEUM	Z31451	612.00
MERIDIAN HEALTH VILLAGE	Z31675	13,830.00
340 CHANDLER RD	Z31691	834.30
Total of All Projects:		<u>47,968.60</u>

PUBLIC COMMENT OPENED, RESOLUTIONS ONLY

PAUL MAYEROWITZ – 91 CYPRESS POINT LANE –239R-12 - What is the Board of Ed charging for first 6 weeks vs. 7 weeks. Mr. Torres stated the entire amount is one charge, including the 7th week. Mr. Martin stated there was some savings as a result of reduced classrooms. Mr. Torres stated we had 35 and now we have 24 classrooms; we saved thousands. Mr. Torres explained the total cost is \$58,196, which includes week 7. The deposit is \$14,549.25. There is a resolution for entire amount and we pay in 2 equal additional amounts.

Mr. Mayerowitz asked how many children are enrolled in the first 6 weeks? Mr. Martin explained in week 7 there were 80 kids. Grades 5-8, there was a higher percentage enrolled with K-4 being a lower percentage. Mr. Mayerowitz stated this Council was reluctant to raise any recreation fees. Did the taxpayers pick up the cost of the extra week? He requested an analysis whether the user fees were appropriate or not and would like it at the next meeting. Mr. Torres stated actual spreadsheets were not conducted. He did look at week 7 vs. fee and costs and explained we are neutral or there may even be a slight profit. Mr. Mayerowitz & Mr. Torres will meet to discuss this issue further.

PATRICIA BONGIORNO – 57 CARLISLE DRIVE – 227R-12 – She asked if Council would continue to hold escrow on the landscape plan and if, so, how much? Mr. Torres explained Al Yodakis at T & M was to get back to him but he did not get a response. There is a standard and customary practice of notification to the Tenant Association, Board & residents when the Council is to entertain the release of the bond. Mr. Kelly stated the Attorneys office did receive a letter from Mr. Yodakis indicating the release of the bond, which indicated his recommendations of the release of bond setting aside a certain amount for landscaping. Ms. Eden stated that it does read \$5,000 for landscaping. She confirmed the letter is dated May 30 and it is the date of the authorization to release. It is a requirement besides releasing that performance guarantee that they are also required to post a cash bond in \$10,368 for spalled aprons and \$5,000 for landscaping revisions at 57 Carlisle Drive. Ms. Bongiorno disproves of the amount of trees.

PAUL MAYEROWITZ – 91 CYPRESS POINT LANE – He believes T & M has not always notified the homeowner's associations of the pending release of performance bonds. Mr. Bressi stated the residents are notified and has no problem notifying the homeowners associations. Mr. Mayerowitz asked Mr. Kelly if T & M has contacted the Westlake Association to the release of the bond. Ms. Eden stated they are required to contact the residents but is not aware if they contact the Associations. Mr. Mayerowitz asked the Council to confirm prior to the release of those bonds.

The releases of performance guarantees for K. Hovnanian are under resolution but Westlake is under Consent Agenda. He doesn't understand what goes to Consent Agenda. Ms. Eden explained it's been requested that performance bond releases be placed on stand-alone. A maintenance bond typically isn't released before Council; it just expires after 2 years. Some builders request official release by resolution because they're bonding company requires it. So when it comes up it's placed on consent.

BOB SMITH, ESQ., ATTORNEY FOR K. HOVNANIAN - K. Hovnanian is asking the release of guarantees at this time. Mr. Yodakis has recommended the release of performance guarantees upon the posting of a 2-year maintenance bond, a \$5,000 cash bond for the landscaping at 57 Carlisle Drive, a \$10,368.00 cash bond for spalled aprons and additional escrow for inspections fees. The Township Attorney has recommended the release and there is no basis not to release the bonds. K. Hovnanian has been attempting to resolve these issues and we will continue to act in good faith. K. Hovnanian believes it should be passed.

PETER GREZLAK – 3 ABE'S WAY – 239R-12 – For the \$58,000, do we have an amount of how much monies we are collecting against this? Mr. Martin stated we will collect that data and hopefully have it at the next meeting.

MOTION TO CLOSE PUBLIC COMMENT, RESOLUTIONS ONLY BY:

KAFTON

MOTION SECONDED BY: MARTIN

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

RESOLUTION 227R-12

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO K. HOVNANIAN OF THE PERFORMANCE BOND ISSUED FOR FOUR SEASONS @ METEDECONK, SEC. 2, A/K/A BLOCK 143.01, LOT 1.02

DISCUSSION - Councilwoman Rivere stated she been pained once with a release of a bond that had an outstanding problem. I have no problem approving this release with the understanding that the money be withheld in order to address Ms. Bongiorno's concern and the other problems.

Township Clerk Eden stated her office handles the release of bonds and nothing is released until all items are addressed as to what they are required to post before we actually release the performance bond. My office will take in all but the escrow and we do not release until its approved by the Township Attorney and all is in order. Ms. Rivere

believes the Bongiorno's are covered in this and the resident has a right to document the problem. Mr. Kafton believes it is because of his actions there is an ordinance in place. When the Township was going through a building boom, we released bonds with major problems. I appreciate K. Hovnanian working with the residents to resolve these issues but would like all the issues resolved first. Once released, the Township has no recourse and I will vote no. Ms. Rivere, Ms. Updegrave and Mr. Martin may vote yes due to the reason that the monies will be held. Mr. Bressi stated that he believes the resolution spells out specific issues to be addressed and monies to be held, therefore, he will vote yes.

MOTION TO APPROVE BY: UPDEGRAVE

MOTION SECONDED BY: MARTIN

YES: MARTIN, RIVERE, UPDEGRAVE, BRESSI

NO: KAFTON

WHEREAS, K. Hovnanian, has requested a Release of the Performance Guarantee, which consists of \$815,131.84 in the form of a Letter of Credit #8725507 issued by Fidelity and Deposit Company of Maryland and a Cash Bond in the amount of \$90,570.20 pertaining to Four Seasons @ Metedeconk, Sec. 2 a/k/a Block 143.01, Lot 1.02, Jackson Township; and

WHEREAS, Al Yodakis of T&M Associates, Township Engineer, has reviewed and approved the release of said performance bond in letter report dated May 30, 2012, which letter report is made a part hereof; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Jackson, County of Ocean and State of New Jersey, that the Performance Guarantee, which consists of Performance Bond #8725507 issued by Fidelity and Deposit Company of Maryland in the amount of \$815,131.84 and a Cash Bond in the amount of \$90,570.20; heretofore posted with the Township may and hereby is released on the condition that the applicant:

1. Post a Maintenance Bond with the Township in the amount of \$377,375.85, subject to the review and approval of the Township Attorney. Said Maintenance Bond shall run for a period of two (2) years. Also, cash bonds should be posted in the amount of \$10,368.00 for the outstanding spalled concrete aprons and \$5,000 for the landscaping revisions at 57 Carlisle Drive. In addition, escrow must be submitted to provide an account balance of \$5,000 for review during the maintenance period; and
2. This resolution of release is further contingent upon the applicant/developer reimbursing the Township for the cost of any and all outstanding construction inspection fees and the cost of any and all other charges as per Township ordinance for the release of said performance guarantees.
3. Copies of this resolution to Administration, Finance, Applicant/Developer, Township Engineer, and the Department of Public Works, Attn: Connie Sidor.

The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

DATED: 6-26-12

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

RESOLUTION 239R-12

TITLE: AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP OF JACKSON AND THE JACKSON TOWNSHIP BOARD OF EDUCATION

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, the Township of Jackson Department of Recreation and Senior Services hosts a 2012 Summer Camp program from June 25, 2012 through August 3, 2012 with an optional additional week from August 6, 2012 through August 10, 2012; and

WHEREAS, the 2012 Summer Camp program requires the use of Jackson Township Board of Education school facilities for various Summer Camp activities throughout the duration of the 2012 Summer Camp; and

WHEREAS, the Jackson Township Board of Education Facility Usage Cost Estimate, attached hereto as "Exhibit A", provides that the Facility Usage Agreement will cost approximately \$58,196.98; and

WHEREAS, it is the desire of the governing body to execute an agreement with the Jackson Township Board of Education for the use of its school facilities to carry out the objectives of the 2012 Summer Camp program, and

WHEREAS, the proposed Facility Usage Agreement is attached hereto as "Exhibit B".

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

1. That the Mayor is hereby authorized to execute and the Clerk to attest to the attached Facility Usage Agreement with the Jackson Township Board of Education for the use of its school facilities.
2. That this resolution shall take effect immediately.
3. That a certified copy of this resolution, together with a copy of the agreement between the parties, shall be provided by the Township Clerk to the Jackson Township Board of Education.
4. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto.

DATED: 6-26-12

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

RESOLUTION 241R-12

TITLE: AUTHORIZE THE CANCELLATION OF PURCHASE ORDER NO. P1200606 ISSUED TO LAWMEN SUPPLY, A STATE CONTRACT VENDOR, FOR THE PURCHASE OF BODY ARMOR FOR THE DEPARTMENT OF LAW AND PUBLIC SAFETY

Council Vice President Updegrave thanked Officer Rubio for explaining her questions relating to these two side-by-side resolutions; canceling one and ordering from another. Its not the norm and to cancel mid stream didn't seem appropriate to me until receiving Mr. Rubio's explanation.

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, the Township Council of the Township of Jackson previously authorized the purchase of body armor from Lawmen Supply, an approved State Contract

Vendor (#T0106/73992); and

WHEREAS, the Department of Law and Public Safety is seeking authorization to cancel this pending Purchase Order No. P1200606 due to non-compliance with State contract rules and regulations; and

WHEREAS, it is now the desire of this Township Council to act upon the request of the Department of Law and Public Safety.

NOW, THEREFORE, BE IT RESOLVED, the Township Council of the Township of Jackson, County of Ocean, State of New Jersey does hereby authorize the cancellation of Purchase Order No. P1200606 issued to Lawmen Supply for the purchase of body armor for the Department of Law and Public Safety.

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

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

DATED: 6-26-12

RESOLUTION 242R-12

TITLE: APPROVE THE ISSUANCE OF PURCHASE ORDER TO KDH DEFENSE SYSTEM, AN APPROVED STATE CONTRACT VENDOR (#T0106/81309) IN THE AMOUNT OF \$26,100.00 FOR THE PURCHASE OF BODY ARMOR FOR THE DEPARTMENT OF PUBLIC SAFETY

MOTION TO APPROVE BY: UPDEGRAVE

MOTION SECONDED BY: MARTIN

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

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

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

WHEREAS, the Department of Public Safety has requested authorization to enter into a State vendor contract with KDH Defense Systems, an approved State contract vendor #(T0106/81309), for the purchase of Body Armor for the Jackson Township Police Department; and

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

NOW, THEREFORE, BE IT RESOLVED, the Township Council of the Township of Jackson, County of Ocean, State of New Jersey does hereby approve the purchase of replacement body armor from KDH Defense Systems, an approved State contract vendor #T0106/81309) in the amount of \$26,100.00.

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

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

DATED: 6-26-12

RESOLUTION 243R-12

TITLE: RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ABOLISH A DEDICATED TRUST BY RIDER FOR THE ESTABLISHMENT OF A RECREATION COMMISSION PURSUANT TO N.J.S.A. 40:12-1 AND 40:12-5

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, permission was granted of the Director of the Division of Local Government Services for approval as a dedication by rider for a Recreation Commission on September 10th, 1996; and,

WHEREAS, Township Ordinance 40-95 was adopted on December 27, 1995 in accordance with N.J.S.A 40:12-1, N.J.S.A.40:12-5 and N.J.S.A. 40A:4-39 establishing a Recreation Commission, and

WHEREAS, due to a Recreation Commission not acted upon and the change in government it is the desire of the Township Council to confirm the abolishment of the Recreation Commission

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

The Township Council does hereby request permission to the Director of the Division of Local Government Services to abolish the Recreation Commission
The Municipal Clerk is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

DATED: 6-26-12

RESOLUTION 244R-12

TITLE: RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR A RECREATION TRUST FUND REQUIRED BY PL 1999,c.292

MOTION TO APPROVE BY: UPDEGRAVE

MOTION SECONDED BY: MARTIN

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and,

WHEREAS, PL 1999, c. 292, NJS 40:48-2.56 provides for receipt of recreation programs by the municipality to provide for the operating costs to administer this act: and,

WHEREAS, N.J.S.A. 40A:4-39, provides the dedicated revenues anticipated from the Recreation Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

The Township Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Recreation Trust Fund under the provisions as per P.L. 1999, c.292, N.J.S.A., 40:48-2.56.

The Municipal Clerk is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

DATED: 6-26-12

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

RESOLUTION 246R-12

TITLE: APPOINT MEMBERS TO THE JACKSON TOWNSHIP ZONING BOARD OF ADJUSTMENT

DISCUSSION - Councilman Kafton asked why all three members on one resolution? Mr. Kafton would not like to vote for all three. Ms. Eden advised because it is one resolution, Mr. Kafton would have to vote no. Mr. Kafton stated he doesn't want to vote no for all three, just one. Mr. Bressi confirmed with Ms. Eden it was done like this in the past. Ms. Rivere understands how it could be a potential problem for this type of resolution. Attorney Kelly advised we could break it up but tonight it's on one. Council discussed pulling the resolution from tonight's agenda, however, Mr. Bressi stated we can't do that due to a time frame but do it that way in the future. Mr. Kafton disagrees and he refuses with the way that Mr. Bressi wants him to vote.

Mr. Bressi stated it's a good point for future resolutions but now we have a time constraint. Mr. Martin asked Ms. Eden how long she's been the Township Clerk and she replied 12 years. Ms. Eden explained it has been standard practice to do resolutions this way. Mr. Bressi has accepted Mr. Kafton's point and stated it has been recorded and asked Township Clerk Eden to proceed even if Mr. Kafton refuses to vote. Mr. Kafton stated he is not refusing to vote he is being ignored. Ms. Rivere asked if these are the only people to submit the proper paperwork? Mr. Bressi & Ms. Eden answered yes.

Mr. Kafton voted yes on Mr. Burrows, yes for Mr. Maher and no for Mr. Hofstein because he holds a real estate license. I don't believe he should sit on the Board and for him I vote no. He believes the Council is making a mistake and should not be putting a real estate agent on the Planning Board.

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: MARTIN, RIVERE, UPDEGRAVE, BRESSI

NO: KAFTON

WHEREAS, certain vacancies exist on the Zoning Board of Adjustment; and

WHEREAS, the Township Council is authorized, pursuant to Chapter 3, Section 146 of the Administrative Code of the Township of Jackson, to appoint members to the Zoning Board of Adjustment for terms set forth in said code and pursuant to N.J.S.A. 40:55D-23.3 and 40:55D-23.4; and

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

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 following individuals are hereby appointed to the Jackson Township Zoning Board of Adjustment as follows:

- Peter Maher - Member (term 7/1/12 through 6/30/16)
- Sheldon Hofstein - Member (term 7/1/12 through 6/30/16)
- John Burrows - Alternate #2 (term 7/1/12 through 6/30/14)

2. Appointees shall perform such duties and responsibilities as set forth by State Statute and the Municipal Code of the Township of Jackson.

3. A certified copy of this resolution shall be forwarded to the Jackson Township Zoning Board of Adjustment and any other interested parties.

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

DATED: 6-26-12

RESOLUTION 247R-12

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY RENEWING LIQUOR LICENSES FOR THE PERIOD JULY 1, 2012 THROUGH JUNE 30, 2013

DISCUSSION – Councilman Kafton believes Dr. Ira Port has held a pocket license since approximately 2001-2002. Township Clerk Eden confirmed yes. Mr. Kafton stated the Council needs to take a stand and vote no. Mr. Martin agrees with Mr. Kafton and had spoke to Administrator Torres under the current ordinance there is nothing we can do tonight. But going forward we can rewrite the law and give a time period to use or lose it. Also current people that hold a pocket license can be given a 1-2 yr warning. Mr. Kafton asked if they come to us for an extension? Ms. Eden stated they petition through the Director of the ABC, plead their case and the Director makes the decision (99.9% of the time the State will permit the extension, however, that decision is left to the governing body). Mr. Bressi stated they have the right to appeal. Ms. Eden stated they can appeal and if you say no, the license does not revert back to the Township to sell, it's gone.

Mr. Martin stated we can't resell license but we can create a new one. Ms. Eden stated it does go against your population cap even though it has not been issue or activated. Mr. Bressi stated we could look into it. Mr. Kafton asked Mr. Kelly if the Council were to vote no on a particular one, what would happen to that particular license? Attorney Kelly answered it can be appealed; however, the State could over ride the Council's vote. Council discussed there is no mechanism here tonight. Ms. Rivere wanted to know how many years a particular pocket license has been held. Ms. Eden will forward that information over to Ms. Rivere. Mr. Kafton asked to instruct the Attorney's office to draw up an ordinance for the next meeting.

Mr. Bressi would like to hold off and asked Mr. Torres to review all the pocket licenses before we start paying for attorney fees. Ms. Eden believes no ordinance is required because Council has the authority to say no. Mr. Kafton asked if we say no tonight, then they could appeal? Ms. Eden replied yes. Mr. Torres stated the State automatically recognizes a 2 year renewal. After the two year licensing term, the licensee can petition the State by posing a hardship. We could give direction to the ABC Board, through an ordinance, that we only grant "x" amount of years for the renewal. Mr. Kafton replied the more they hold a pocket, they longer they hold us up selling one. Mr. Kafton stated he would vote yes on all but no on Mr. Ira Port's renewal.

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

WHEREAS, the current holders of Plenary Retail Consumption, Plenary Retail Distribution and Club Alcoholic Beverage Licenses have filed their renewal applications for the fiscal year July 1, 2012 through June 30, 2013; and

WHEREAS, all of said licensees have complied with the State Law and local ordinances, have submitted the proper license fee as hereinafter noted and applications, and it being the desire of this governing body to grant said licenses; and

WHEREAS, the Township Attorney has reviewed said license renewal applications and have approved them as to form and content; and

WHEREAS, the Jackson Township Police Department has conducted the necessary inspections for the license renewals.

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. Plenary Retail Consumption Licenses be issued to the following corporations for the fiscal year July 1, 2012 through June 30, 2013:

<u>LICENSEE</u>	<u>LICENSE NUMBER</u>
CASSVILLE TAVERN, INC. t/a Cassville Tavern NE Corner Routes 571 & 528 P.O. Box 13 Jackson, New Jersey 08527 License Fee: \$2,000.00	1511-33-002-002
JACKSON SPIRITS LLC C/o Hotels Unlimited 399 Monmouth Street East Windsor, New Jersey 08520 License Fee: \$2,000.00	1511-33-025-002* (Pursuant to N.J.S.A. 33:1-12.39)
HAPPY TIME CAFÉ 10 South New Prospect Road Jackson, New Jersey 08527 License Fee: \$2000.00	1511-33-021-002
METEDECONK HOSPITALITY SERVICES t/a Metedeconk National Golf Club 50 Hannah Hill Road Jackson, New Jersey 08527 License Fee: \$2,000.00	1511-33-019-005
PINE BARRENS GOLF CLUB, LLC 540 South Hope Chapel Road Jackson, New Jersey 08527 License Fee: \$2,000.00	1511-33-007-008
ROVA FARMS RESORT, INC. 120 Cassville Road Jackson, New Jersey 08527 License Fee: \$2,000.00	1511-33-008-001 (Pursuant to N.J.S.A. 33:1-12.39)
SIX FLAGS GREAT ADVENTURE LLC Route 537 Jackson, New Jersey 08527 License Fee: \$2,000.00	1511-33-004-009
STEVEN NUSSBAUM 651 Morris Turnpike Springfield, NJ 07081 License Fee: \$2,000.00	1511-33-023-001 * (Pursuant to N.J.S.A. 33:1-12.39)
CBP VENTURES LLC 400 S New Prospect Rd, Store 9 Jackson, New Jersey 08527 License Fee: \$2000.00	1511-33-003-006
CORNICK INDUSTRIES LLC 36 Savannah Road Jackson, New Jersey 08527 License Fee: \$2000.00	1511-33-005-005 *
JACKSON CROSSING ALE & SPIRITS t/a Stadium Pub & Grill 21 South Hope Chapel Road	1511-33-027-005

Units 101-103
 Jackson, New Jersey 08527
 License Fee: \$2,000.00

SURF’S UP JACKSON CORPORATION 1511-33-026-003
 SURF TACO
 21 South Hope Chapel Road
 Jackson, New Jersey 08527
 License Fee: \$2,000.00

McGINNS PUB LLC 1511-33-017-009
 571 Monmouth Road
 Cream Ridge, NJ 08514
 License Fee: \$2,000.00

IRA PORT 1511-33-024-003 *
 147 Larchwood Avenue
 Oakhurst, New Jersey 07755
 License Fee: \$2,000.00

*Pocket License

2. Plenary Retail Distribution Alcoholic Beverage Licenses be issued to the following corporations for the fiscal year July 1, 2012 through June 30, 2013:

<u>LICENSEE</u>	<u>LICENSE NUMBER</u>
GLORY’S DISCOUNT MARKET, INC. t/a Glory’s Discount Market 584 Cedar Swamp Road Jackson, New Jersey 08527 License Fee: \$2,000.00	1511-44-018-002
MATTY 130 LLC t/a Buy Rite Liquor 707 Jackson Mills Road Jackson, NJ 08527 License Fee: \$2,000.00	1511-44-028-002
TARANTINO COMPANIES, INC. t/a Plaza Wine & Liquors 260 North County Line Road Jackson, New Jersey 08527 License Fee: \$2,000.00	1511-44-022-001
REDDY & REDDY, INC. t/a Willy’s Corner Liquors 10 South Hope Chapel Road Jackson, New Jersey 08527 License Fee: \$2,000.00	1511-44-006-009
ANTHONY PRISCO, INC. t/a Spirits Unlimited 2275 West County Line Road Jackson, New Jersey 08527 License Fee: \$2,000.00	1511-44-001-003

3. Club Alcoholic Beverage Licenses be issued to the following organizations for the fiscal year July 1, 2012 through June 30, 2013:

<u>LICENSEE</u>	<u>LICENSE NUMBER</u>
AM VETS POST #2, OCEAN COUNTY 1290 Toms River Road	1511-31-012-002

Jackson, New Jersey 08527
License Fee: \$150.00

LAKEWOOD ESTONIAN ASSOCIATION, INC. 1511-31-014-001
t/a Lakewood Estonian Club
Veterans Highway and Cross Street
Jackson, New Jersey 08527
License Fee: \$150.00

LOYAL ORDER OF MOOSE #1459 1511-31-011-001
1240 East Veterans Highway
Jackson, New Jersey 08527
License Fee: \$150.00

BENEVOLENT AND PROTECTIVE ORDER OF ELKS, LODGE #2744 1511-31-020-001
1059 East Veterans Highway
Jackson, New Jersey 08527
License Fee: \$150.00

KNIGHTS OF COLUMBUS 1511-31-010-001
401 Bartley Road
Jackson, New Jersey 08527
License Fee: \$150.00

VFW POST 4703 INC. 1511-31-013-001
54 Magnolia Drive
Jackson, New Jersey 08527
License Fee: \$150.00

That upon the adoption of this resolution, the Township Clerk is hereby directed to forward a certified copy of it to the applicants, appropriate Township Officials, New Jersey Division of Alcoholic Beverage Control and any other interested parties.

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

DATED: 6-26-12

RESOLUTION 250R-12
TITLE: CONSENT TO THE APPOINTMENT OF DANIEL R. SAHIN, ESQ. AS MUNICIPAL COURT JUDGE FOR A THREE YEAR TERM

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

WHEREAS, there exists a need to appoint a Judge of the Municipal Court of the Township of Jackson; and

WHEREAS, Daniel F. Sahin, Esq. currently serves as Judge of the Municipal Court of the Township of Jackson; and

WHEREAS, the Mayor, with the advice and consent of the Township Council, is desirous of appointing Daniel F. Sahin, Esq. as Judge of the Municipal Court of the Township of Jackson in accordance with the provisions of N.J.S.A. 2B:12-4.

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 Mayor, with the advice and consent of the Township Council does hereby reappoint Daniel F. Sahin, Esq. as Judge of the Municipal Court of the Township of Jackson for a term of three (3) years, commencing July 1,

2012 and ending June 30, 2015.

- 2. The appointment of Daniel F. Sahin, Esq. as Judge of the Municipal Court of the Township of Jackson is made in accordance with the provisions of N.J.S.A. 2B:12-4 and that Daniel F. Sahin, Esq. shall be compensated at an Annual salary of \$76,776.
- 3. That a certified copy of this resolution shall be forwarded to the Township Administrator, Chief Financial Officer, Appointee and the Municipal Court Administrator.

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

DATED: 6-26-12

**RESOLUTION 251R-12
TITLE: AUTHORIZE PERSON-TO-PERSON TRANSFER OF PLENARY
RETAIL ALCOHOLIC BEVERAGE CONSUMPTION LICENSE NO. 1511-33-
027-005 FROM JACKSON CROSSING ALE AND SPIRITS INC. TO H B
ENTERTAINMENT LLC**

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

WHEREAS, application has been made by H B Entertainment LLC as transferee of Plenary Retail Alcoholic Beverage Consumption License No. 1511-33-027-005 for a person to person transfer from Jackson Crossing Ale and Spirits Inc. to H B Entertainment LLC for the premises to continue to be located at 21 South Hope Chapel Road, Jackson, New Jersey; and

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

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

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

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

- 1. That the Township Council of Jackson Township hereby formally authorizes the transfer of Plenary Retail Alcoholic Beverage Consumption License No. 1511-33-027-005 presently held by Jackson Crossing Ale and Spirits Inc. to H B Entertainment LLC for premises to be continued to be located at 21 South Hope Chapel Road, Jackson, New Jersey.
- 2. This resolution shall become effective upon the presentation of the Plenary Retail Alcoholic Beverage Consumption License to the Township Clerk for formal transfer.
- 3. That upon the adoption of this resolution, the Clerk is authorized and directed to forward a certified copy of it to the Director of the Division of Alcoholic Beverage Control.
- 4. Transferee received clearance from the Jackson Township Police Chief and Tax Clearance from the State of New Jersey, Department of the Treasury, Division of Taxation.

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

DATED: 6-26-12

RESOLUTION 256R-12

TITLE: AUTHORIZE THE EXECUTION OF CLOSE-OUT/AS-BUILT CHANGE ORDER NO. 1 TO THE CONTRACT BETWEEN THE TOWNSHIP OF JACKSON AND EARLE ASPHALT FOR THE PROJECT KNOWN AS "IMPROVEMENTS TO BREWERS BRIDGE ROAD" RESULTING IN A NET CHANGE OF \$-0- TO THE CONTRACT AMOUNT

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, a contract was previously awarded to Earle Asphalt for construction of the Brewers Bridge Road Improvements; and

WHEREAS, the original contract for said Brewers Bridge Road Improvements was in the amount of \$473,213.13; and

WHEREAS, the governing body wishes to authorize As-Built Change Order No. 1 retroactive to November 20, 2010, which will result in a net change of \$0.00 in the contract price, consisting of various road construction materials, as set forth in Schedule A, attached hereto and made a part hereof; and

WHEREAS, this as-built change order has been recommended by the Township Attorney and Administration and agreed to by the contractor; and

WHEREAS, this as-built change order amounts to a total less than 20% of the original contract to the contractor; and

WHEREAS, it is the desire of the governing body to authorize this as-built change order retroactive to November 20, 2010.

WHEREAS, the approval of this As-Built/Close-Out Change Order No. 1 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 the required Maintenance Guarantee, which will run for a period of two (2) years effective Nun Pro Tunc to November 20, 2010.

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

1. That the Township Council does hereby authorize the execution of As-Built/Close Out Change Order No. 1 to the contract with Earle Asphalt retroactive to November 20, 2010 for construction of the Brewers Bridge Road Improvements, to provide for a net change of \$0.00 in the original contract price, consisting of various road construction materials, as set forth in Schedule A, attached hereto and made a part hereof.
2. That the Mayor and the Township Clerk are hereby authorized to execute an addendum to the contract with Earle Asphalt in accordance with the provisions of this resolution.
3. That a certified copy of this resolution, together with a copy of the addendum to contract between the parties, be forwarded to Administration, Daniel Burke, P.E., Township Engineer, Chief Financial Officer, Purchasing Department, Earle Asphalt and any other interested parties.

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

DATED: 6-26-12

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

RESOLUTION 236R-12

TITLE: AUTHORIZE TAX OVERPAYMENT REFUNDS

MOTION TO APPROVE BY: MARTIN

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.

**TOWNSHIP OF JACKSON
OVERPAYMENT REFUNDS
June 26, 2012**

BLOCK	LOT	NAME	YEAR-QTR	AMOUNT
1501	55	Palmieri, Salvatore & Eileen	2011 – 2nd	\$ 573.28
4714	7.083	Jackson Township	2009 – 4th	1,398.50
6704	8	Jackson Township MUA		43.85
7203	6	Carrigan, James F & Patricia	2012 – 2nd	1,221.18
8206	9	Rodriguez, M A Shuberda, W J Etal	2010 – 4th	473.75
10101	80	Weller, George	2011 – 1st 2011 – 2nd 2011 – 3rd	567.38 567.38 1.00
10305	72	Boitt, Robert & Nancy	2012 – 1st	370.03
15102	6	Campbell, Donald F & Michele	2012 – 2nd	1,935.29
			Total:	\$7,151.64

DATED: 6-26-12

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

RESOLUTION 237R-12

TITLE: AUTHORIZE THE EXECUTION, SUBMISSION AND ACCEPTANCE OF THE 2013 AREA PLAN CONTRACT PROGRAM GRANT FOR THE DEPARTMENT OF RECREATION AND SENIOR SERVICES THROUGH THE OCEAN COUNTY OFFICE OF SENIOR SERVICES

MOTION TO APPROVE BY: MARTIN

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

WHEREAS, the Jackson Township Department of Recreation and Senior Services is requesting authorization to submit the 2013 Area Plan Contract Program Grant through the Ocean County Office of Senior Services; and

WHEREAS, the Township of Jackson is desirous in obtaining funding in the amount of \$17,700.00 to be utilized toward information and assistance at the Jackson Township Senior Center; and

WHEREAS, the Ocean County Office of Senior Services has identified the following priorities in their 2013 Area Plan Contract Update Summary: improve access to available service, promote healthy aging, foster greater independence for frail older adults, support family caregivers and advocate at the local, State and Federal level; and

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

1. The Jackson Township Council authorizes the execution, submission and acceptance of the 2013 Area Plan Contract Program grant through the Ocean County Office of Senior Services and wishes to participate to the fullest extent possible in this program.
2. Certified copies of this resolution forwarded to Administration, Chief Financial Officer, Jackson Township Department of Senior Services and any other interested parties.

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

DATED: 6-26-12

**RESOLUTION 238R-12
TITLE: REQUEST APPROVAL FOR THE INSERTION OF A SPECIAL ITEM
OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A: 4-87 -
RECREATIONAL OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES
GRANT (1/1/2012 – 6/30/2012)**

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

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

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

WHEREAS, the Township of Jackson has been provided additional funds from the Department of Community Affairs Recreational Opportunities for Individuals with Disabilities Grant in the amount of \$7,500.00; and

WHEREAS, the Township will provide \$1,500.00 in matching funds towards the grant with funds already appropriated in the 2012 budget; and

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

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

1. That the Mayor and Township Council do hereby request an amendment to the 2012 Budget to provide the insertion of a special item of revenue in the amount of \$7,500.00 by the Director of the Division of Local Government Services, which is now available as a revenue from:

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

State of NJ, Department of Community Affairs Recreational Opportunities for Individuals with Disabilities Grant	\$7,500.00
---	------------

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

General Appropriations: (operations excluded from CAP)

State of NJ, Department of Community Affairs Recreational Opportunities for Individuals with Disabilities Grant	\$7,500.00
---	------------

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

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

DATED: 6-26-12

**RESOLUTION 238R-12
TITLE: REQUEST APPROVAL FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A: 4-87 - RECREATIONAL OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES GRANT (1/1/2012 – 6/30/2012)**

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

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

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

WHEREAS, the Township of Jackson has been provided additional funds from the Department of Community Affairs Recreational Opportunities for Individuals with Disabilities Grant in the amount of \$7,500.00; and

WHEREAS, the Township will provide \$1,500.00 in matching funds towards the grant with funds already appropriated in the 2012 budget; and

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

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

1. That the Mayor and Township Council do hereby request an amendment to the 2012 Budget to provide the insertion of a special item of revenue in the amount of \$7,500.00 by the Director of the Division of Local Government Services, which is now available as a revenue from:

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

State of NJ, Department of Community Affairs Recreational Opportunities for Individuals with Disabilities Grant	\$7,500.00
---	------------

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

General Appropriations: (operations excluded from CAP)

State of NJ, Department of Community Affairs Recreational Opportunities for Individuals with Disabilities Grant	\$7,500.00
---	------------

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

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

DATED: 6-26-12

RESOLUTION 240R-12

TITLE: AUTHORIZE THE PREPARATION, ADVERTISEMENT AND ACCEPTANCE OF BIDS FOR THE PURCHASE OF SIX (6) SMALL SUV 4X4's FOR THE DEPARTMENT OF COMMUNITY DEVELOPMENT & ENFORCEMENT

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, the Director of Community Development and Enforcement has requested authorization to prepare specifications, advertise and accept bids for the purchase of six (6) small SUV 4x4's; and

WHEREAS, the Township Council has considered the need for this purchase for the Department of Community Development and Enforcement; and

WHEREAS; the Township Council has approved the preparation of the bid specifications for and has determined that it will advertise for sealed bids for the purchase of six (6) small SUV 4x4's.

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 preparation of bid specifications is hereby approved for the purchase of six (6) small SUV 4x4's for the Department of Community Development and Enforcement.
2. That after the date and time for the receipt of bids has been determined; the Township Clerk is hereby authorized to advertise for sealed bids for:

3. Copies of this resolution to: Administration, Director of Community Development & Enforcement, Purchasing Department and any other interested parties.

DATED: 6-26-12

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

**RESOLUTION 245R-12
TITLE: APPROVE BINGO/RAFFLE LICENSE**

**MOTION TO APPROVE BY: MARTIN
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-1497-NJ 782nd AFJROTC PARENTS GROUP OF JACKSON MEMORIAL AND LIBERTY HIGH SCHOOL
2. Copies of the Resolution to interested parties.

DATED: 6-26-12

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

**RESOLUTION 248R-12
TITLE: A RESOLUTION CONSENTING TO THE PROPOSED WATEQUALITY MANAGEMENT (WQM) PLAN AMENDMENT ENTITLED: OCEAN COUNTY WASTEWATER MANAGEMENT PLAN**

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

WHEREAS, the Township of Jackson desires to provide for the orderly development of wastewater facilities within Ocean County, New Jersey; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment noticed in the New Jersey Register on May 21, 2012 for the Ocean County Wastewater Management Plan has been prepared by Ocean County;

NOW, THEREFORE, BE IT RESOLVED on this 26th day of June, 2012, by the Mayor and Township Council of the Township of Jackson, County of Ocean, State of New Jersey that:

1. The Township of Jackson hereby consents to the amendment entitled Ocean County Wastewater Management Plan, and publicly noticed on May

21, 2012, prepared by Ocean County, for the purpose of its incorporation into the applicable WQM plan(s).

- 2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4.

Copies of this resolution should be forwarded to the Municipal Administrator and David McKeon of the Ocean County Department of Planning.

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

DATED: 6-26-12

RESOLUTION 249R-12

TITLE: AUTHORIZE THE PREPARATION, ADVERTISEMENT AND RECEIPT OF PROPOSALS FOR THE POSITION OF MUNICIPAL PROSECUTOR FOR THE TOWNSHIP OF JACKSON FOR THE REMAINDER OF CY 2012

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, the Township of Jackson has a need for Legal Services for the position of Municipal Prosecutor commencing immediately and ending December 31, 2012; and

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

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

- 1. That the Township Council does hereby authorize the preparation, advertisement and receipt of sealed proposals for Legal Services for the position of Municipal Prosecutor commencing immediately and ending December 31, 2012.
- 2. That after the date and time for the receipt of sealed proposals has been determined; a Notice for the Solicitation of this Professional Service shall be advertised as prescribed by law.
- 3. A copy of this resolution shall be forwarded to the Municipal Administrator, Purchasing Department, Municipal Court and any other interested parties.

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

DATED: 6-26-12

RESOLUTION NO. 252R-12 – NOT USED

RESOLUTION 253R-12

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO HARMONY BANK, OF THE MAINTENANCE BOND ISSUED FOR BLOCK 6507, LOTS 11 & 12

MOTION SECONDED BY: MARTIN

MOTION TO APPROVE BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, Harmony Bank has requested a release of the Maintenance Guarantee, which consists of a Letter of Credit #2009-012 issued by Harmony Bank in the amount of \$78,751.80 and a Cash Bond posted for monuments in the amount of \$1,050, pertaining to Block 6507, Lots 11 & 12, Jackson Township; and

WHEREAS, Michael Miller of T&M Associates, Township Engineer, has reviewed and approved the release of said maintenance bond in letter report dated June 6, 2012 which letter report is made a part hereof; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Jackson, County of Ocean and State of New Jersey, that the Maintenance Guarantee, which consists of a Letter of Credit #2009-012 issued by Harmony Bank in the amount of \$78,751.80 and a Cash Bond posted for monuments in the amount of \$1,050, heretofore posted with the Township may and hereby is released contingent upon the following:

1. The applicant/developer reimbursing the Township for the cost of any and all outstanding construction inspection fees and the cost of any and all other charges as per Township ordinance for the release of said maintenance guarantees.
2. Copies of this resolution to Administration, Finance, Applicant/Developer, and Township Engineer.

The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

DATED: 6-26-12

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

RESOLUTION 254R-12 – NOT USED

RESOLUTION 255R-12

TITLE: APPROVE DISABLED VETERAN EXEMPTION ON BLOCK 13106 LOT 8

MOTION SECONDED BY: MARTIN

MOTION TO APPROVE BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, The Department of Veteran Affairs determined that Martin Cohen at 24 Cambridge Drive, Block 13106 Lot 8 had a service connected disability that was totally disabling effective 9/1/11, and has owned the above listed parcel since 10/22/76, and;

WHEREAS, the property owner has made application to the Township as a totally disabled veteran, which has been approved by the Tax Assessor as of 5/18/12, and;

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

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

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

2011 - \$1,701.46

2012 - \$2,295.23 – 1st half 2012 taxes (until parcel is formally exempt)

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

3. The parcel is to be exempted on the 2013 tax list.

Copy to: Collector, Assessor, Finance

DATED: 6-26-12

**ANN MARIE EDEN, RMC
MUNICIPAL CLERK**

RESOLUTION 257R-12

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO TOLL BROTHERS, OF THE MAINTENANCE BOND ISSUED FOR WESTLAKE, SECTION 6C A/K/A BLOCK 66.01, LOTS VARIOUS

MOTION SECONDED BY: MARTIN

MOTION TO APPROVE BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, Toll Brothers has requested a release of the Maintenance Guarantee, which consists of \$63,922.65 in the form of a Maintenance Bond #929474318 issued by the Continental Insurance Company, pertaining to Westlake, Section 6C, a/k/a Block 66.01, Lots various, Jackson Township; and

WHEREAS, Michael Miller of T&M Associates, Township Engineer, has reviewed and approved the release of said maintenance bond in letter report dated May15, 2012 which letter report is made a part hereof; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Jackson, County of Ocean and State of New Jersey, that the Maintenance Guarantee, which consists of Maintenance Bond #929474318 issued by Continental

Insurance Company in the amount of \$63,922.65, heretofore posted with the Township may and hereby is released.

1. The applicant/developer reimbursing the Township for the cost of any and all outstanding construction inspection fees and the cost of any and all other charges as per Township ordinance for the release of said maintenance guarantees.
2. Copies of this resolution to Administration, Finance, Applicant/Developer, and Township Engineer.

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: 6-26-12

RESOLUTION 258R-12

TITLE: APPROVE JACKSON TOWNSHIP COUNCIL MEETING MINUTES OF JUNE 12, 2012

MOTION SECONDED BY: MARTIN

MOTION TO APPROVE BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

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

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

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

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

JUNE 12, 2012

5. Copies of this resolution to any interested parties.

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

DATED: 6-26-12

RESOLUTION 259R-12

TITLE: REQUEST APPROVAL FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A: 4-87 - FOR THE 2012 SAFE AND SECURE COMMUNITIES PROGRAM GRANT

MOTION SECONDED BY: MARTIN

MOTION TO APPROVE BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

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

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

WHEREAS, the Township of Jackson has been provided additional funds from the State of NJ, Department of Law and Public Safety, Division of Criminal Justice in the amount of \$28,805.00; and

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

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

1. That the Mayor and Township Council do hereby request an amendment to the 2012 Budget to provide the insertion of a special item of revenue in the amount of \$28,805.00 by the Director of the Division of Local Government Services, which is now available as a revenue from:

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

State of NJ, Department of Law and Public Safety, Division of Criminal Justice Safe and Secure Communities Program	\$28,805.00
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2. That the Mayor and Township Council do hereby further request an appropriation of an equal sum under the caption of:

State of NJ, Department of Law and Public Safety, Division of Criminal Justice Safe and Secure Communities Program	\$28,805.00
--	-------------

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

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

DATED: 6-26-12

RESOLUTION 260R-12

TITLE: CONSENT TO THE APPOINTMENT OF MEMBER TO THE RENT LEVELING BOARD

MOTION SECONDED BY: MARTIN

MOTION TO APPROVE BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, vacancies exist on the Rent Leveling Board; and

WHEREAS, the Mayor, with the advice and consent of Council, is authorized to make said appointments pursuant to Chapter 3-151 of the Administrative Code of the Township of Jackson; and

WHEREAS, the Mayor desires to fill said vacancy on this Board; and

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 Township Council hereby consents and approves the appointment of the following individual to the rent Leveling Board for a term commencing July 1, 2012 and ending June 30, 2015:

Nicholas Stallone

2. Appointees shall perform such duties and responsibilities as set forth by State Statute and the Municipal Code of the Township of Jackson.
3. Appointees shall serve without compensation.
4. Copies of this resolution to Rent Leveling Board, Municipal Administrator, appointee and any other interested parties.

DATED: 6-26-12

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

DISCUSSION AGENDA:

1. COUNCILMAN KAFTON:

- A. Hiring Outside Vendors –Typically the Department Head calls 3 vendors and choose from there. It appears we may be hiring vendors who have a relationship with individuals in that department. This Governing Body needs to establish criteria, going forward, when outside vendors are hired and utilized by the departments. Mr. Torres stated we have been updating our procurement manual. There are good points made by Mr. Kafton where perhaps putting in a conflict of interest section under the ethics portion. Regarding small purchases, the section from the new, but not adopted manual, requires quotes to be done. Mr. Bressi wants to see the quotes in writing even for small purchases.

ADMINISTRATOR TORRES:

- A. Purchasing Procedures – small purchases – Council President Bressi wants quotes in writing even if it is a small purchase. Mr. Kafton believes it needs to be disclosed if the vendor is related to anyone in the department making the purchase. Mr. Torres will make amendments. Mr. Martin asked if we need to do it by resolution or ordinance. Mr. Torres will make the amendments and since the new procurement manual is in draft form, we will enter changes into the manual and then adopt the manual. Ms. Eden asked what the time frame is for the adoption of the manual? Mr. Bressi answered sometime in July. Mr. Martin stated they must disclose any relationship to an employee. Administrator Torres the informed the Council that Michele Bado has taken her QPA test and the results will be forthcoming within the next few weeks.
- B. Update – CBAC Report – Recreation Department –Mr. Torres stated that the audit did not show any misappropriations as alleged. Ms. Rivere stated there were other things asked for. Mr. Torres explained the report was broken out into 4 components; the allegations had the highest priority. The others to be forwarded within the week and will be on the discussion agenda for the July 10th meeting. Ms. Eden clarified with Mr. Kelly if the report can be made available through an OPRA request. Mr. Kelly explained it could not until the report is complete and reviewed by Council. Mr. Kafton stated he believes an outside audit should still be performed on the Recreation Department.
- C. Solar Farm –Mr. Torres stated he viewed a presentation from the League of Municipalities & DEP and we did solicit input from the Going Green Committee as to move forward to allow solar farms to be situated on super-fund or contaminated sites. We believe our Legler site fits the bill. He advised that he will obtain proposals from engineering firms on this. Mr. Bressi does not want this to stall and keep it moving forward.

Councilman Kafton asked if the Public Works Department is under any audit or study? Mr. Torres replied no. The only recent report done was a safety group who looked at equipment at the Justice Complex. Mr. Kafton asked the name and Mr. Torres will provide Mr. Kafton with the report and letter. Ms. Rivere asked when will the park be

open? Mr. Torres advised they have finished painting today and it's almost done. Mr. Martin asked about Wood Lane & Camp Joy? Mr. Torres stated that is the next round in July for solicitations and the ADA Park would also be in July.

Township Clerk Eden advised Mr. Kafton that the vendor is Marturano Recreation Company, a State Contractor on 222R-12.

PUBLIC COMMENT ON ANY TOPIC

PETER GRZELAK – 3 ABE'S WAY – Addressed Councilman Martin about the electrical system at Bartley. Is there any updated electrical information? Mr. Torres stated we received quotes and issued the Purchase Order. What is the amount? Mr. Torres will call Mr. Grzelak tomorrow.

RAY CATTONAR – 11 FORDHAM ROAD – Questioned the 6 vehicles if are they being purchased or financed? Mr. Torres explained the vehicles are for the Department of Community & Enforcement (specifically the Building Department and Code Enforcement). It is easier to divide fees and funds through permits, etc. where you can buy down from revenue made through that Division. The older/heavier trucks currently being used by those Divisions are going to DPW and will be fitted with plows to become part of the snow fleet. Mr. Cattonar asked if it is prudent to buy 6 vehicles for those Divisions? Mr. Torres explained the key is to use the money or it goes back to the State. Mr. Bressi stated use it or lose it.

GARRY BLACK – 76 LEWIS LANE – Regarding small purchases, unfortunately Jackson Township is very political and I hope in the process, we don't spend more time for paper and processing than what it's worth. Mr. Bressi explained it's simply a form disclosing any relationship to an employee and a quote in writing.

RICHARD EGAN – 526 DIAMOND ROAD – Are we doing anything to generate monies with billboards? Mr. Bressi replied we are waiting on the EDC. We are looking at it and will make some recommendations. Mr. Egan asked if the used car dealers pay for a license to sell the cars? Mr. Torres stated the fee is provided by the State and DMV licenses the used car lots. For towing we have a rotation tow list from our local towing services alternated each week. The Administration has had conversations on this and the law would allow us to regulate towing services but its complex. The DEP has come down hard on us for storing vehicles. Mr. Egan asked if one can view the call logs. Mr. Torres explained that would be handled through our Traffic Division in the Police Department.

PAUL MAYEROWITZ – 91 CYPRESS POINT LANE – Today in America - he confirmed with all Council Members that they would not participate in the production of that material. All Council Members all are in agreement not to participate in the filming. He then noted that he went to the NJ Real Estate Commission website and Mr. Hofstein is not even listed (as of today) as a real estate agent; you all wasted our time with the Zoning Board appointments. He requested the Councilman do his research and provide a public apology. Mr. Kafton read Mr. Hofstein's application, which stated he was a real estate agent. Mr. Kafton believes any real estate agent should not sit on the Planning and/or Zoning Board.

SHELDON HOFSTEIN – 48 BALTUSROL DRIVE – He explained he erroneously listed on the application that he held a real estate license; the license had lapsed 2 years prior.

PAUL MAYEROWITZ – 91 CYPRESS POINT LANE – Analysis of fees & licenses report - certain licensees have not consistently renewed their licenses on a regular basis, some have not renewed yet still function in this town and Code Enforcement issues no citations. They also require annual Police & Board of Health inspections. Why haven't we insisted that they bring the licenses to a current status? Mr. Bressi stated he had discussed this in the past, the IT Committee had looked into tracking it. We need a computer licensing system to track it. Mr. Mayerowitz stated it took 4-5 hours to ascertain which licenses were current and which did not file this year. Why are we not going after those that do not renew?

I would like to compliment Deputy Clerk, Janice Kisty, on her list of food permits. She found the time to follow up and do renewals. Most permits were put in on a timely basis and there are 20 vendors who distribute food with no permits. There's also a problem for towing companies who have not renewed their licenses. The same thing applies for 2nd hand vehicle dealers. If you don't think we should be doing it, then change the ordinance or enforce it.

Ms. Updegrave stated she would speak to another Township to see how they handle their licenses. She stated she would have to look at the cost of the program. Mr. Bressi stated the IT Committee was to look at it in the past. Ms. Eden stated her staff does send out reminders but has no time to police. Mr. Bressi understands but believes a program that funnels into the departments would be best. Mr. Bressi stated a lot of the fees are State regulated. Ms. Updegrave stated the Health Department is regulated through the State. Mr. Mayerowitz stated the Health Department are regulated both through the County & the State, but fees for the County Health Department are established by Jackson Township.

Ms. Rivere stated it appears Mr. Mayerowitz is discussing 2 difference issues; structure & people not paying their fees. Mr. Mayerowitz explained it's a multiple issue. Council had an opportunity to do this and it fell on deaf ears. Ms. Updegrave will look into it and how the system works. Mr. Torres will reach out to Mr. Mayerowitz while we research the program.

RICHARD EGAN – 526 DIAMOND ROAD – You should make the licensing come out of Code Enforcement since they enforce it. Mr. Bressi stated that's what we're trying to do with the system that would funnel into Code Enforcement. Mr. Egan commented that Mr. Kafton was recently a Board Member on the Open Space Committee and he holds a real estate license.

GARRY BLACK – 76 LEWIS LANE – Licenses, fees and regulations – there are things that are already regulated by the County and State; we have enough government.

MOTION TO CLOSE PUBLIC HEARING ON ANY TOPIC BY: MARTIN

MOTION SECONDED BY: KAFTON

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

DISCUSSION: Mr. Bressi asked Council to put forward a resolution as there are no hospitals in Ocean County that can do cardiac surgery at this time. Community Hospital has been trying to obtain permission through the Department of Health to perform cardiac surgery in Toms River. All the hospitals feel it would be great for the County and the area. Mr. Bressi asked it be added on the next agenda and asked Council for their support. Council agreed and a resolution will be on the July 10th agenda for their consideration.

MOTION TO ADJOURN BY: MARTIN

MOTION SECONDED BY: RIVERE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

9:25 P.M.

RESPECTFULLY SUBMITTED,

COUNCIL PRESIDENT BRESSI

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

AME/df