

ON TUESDAY, JULY 24, 2012, AT 7:30P.M., THE JACKSON TOWNSHIP COUNCIL HELD ITS MEETING IN THE MUNICIPAL BUILDING - (NO EXECUTIVE SESSION MEETING WAS HELD)

PLEDGE OF ALLEGIANCE

COUNCIL PRESIDENT BRESSI – He asked those in attendance not to forget the many freedoms we have; to think of all veterans past, present and future and those who gave the supreme sacrifice to allow the freedoms that are sustained for us. Also, please take a moment for the people in Colorado for the freedoms that have been wiped out from one horrific accident.

ROLL CALL:

COUNCILMAN KAFTON

ATTORNEY FORAN

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 everyone & hoped everyone’s summer is pleasant. Referencing Council President Bressi’s opening comments on Colorado, he went to the movies to see the Dark Knight and found himself consistently watching the people in the movie theater rather than the movie. He found it to be a totally different atmosphere and how sad of the entire experience.

COUNCILMAN MARTIN – Welcomed all and echoed the Colorado tragedy. He asked to keep the families and the victims in their prayers.

COUNCILWOMAN RIVERE – Echoed the Colorado comments and the remembrance of Columbine as well. Comments were waived.

COUNCIL VICE PRESIDENT UPDEGRAVE – Welcomed all and echoed the Colorado tragedy and how it has been on her mind since she discovered the tragedy. It does make you reflect on your life, friends and family. It is a tragedy and she hopes the people of Aurora can cope with it.

COUNCIL PRESIDENT BRESSI - We have all expressed our feelings about Colorado and ask that you keep them in your prayers. Thanked all for coming out and wished all a safe trip home.

APPROVE EXECUTIVE SESSION MEETING MINUTES: JULY 10, 2012

MOTION BY: RIVERE

SECONDED BY: UPDEGRAVE

YES: RIVERE, UPDEGRAVE, BRESSI

ABSTAIN: KAFTON, MARTIN

PUBLIC HEARING –NJDEP PARK LAND DIVERSION – SCOPING HEARING

THE TOWNSHIP OF JACKSON IS SEEKING TO DIVERT APPROXIMATELY 7 ACRES OF GREEN ACRES-ENCUMBERED PROPERTY LOCATED ALONG JACKSON MILLS ROAD AT BLOCK 147.02, P/O LOT 2 FOR THE CONTINUED OPERATION OF THE JACKSON MILLS ROAD COMPOST FACILITY. IN ADDITION, THE TOWNSHIP WOULD LIKE TO DIVERT 0.61 ACRES OF LAND LOCATED ALONG NEW PROSPECT ROAD AT BLOCK 5806, P/O LOTS 2 & 4 IN ORDER TO RECTIFY THE CAMP JOY DIVERSION THAT WAS APPROVED BY THE STATE HOUSE COMMISSION ON DECEMBER 17, 1998.

Mr. Maczuga, Manager of the Planning Division at T&M Associates, explained the scoping hearing relative to 2 diversion applications that the Township has made to the New Jersey Division of Environmental Protection. The Township is requesting to utilize, for alternative public purposes, several small portions of Green Acres encumbered properties proposed in 2 separate locations. This is the first step in one of a very long process. The State wants these properties that are encumbered by Green Acres with the approving authority to be the State House Commission, which usually relies on the report of the Commissioner of the NJDEP. The purpose of this evening is to solicit the public comments, which become part of the record and what the State will review as part of the process.

CAMP JOY LAND DIVERSION

The first application is an intent to divert small portions from a previous diversion application. In 1998, the Township submitted a diversion application and was approved to divert a portion of a property on Camp Joy to construct the Johnson & Crawford-Rodriguez Schools. It was never completely perfected as there were requirements for submissions, surveys, sign offs that were necessary. During the closing process, there were some problems with that diversion that were not originally part of that initial diversion as listed below.

1. EMS Facility – was not part of 1998 application.
2. The New Prospect Road widening had encroached upon the Green Acres property.
3. The Board of Education while building the Crawford-Rodriguez School had encroached on the Green Acres property (Area B on plan).

This application would legalize what is already on the ground.

CAMP JOY LAND DIVERSION - PUBLIC COMMENTS OPENED:**NO ONE CAME FORWARD**

Councilman Kafton asked if there are any fines because it stayed open and unfinished. Mr. Maczuga stated no but there will be some land compensation for those encroachments because of the technical encroachments. Councilwoman Rivere stated instead of what the 2 acres, which we voted on, are we are actually applying for 7 acres? Mr. Maczuga stated that's on the 2nd part of the diversion application, the Jackson Mills Composite Site. Ms. Rivere stated they are all related as exchange of land. People in both areas are anxious to know that these applications are going forward. What is the time line to complete the whole process? Mr. Maczuga answered it is tough process and contains several steps. The State only meets 4 times a year. Mr. Maczuga replied about 6-9 months. Ms. Rivere stated the first application hearing was held in June and what was the outcome there? Mr. Maczuga responded that, unfortunately, it was modified again starting a new timeline.

MOTION TO CLOSE COMMENT HEARING ON CAMP JOY LAND DIVERSION BY: MARTIN**MOTION SECONDED BY: KAFTON**

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

JACKSON MILLS LAND DIVERSION

The second application is the Jackson Mills Compost Site & Soccer Field. This was previously a 180 unit single-family project that was acquired by the Township with Green Acre funds. Prior to the acquisition, substantial portions of the property were cleared and set up for soccer fields. When the Township was in a bind for a location of a compost site, Green Acres was approached and the Township received the temporary ok to utilize the facility as its composting facility. It was extended 2 more times and now we are trying to finalize and make it a permanent site. This is the 2nd Scoping Hearing on this project because of the fact that after the NJDEP's solid waste individuals reclassified our compost facility from an exempted facility to a class C facility, which requires a different land area. The NDJEP stated we need at least 7 acres and that's why we're back here what was initially a 2-acre parcel. It is outside of any flood plains buffers and any stream buffers.

JACKSON MILLS LAND DIVERSION - PUBLIC COMMENTS OPENED:

ROBERT RIVERE -10 PINE VALLEY ROAD – I am currently the President of Westlake's Men's Club and have been for 6 years. We have a membership of over 1000 men and we've had discussions about this facility. The majority of the members are in favor of moving the compost station to this facility and we would like to see it go forward.

DAN PEKARCHIK – 17 ALASKA AVENUE - Didn't we have to buy property when we originally were doing 2 acres? Mr. Maczuga answered yes. Mr. Pekarchik asked if we have to buy more property to go back to square one and spend more money on more property again? Mr. Maczuga answered yes, but you would have had to buy property to find a composite site also.

Councilman Kafton asked if we could use property that we already have? Mr. Maczuga stated we do not have to necessarily purchase it; it could be a land swap. Mr. Torres stated the property in question was a previous donation where we purchased it for outstanding taxes to include it on our Open Space. The adjacent property is State owned by the Township; we're bundling it all up as open space.

RAY CATTONAR – 11 FORDHAM ROAD – How about the school property; do we have to purchase property? Mr. Torres stated we have to encumber a property 3.17 acres for Camp Joy and 14-acre balance would compensate for the Vista site. Mr. Cattonar asked how do we build on encumbered property? Mr. Maczuga replied that we could do open space activities. Mr. Cattonar stated but we built schools and an EMS facility on it. Mr. Maczuga stated it was properly converted. Mr. Cattonar feels it was done improperly in order to replace the property. Mr. Maczuga stated no it was done prior to the 2nd school property.

Councilwoman Rivere commented that the more we swap for open space the better off we are. It means fewer builders can come forward and build on that property. If we own it and we're vulnerable and if its uplands, they can come in and build many houses and not be age restricted, which means children. The more we can divert and use to our benefit and we're saving the Township the grief of applications for more housing. We are hoping this land swap is to our benefit, as well as getting a permanent home for the compost area.

MOTION TO CLOSE COMMENT HEARING ON JACKSON MILLS LAND DIVERSION: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

Mr. Maczuga stated the record remains open until August 7, 2012, for any additional comments that may come up. Any questions may be directed to Mr. Torres and they will be made part of the record that goes to NJDEP for this hearing.

**ORDINANCES, SECOND READING:
NONE AT THIS TIME.**

**ORDINANCE FIRST READING:
NONE AT THIS TIME.**

Township Clerk Eden announced that P1200901 on Page 34 for Today in America is removed from this evenings Bills and Claims.

Administrator Torres explained the Mayor couldn't be here due to an outstanding conflict and he sent an email regarding Today in America. He is requesting to pull the bill until he and I can meet with the Members of the Council to fully explain the Today in America program and contract.

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) & NO to PAR14 on Page 27

ABSTAIN: UPDEGRAVE (WINDING WAYS)

DISCUSSION - Councilman Kafton discussed the Justice Complex bills for 3 vendors for HVAC work within the last 30 days in the amount of \$5500. Why are there 3 different vendors and what's going on with the HVAC system? Administrator Torres explained a leak in the infiltration in the Justice Complex, which led to mold. The leak required bringing in some vendors at the same time addressing the mold remediation repair. DPW called and those bills were some part of the HVAC system. He explained 3 different vendors because of the different scopes of work and us getting the best price.

Mr. Kafton questioned the playground ADA & Justice Complex equipment. Mr. Torres explained about 2 meetings ago there was an emergency declared in order to correct deficiencies that were outlined in a safety report that the Justice Complex playground contained hazardous equipment. We went forward and the repairs are on the bill list. Local Public Contract Law indicates when an emergency is declared appropriate measures should be taken in order to compensate the vendor for the work in a timely manner. Mr. Kafton asked does that bill overlap what is on tonight's Agenda? Mr. Torres stated no and its asking to approve new equipment to enhance what we have existing now; the majority is paid by a Grant we received from the County as it relates to handicapped and ADA accessibility.

Mr. Kafton asked on the status of vendors that may related to Township employees. Mr. Torres explained he drafted that language to be included in the Procurement Policy. He directed the Purchasing Department to work towards a statement to get a Conflict of Interest Certification as well as addressing small purchases. Mr. Kafton felt it should have been ready for tonight's Agenda. Mr. Torres felt comfortable having it ready for the next meeting and including it for action by adopting the Procurement Policy.

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
		Continued			
CURRENT					
87098	07/24/12	HOU05 HOUPERT TRUCK SERVICE	1,037.44		4256
87099	07/24/12	HUN03 HUNTER JERSEY PETERBILT	760.93		4256
87100	07/24/12	JAC06 JACKSON TOWNSHIP CAPITAL FUND	50,000.00		4256
87101	07/24/12	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	657,131.61		4256
87102	07/24/12	JAC22 JACKSON AUTO BODY	65.00		4256
87103	07/24/12	JCP01 JERSEY CENTRAL POWER & LIGHT	0.00	07/24/12 VOID	0
87104	07/24/12	JCP01 JERSEY CENTRAL POWER & LIGHT	26,843.66		4256
87105	07/24/12	JER29 JERRY'S AUTO BODY, LLC	585.00		4256
87106	07/24/12	JOH15 JOHNNY ON THE SPOT	1,109.50		4256
87107	07/24/12	KHO05 K. HOVNIANIAN @ JACKSON, LLC	2,207.00		4256
87108	07/24/12	LAN19 LANGUAGE SERVICES ASSOCIATES	10.50		4256
87109	07/24/12	LAW01 LAWREN SUPPLY CO. OF N.J., INC	21,060.00		4256
87110	07/24/12	LTF03 LIFESAVERS INC	792.74		4256
87111	07/24/12	LOT01 SUSAN LOTITO	900.00		4256
87112	07/24/12	LOW01 LOWE'S COMPANIES, INC.	444.40		4256
87113	07/24/12	MAG01 MAGLOCLEN	400.00		4256
87114	07/24/12	MON37 MONMOUTH TELECOM	1,262.55		4256
87115	07/24/12	MOT10 MOTOROLA	13,572.92		4256
87116	07/24/12	NAP02 NAPCO/R.S. KNAPP CO. INC	777.36		4256
87117	07/24/12	NAT39 NATIONAL FIRE CODES	855.00		4256
87118	07/24/12	NEO01 NEOPOST USA, INC.	432.59		4256
87119	07/24/12	NEX01 NEXTEL COMMUNICATIONS	2,675.31		4256
87120	07/24/12	NJN03 NEW JERSEY NATURAL GAS	2,490.17		4256
87121	07/24/12	OCE02 OCEAN COUNTY BOARD OF HEALTH	5,088.00		4256
87122	07/24/12	OCE05 OCEAN COUNTY RECYCLING	379.61		4256
87123	07/24/12	OFF06 OFFICE NEEDS	23.39		4256
87124	07/24/12	PAR28 PARDO'S TRUCK SERVICE PARTS	160.68		4256
87125	07/24/12	PET17 PET EDGE	246.15		4256
87126	07/24/12	PIN19 PINA M. INC.	448.80		4256
87127	07/24/12	PLC01 PL CUSTOM BODY & EQUIPMENT	1,602.50		4256
87128	07/24/12	PRY01 FRED PRYOR SEMINARS	297.00		4256
87129	07/24/12	REG03 STATE TOXICOLOGY LABORATORY	350.00		4256
87130	07/24/12	RIC25 RICOH AMERICAS COPORATION	920.76		4256
87131	07/24/12	SHE05 SHERWIN WILLIAMS COMPANY, INC.	269.90		4256
87132	07/24/12	SNA01 SNAP-ON INDUSTRIAL	382.50		4256
87133	07/24/12	STA74 STATE TREASURER	25.00		4256
87134	07/24/12	TMO2 T & M ASSOCIATES	1,008.00		4256
87135	07/24/12	TRA26 TRANE	1,521.17		4256
87136	07/24/12	TRE12 TREASURER, STATE OF NEW JERSEY	19,195.00		4256
87137	07/24/12	TUR06 TURF EQUIPMENT & SUPPLY CO, LLC	3,006.42		4256
87138	07/24/12	ULI02 ULINE, INC.	181.84		4256
87139	07/24/12	UNI12 UNITED REFRIGERATION INC.	379.74		4256
87140	07/24/12	UNI22 UNITED STATES MEDIA TELEVISION	9,900.00		4256
87141	07/24/12	VER04 VERIZON	868.36		4256
87142	07/24/12	VER08 VERIZON WIRELESS	323.91		4256
87143	07/24/12	WAL02 WALTER R. EARLE CORPORATION	136.98		4256
87144	07/24/12	WIN11 KELLY WINTHROP, LLC	144.00		4256
87145	07/24/12	WPC01 WPCS INTERNATIONAL INC.	1,854.71		4256

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Check Register By Check Date

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
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	Total:	77	2	7,214,947.60	0.00
DEV FEES-COAH					
DEV FEES - COAH (NEW)					
192	07/24/12	CLA01 CLARK CATON HINTZ CORP.	3,418.10		4262
193	07/24/12	TM02 T & M ASSOCIATES	10,348.00		4262
Checking Account Totals		Paid	Void	Amount Paid	Amount Void
	checks:	2	0	13,766.10	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	2	0	13,766.10	0.00
DEVELOPERS-OF					
DEVELOPERS-OCEAN FIRST					
63594	07/24/12	CLS01 C.L.S.P. ASSOCIATES	1,050.00		4257
63595	07/24/12	CME01 CONSULTING & MUNICIPAL ENG LLP	427.50		4257
63596	07/24/12	DAS01 DASTI,MURPHY,MCGUCKIN PC	874.00		4257
63597	07/24/12	GER12 GERTNER MANDEL & PESLAK	0.00	07/24/12 VOID	0
63598	07/24/12	GER12 GERTNER MANDEL & PESLAK	1,164.20		4257
63599	07/24/12	INN02 INNOVATIVE ENGINEERING INC	2,799.00		4257
63600	07/24/12	JAC08 JACKSON TOWNSHIP CURRENT FUND	1,409.70		4257
63601	07/24/12	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	10,470.00		4257
63602	07/24/12	REM01 REMINGTON,VERNICK & VENA ENG.	150.00		4257
63603	07/24/12	TM02 T & M ASSOCIATES	1,521.00		4257
Checking Account Totals		Paid	Void	Amount Paid	Amount Void
	Checks:	9	1	19,865.40	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	9	1	19,865.40	0.00
DOG					
DOG ACCOUNT - NEW					
522	07/24/12	NJS04 N.J.STATE DEPT. OF HEALTH	219.60		4258
Checking Account Totals		Paid	Void	Amount Paid	Amount Void
	Checks:	1	0	219.60	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	219.60	0.00
GENERAL TRUST					
61146	07/24/12	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	0.00		4260
61147	07/24/12	TM02 T & M ASSOCIATES	2,142.78		4260
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	Checks:	2	0	2,142.78	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	2	0	2,142.78	0.00
PARKS REC					
64197	07/24/12	ALL52 PATTI ALLEN	41.00		4261
64198	07/24/12	AQU04 KRISTINA AQUINO	41.00		4261
64199	07/24/12	BON12 SANDRA BONK	10.00		4261

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PARKS REC					
Continued					
64200	07/24/12	BOR18 TAMARA BORICHEWSKI	41.00		4261
64201	07/24/12	BRO25 CRAIG BROWNFIELD	21.00		4261
64202	07/24/12	BRO26 RONALD BROWN	41.00		4261
64203	07/24/12	CAL16 RENEE CALLANRILLO	1,266.00		4261
64204	07/24/12	CAM15 CAMPUS COORDINATES,LLC	7,848.57		4261
64205	07/24/12	COS01 COSTCO WHOLESALE 229	970.83		4261
64206	07/24/12	FIN01 JENNIFER FINNERTY	20.00		4261
64207	07/24/12	GIL03 STEPHANIE GILMORE	41.00		4261
64208	07/24/12	GRE16 GREATER MEDIA PUBLICATIONS	199.00		4261
64209	07/24/12	IAD01 ANTHONY IADISERNIA	41.00		4261
64210	07/24/12	JAC12 JACKSON TWP. BOARD OF ED.	14,549.25		4261
64211	07/24/12	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	82,085.68		4261
64212	07/24/12	JOY03 JAMIE JOYCE	41.00		4261
64213	07/24/12	KEV01 COURTNEY KEVILLE	41.00		4261
64214	07/24/12	LUD02 LAUREN LUDOVICO	75.00		4261
64215	07/24/12	MAC09 JESSICA MACCONCHIE	41.00		4261
64216	07/24/12	MCI01 SAMANTHA MCIVOR	41.00		4261
64217	07/24/12	MOR22 DANIEL MORVAY	41.00		4261
64218	07/24/12	NJS01 N.J.SHORE A.S.A.UMPIRE ASSOC.	3,202.00		4261
64219	07/24/12	OFF06 OFFICE NEEDS	329.00		4261
64220	07/24/12	PAR14 PARTY ZONE ENTERTAINMENT	500.00		4261
64221	07/24/12	RAS07 FRED RASIEWICZ PETTY CASH P&R	191.56		4261
64222	07/24/12	RIV11 RIVERBOAT TOURS, INC.	1,705.00		4261
64223	07/24/12	SCH33 DEANA SCHUELER	360.00		4261
64224	07/24/12	SHO13 SHOPRITE/PERLMART,INC.	1,174.93		4261
64225	07/24/12	SIM09 JOSH SIMPKINS	41.00		4261
64226	07/24/12	TON03 SHELLY TONESKE	10.00		4261
64227	07/24/12	WHI08 SARA WHITMORE	41.00		4261
64228	07/24/12	WIA04 KIRA WIARDA	41.00		4261
64229	07/24/12	ZAP02 JOEY ZAPATA	41.00		4261
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Report Totals					
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	Checks:	128	3	7,395,173.36	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	128	3	7,395,173.36	0.00

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Fund Description	Fund	Budget Total	Revenue Total
	1-01	12,522.61	0.00
	2-01	7,179,162.72	2,207.00
	2-17	<u>219.60</u>	<u>0.00</u>
Year Total:		7,179,382.32	2,207.00
	C-04	28,269.97	0.00
	G-02	21,884.36	0.00
	T-12	2,142.78	0.00
	T-13	115,132.82	0.00
	T-20	<u>13,766.10</u>	<u>0.00</u>
Year Total:		131,041.70	0.00
Total of All Funds:		<u>7,373,100.96</u>	<u>2,207.00</u>

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Project Description	Project No.	Project Total
C.L.S.P. ASSOCIATES	1512-2404	1,050.00
7200064049-WESTLAKE SEC 6B	P30787	644.75
7200064197-TOLL BROS SEC 6E	P30987	297.70
7200064198-WESTLAKE SEC6F	P30988	578.55
7200064215 2003 COASTER	P31011	42.00
7200135828 LUIGI VITERBO	P31266	427.50
DEER TRAIL	P31686	532.00
7200065093 CLEARING	TWP00002	1,200.00
HENKELS MCCOY	TWPOE08	720.00
VERIZON-	TWPOE114	960.00
LUCAS BROTHERS	TWPOE13	1,080.00
JCP&L PLANNED	TWPOE132	1,470.00
D&D UTILITY	TWPOE16	420.00
CARUSO EXCAVATING CO INC	TWPOE163	4,440.00
NELSON TREE SERVICE	TWPOE30	1,380.00
JT SUBDIVISION ACCT	TWPSD001	1,409.70
AMEND P/F WAWA	Z31683	324.00
495 W VETS HWY	Z31689	1,722.20
10 S NEW PROSPECT	Z31693	150.00
197 east pleasant grove	Z31696	616.50
D&S MOTORS	Z31698	400.50
Total of All Projects:		19,865.40

Township Clerk Eden announced that RESOLUTION 279R-12 – Authorizing a Contract Agreement for Maintenance of Turf Fields has been removed from tonight’s Agenda.

**PUBLIC COMMENT OPENED, RESOLUTIONS ONLY
NO ONE CAME FORWARD.**

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

MOTION SECONDED BY: RIVERE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

RESOLUTION 275R-12

TITLE: RESOLUTION APPROVING AND ACKNOWLEDGING RECEIPT OF THE 2011 TOWNSHIP AUDIT

DISCUSSION - Councilwoman Rivere had a question regarding the QPA listed on the audit. She asked Administrator Torres if he is a QPA; he replied no. She then stated Ms. Bado is a Senior Purchasing Assistant and she took the test but we do not have the results yet, so who's the QPA that the Auditor refers to? Mr. Torres stated the Auditor could be making reference to Fran Shames, as we have a QPA contract with her for consultation purposes. Ms. Rivere commented that is not in-staff as of yet. Mr. Torres stated we did it for the purpose of Ms. Bado having any questions or utilizing Ms. Shame's expertise for anything specialized in specifications.

Mr. Kafton asked what the consultant QPA fees are and if is it a flat fee? Mr. Torres stated he believes \$15,000 and it was for the time and material; it's only paid when we utilize her. Mr. Kafton asked who she works for? Mr. Torres stated she works for herself; I believe she is a retired QPA, who was a past President for the Purchasing Association.

MOTION TO APPROVE BY: UPDEGRAVE

MOTION SECONDED BY: MARTIN

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year of 2011 has been filed by a Registered Municipal Accountant with the Township Clerk as per the requirements of N.J.S.A. 40A:5-6 and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the section of the annual audit entitled;

- General Comments
- Recommendations
- Auditors' Opinions

WHEREAS, the members of the Township Council have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

- General Comments
- Recommendations
- Auditors' Opinions

as evidenced by the group affidavit form of the Township Council; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days (45) after receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgation of the Local Finance board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S. 52:27BB-52 to wit:

R.S. 5:27BB-52 – “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provision of this article, shall be guilty of misdemeanor and, upon conviction, may be fined not more than one thousand (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE, BE IT RESOLVED, the Township Council of the Township of Jackson, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

DATED: 7-24-12

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

Township Clerk Eden asked the Council Members for their signatures on this Resolution.

RESOLUTION 276R-12

TITLE: AUTHORIZE THE SUPPLY, DELIVERY AND INSTALLATION OF 3,500 S.F. OF RUBBERBOND SURFACING FOR NEW ADA PLAYGROUND (FIELD OF DREAMS) FROM PLAYSAFER, AN APPROVED STATE CONTRACT VENDOR, IN AN AMOUNT NOT TO EXCEED \$35,000.00 WHICH IS BEING FUNDED THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CY 2012

DISCUSSION – Councilman Kafton asked if there is a program in place that maintains these programs to prevent this from happening again. Mr. Torres explained the safe play is new and we will maintain it. Mr. Kafton stated we already know we have problems with playgrounds and the skate park. Do we have something in place going forward? Mr. Torres stated if we don't, I assure the Council that we will implement a maintenance program. Councilman Kafton asked Mr. Torres to speak to Mr. Rasiewicz, Director of Public Works, so that we don't have to spend all this money again all at once and inconvenience the taxpayers.

MOTION TO APPROVE BY: UPDEGRAVE

MOTION SECONDED BY: RIVERE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, the Department of Public Works, Division of Recreation and Senior Services is requesting authorization to purchase 3,500 sq. ft. of Rubberbond Surfacing to be installed at the new ADA Playground (Field of Dreams) located within the Justice Complex; and

WHEREAS, the Township Council has considered the Department of Public Works, Division of Recreation and Senior Services need for this material at the new ADA playground; and

WHEREAS, Playsafer, 1985 Rutgers University Blvd., Lakewood, NJ 08701, has State Contract #A81417 for such material; and

WHEREAS, the Township of Jackson, pursuant to N.J.S.A.40A:11-12a and N.J.A.C. 5:34-7.29(c) may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State Contracts entered into on behalf of the State by the Division of Purchase and Property in the Division of the Treasury; and

WHEREAS, the Chief Financial Officer has certified that sufficient funding exists for this purpose upon receipt of funding through the County of Ocean for the Community Development Block Grant Program 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 the Township Council does hereby approve the supply, delivery and installation of 3,500.00 sq. ft. of Rubberbond Surfacing in the amount of \$35,000.00 from Playsafer, 1985 Rutgers University Blvd., Lakewood, NJ 08701, an approved State Contract Vendor/#A81417, with a properly executed purchase order.

2. A copy of this resolution shall be forwarded to the Municipal Administrator, Director of Public Works, Chief Financial Officer, Purchasing Department, Sheri Silversmith and any other interested parties.

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

DATED: 7-24-12

RESOLUTION 277R-12

TITLE: AUTHORIZE THE SUPPLY, DELIVERY AND INSTALLATION OF NEW PLAYGROUND EQUIPMENT FOR VARIOUS PUBLIC PLAYGROUNDS FROM GAMETIME, AN APPROVED STATE CONTRACT VENDOR (#A81411), IN AN AMOUNT NOT TO EXCEED \$158,000.00 WITH PARTIAL FUNDING THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CY 2012

DISCUSSION – Councilman Martin stated he feels its great that the high majority is funded through a Grant and Administrator Torres is doing a great job on this.

Councilman Kafton asked Mr. Torres if money from the Clean Communities Program can be used to fix and clean up our playgrounds? Mr. Torres stated that without asking the State his answer would be no. It’s just for promoting recycling, marketing & clean activities. Councilman Kafton stated but we can use it basically to create a Jackson Day. Mr. Torres replied yes because we are promoting a marketing event for recycling; it can also be used for a compacter, brooms and rakes. In addition to paying for overtime for the staff and police (if need be). Mr. Kafton asked what if the playground is built out of recyclable material; would that fall under Clean Communities? Mr. Torres feels it’s a stretch, but we could try. Mr. Kafton stated its better than taking it out of the taxpayers money.

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

WHEREAS, the Department of Pubic Works, Division of Recreation and Senior Services, is requesting authorization to purchase playground equipment for various parks within Jackson Township from GameTime, an approved State Contract Vendor ; and

WHEREAS GameTime, an approved State Contract Vendor (#A81411) has provided pricing for the installation of three (3) new playgrounds and modifications to two (2) existing playgrounds as noted below:

<u>New:</u>	
- Woodlane Park Playground - Project No. P67802	\$ 29,535.28(*)
- Bartley Park Playground - Project No. P68295	\$ 25,388.32(*)
- Justice Complex - Field of Dreams ADA - Project No. P66817	\$ 83,148.18(**)
<u>Existing:</u>	
- Justice Complex - Field of Dreams ADA – Project No P68397	\$ 16,563.10(**)
- Putnam Park ADA – Project No. P68341	\$ 3,162.99(**)

Total: \$157,797.87

(*) - Capital
 (**) - CDBG Grant

; and

WHEREAS, the Township Council has considered the request of the Department of Public Works, Division of Recreation and Senior Services, for this purchase of playground equipment for new and existing parks within the Township of Jackson; and

WHEREAS, GameTime, P.O. Box 106, Spring Lake, NJ, 07762, has State Contract #A81411 for such material; and

WHEREAS, the Township of Jackson, pursuant to N.J.S.A.40A:11-12a and N.J.A.C. 5:34-7.29(c) may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State Contracts entered into on behalf of the State by the Division of Purchase and Property in the Division of the Treasury; and

WHEREAS, the Chief Financial Officer has certified that sufficient funding exists for this purpose in the CY 2012 Capital Budget under Account Number #C-04-55-812-000-000 and upon receipt of funding through the County of Ocean for the Community Development Block Grant Program 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 the Township Council does hereby approve the supply, delivery and installation of various playground equipment in an amount not to exceed \$158,000.00 (as outlined on page 1) from GameTime, P.O. Box 106, Spring Lake, NJ 07762, an approved State Contract Vendor/#A81411, with a properly executed purchase order(s).
2. Partial funding for this purchase is being provided through the Community Development Block Grant Program for CY 2012.
3. A copy of this resolution shall be forwarded to the Municipal Administrator, Director of Public Works, Chief Financial Officer, Purchasing Department, Sheri Silversmith and any other interested parties.

DATED: 7-24-12

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

RESOLUTION 278R-12

TITLE: APPROVE THE PURCHASE OF SIX (6) SMALL SUV 4 X 4s FOR THE DEPARTMENT OF COMMUNITY DEVELOPMENT AND ENFORCEMENT FROM FOULKE MANAGEMENT IN THE AMOUNT OF \$112,200.00

DISCUSSION – Ms. Rivere asked Mr. Burke, Director of Community Development, why did we only get one bid? Mr. Burke replied because that's the only bidder who submitted a proposal. He stated that he and Mr. Olejarz, Construction Code Official, actively contacted several of the major American car vendors in the Freehold, Lakewood and Toms River areas as well as about 15 major vendors that normally respond. Even though it is one bid, we are pleased that it came in under budget. We are obligated to award if it meets our specifications and come within our budget limitations. Councilman Kafton asked if we received any other bids that were rejected because they weren't bid properly? Mr. Torres replied no. Township Clerk Eden stated there was only one bid and at least 5 or 6 bid packets were requested by vendors.

Council V.P. President Updegrave stated normally I am not in favor of one bid but during the budget process you explained to us how important it was that you have these vehicles.

Mr. Burke discussed the importance of the vehicles in their current conditions and they have exceeded the prime life of the vehicles. Some of the vehicles that are being replaced will be transferred to the Building Department and DPW. Mr. Kafton asked about other repairs on the vehicles. Mr. Burke indicated there have been far too many repairs to mention. We don't even have the hand-me-down Police vehicles to give out as replacement vehicles. Our rolling stock is in a detriment position. Mr. Kafton asked for the average mileage of the vehicles. Mr. Burke will get that information back to Council. Mr. Burke commented that most of the vehicles in use have been used for over 10 years. Mr. Kafton stated moving forward on purchasing vehicles, has the Township looked into electric and/or energy efficient vehicles and does the State or Federal Government give incentives for energy efficiency? Mr. Burke advised they looked into it and we could not find any incentives. The vehicles we are looking to purchase are small SUV vehicles with no towing capabilities needed. On the Escape Hybrid, there were some changes to their models with substantial increases, but they were not in our budget range.

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

WHEREAS, the Department of Community Development and Enforcement has requested approval for the purchase of six (6) small SUV 4x4s; and

WHEREAS, the Township Council has considered the Department of Community Development and Enforcement's need for six (6) small SUV 4x4s; and

WHEREAS, Jackson Township previously advertised for the receipt of bids for six (6) small SUV 4x4s on July 20, 2012 at 10:00 a.m. under a fair and open process; and

WHEREAS, at the time and place for receipt of bids only one (1) bid was received as follows:

<u>Bidder</u>	<u>Item</u>	<u>Price Ea.</u>	<u>Total – Qty. 6</u>
Foulke Management	2013 Jeep Patriot 4WD 4dr Sport	\$18,700.00	\$112,200.00
Foulke Management	2013 Silverado 1500 4WD Ext. Cab Work Truck	\$22,800.00	\$136,800.00

; and

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

WHEREAS, Daniel Burke, Director of Community Development and Enforcement, has reviewed the bids submitted and is recommending that the contract for the purchase of six (6) 2013 Jeep Patriot 4WD 4dr Sport SUV's be awarded to Foulke Management; and

WHEREAS, Daniel Burke, Director of Community Development and Enforcement, Daniel Burke, has reviewed the bids submitted and is recommending that the contract for the purchase of six (6) 2013 Jeep Patriot 4WD 4dr Sport SUV's be awarded to Foulke Management; and

WHEREAS, the Chief Financial Officer has certified that funding is available for this purpose in an appropriation in the CY 2012 Capital Budget; and

WHEREAS, it is now it is the desire of this Township Council to act upon the recommendation of Daniel Burke, Director of Community Development and Enforcement.

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. Daniel Burke, Director of Community Development and Enforcement, is hereby authorized to award a contract to Foulke Management, 75 Haddonfield Road, Cherry Hill, New Jersey for the purchase of six (6) 2013 Jeep Patriot 4WD 4dr Sport SUV's in the amount of \$112,200.00, with a properly executed purchase order.
2. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution
3. Copies of this Resolution to Foulke Management, 75 Haddonfield Road, Cherry Hill, NJ 08002, Administration, Chief Financial Officer, Purchasing, Daniel Burke and any other interested parties.

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

DATED:

RESOLUTION 279R-12 – NOT USED.

RESOLUTION 291R-12

TITLE: AUTHORIZE THE EXECUTION OF A CONTRACT AGREEMENT WITH MAZZA RECYCLING FOR THE COLLECTION OF CERTAIN TYPES OF RECYCLABLE MATERIALS (TYPE 13 AND 13C) FOR AN ADDITIONAL ONE (1) YEAR PERIOD

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, the Township of Jackson, using the Fair and Open Process in accordance with New Jersey State Law, previously awarded a contract to Mazza Recycling for the collection of certain types of recyclable materials (Type 13 and Type 13C) for a two (2) year period with the option to renew for two (2) additional one (1) year periods
; and

WHEREAS, the Director of Public Works is requesting to renew this contract for an additional one (1) year period with Mazza Recycling pursuant to the terms and conditions of the original contract agreement and as follows:

Price per Ton: \$76.35
Price per Haul: \$175.00

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

1. That the Township Council hereby formally authorizes and approves the execution of an additional one (1) year contract renewal with Mazza Recycling for the collection of certain types of recyclable materials (Type 13 and Type 13C) effective July 28, 2012 through July 27, 2013. All other terms and conditions of the original agreement remain in effect with the option to renew said contract for one (1) additional one (1) year period. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.
2. That upon the adoption of the within resolution, the Township Clerk is

authorized and directed to forward a certified copy of it to the Township Administrator, Chief Financial Officer, Director of Public Works, Purchasing Department, Mazza Recycling and any other interested parties.

DATED: 7-24-12

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

RESOLUTION 296R-12

TITLE: AUTHORIZE TOWNSHIP ENGINEER, T & M ASSOCIATES, TO PERFORM ADDITIONAL ENGINEERING SERVICES FOR THE NJDEP PARK LAND DIVERSION PLAN IN CONNECTION WITH BLOCK 147.02, P/O LOT 2 INCLUSIVE OF NJDEP SCOPING HEARING ON THE CAMP JOY PROPERTY, A/K/A/ BLOCK 52, LOT 3 FOR A TOTAL AMOUNT NOT TO EXCEED \$53,189.00

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: MARTIN

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, the Township Council previously awarded through a fair and open process, a contract for Township Engineering Services for CY 2012 to T&M Associates; and

WHEREAS, in a separate agreement, the Township authorized additional engineering services to T&M Associates for the NJDEP Park Land Diversion Plan in connection with Block 147.02, P/O Lot 2 (Vista Site/Jackson Mills Compost Facility); and

WHEREAS, Mayor Michael Reina is requesting authorization to award and execute a supplemental contract to T&M Associates in an amount not to exceed \$32,689.00 for additional engineering services on the proposed Compost Facility Land Diversion, Block 147.02, P/O Lot 2 inclusive of NJDEP Green Acres Scoping Hearing on Camp Joy Land Diversion in the amount of \$1,151.00, as per attached proposal dated July 9, 2012 (Schedule A – Compost Facility Diversion Charges - Task Items 1.1, 2.1, 3.1, 4.1, 5.1 & 6.1 and Camp Joy Diversion NJDEP Scoping Hearing – Task 1.1 only); and

WHEREAS, in addition to the aforementioned engineering services, Mayor Michael Reina is also requesting authorization to award and execute an additional supplemental contract agreement with T&M Associates to provide engineering design and consultation services for the preparation of an application to Ocean County to amend their Solid Waste Management Plan to include the Jackson Mills Vista Center as a Class C Recycling Facility in an amount not to exceed \$20,500.00, as per the attached proposal dated July 9, 2012 (Schedule B), contingent upon approval from Green Acres for NJDEP Land Diversion; and

WHEREAS, the Chief Financial Officer has certified that sufficient funding exists for this purpose in a total amount not to exceed \$53,189.00; 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 Mayor and Township Council of the Township of Jackson, County of Ocean, State of New Jersey, as follows:

1. That Township Engineer, T&M Associates, is hereby authorized to commence with additional engineering services on the proposed Compost Facility Land Diversion, Block 147.02, P/O Lot 2 in an amount not to exceed \$32,689.00 inclusive of NJDEP Green Acres Scoping Hearing on Camp Joy Land Diversion in the amount of \$1,151.00, as per attached

proposal dated July 9, 2012 (Schedule A – Compost Facility Diversion Charges - Task Items 1.1, 2.1, 3.1, 4.1, 5.1 & 6.1 and Camp Joy Diversion NJDEP Scoping Hearing – Task 1.1 only); and

2. That, contingent upon approval from Green Acres for NJDEP Land Diversion, Township Engineer, T&M Associates, is hereby authorized to commence with engineering design and consultation services for the preparation of an application to the County of Ocean to amend their Solid Waste Management Plan to include Jackson Mills Vista Center as a Class C Recycling Facility in an amount not to exceed \$20,500.00.
3. That the Mayor is hereby authorized to execute and the Township Clerk to attest to agreement(s) with T&M Associates for this work.
4. 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 and N.J.S.A. 19:A-20.4 of the Local Play to Play 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 Administration, Chief Financial Officer, Purchasing Department, T&M Associates and any other interested parties.

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

DATED: 7-24-12

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

RESOLUTION 280R-12

TITLE: APPROVE CHIEF FINANCIAL OFFICERS REPORT FOR MONTH OF JUNE 2012

MOTION TO APPROVE BY: MARTIN

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 June 2012 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: 7-24-12

RESOLUTION 281R-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-1501 – LIBERTY PARENTS CLUB INC.
 - #RA-1502 – LIBERTY PARENTS CLUB INC.
 - #RA-1503 – JACKSON MEMORIAL BAND PARENTS INC.
2. Copies of the Resolution to interested parties.

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

DATED: 7-24-12

RESOLUTION 282R-12

TITLE: APPROVE JACKSON TOWNSHIP COUNCIL MEETING MINUTES OF JUNE 26, 2012

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED 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;

1. The following Minutes are hereby approved by the Jackson Township Council:
 - JUNE 26, 2012**
2. Copies of this resolution to any interested parties.

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

DATED: 7-24-12

RESOLUTION 283R-12

TITLE: APPROVE JACKSON TOWNSHIP COUNCIL MEETING MINUTES OF JULY 10, 2012

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: RIVERE, UPDEGRAVE, BRESSI

ABSTAIN: 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:

JULY 10, 2012

2. Copies of this resolution to any interested parties.

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

DATED: 7-24-12

RESOLUTION 284R-12

TITLE: AUTHORIZE RENEWAL OF A CAMPGROUND LICENSE FOR TIP TAM CAMPING RESORT A/K/A BLOCK 14301, LOT 13 (301 BREWERS BRIDGE ROAD)

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, Tip Tam Camping Resort has applied for renewal of Campground License for 301 Brewers Bridge Road, a/k/a Block 14301, Lot 13, Jackson Township;

WHEREAS, Tip Tam Camping Resort has submitted an application in proper form and has paid the required fees; and

WHEREAS, taxes are paid on the premises in question and the appropriate municipal agencies or officers have inspected the premises and have no objection to the renewal of this license.

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 Tip Tam Camping Resort for a renewal of a Campground License for the premises known as 301 Brewers Bridge Road, a/k/a Block 14301, Lot 13, Jackson Township, is hereby approved.
2. The Township Clerk is hereby authorized to issue the aforesaid license to the applicant.
3. Said license is issued pursuant to Chapter 145 of the Code of the Township of Jackson for a period commencing July 1, 2012 and ending June 30, 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 Tip Tam Camping Resort.

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

DATED: 7-24-12

RESOLUTION 285R-12

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON SUPPORTING S-380/A-2027, THE JESSICA LUNSFORD ACT, WHICH WOULD INCREASE PENALTIES FOR THOSE WHO COMMIT SEX CRIMES AGAINST MINORS AND FOR THOSE WHO HARBOR OR CONCEAL A SEX OFFENDER

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

WHEREAS, there is currently pending legislation in the Senate and Assembly that would pass the “Jessica Lunsford Act”, which would increase penalties for those who commit sex crimes against minors and for those who harbor or conceal a sex offender; and

WHEREAS, currently New Jersey residents are frustrated with what they see as a lack of action and direction by the Legislature on comprehensive initiatives to more effectively protect our children from potential acts of violence committed by sexual predators; and

WHEREAS, this bill would prohibit convicted sexual offenders from living near schools, playgrounds and child care centers, as well as to properly “tier” sex offenders prior to their release from prison; and

WHEREAS, a State Supreme Court decision handed down in 2009 that invalidated several local sexual offender residency ordinances seems to have brought any further action on major policy initiatives concerning sexual offenders to a standstill in the Legislature; and

WHEREAS, prior to this, several bipartisan bills were passed by the Legislature and enacted into law that included enhancing penalties for sex offenders who provided false addresses when registering as well as satellite monitoring for certain sex offenders; and

WHEREAS, most states have already passed the Jessica Lunsford act into law. New Jersey is one of only 8 states without this law enacted; and

WHEREAS, our children are worthy of such legislation that will seek tougher penalties for sex offenders; and

WHEREAS, the safety of our children should be our first and foremost concern and should supersede the rights of any known sex offender.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Jackson, County of Ocean, State of New Jersey supports Senate Bill S-380/Assembly Bill A-2027 which concerns tougher laws for sex offenders and protects the safety and well-being of the children of the State of New Jersey; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Governor Chris Christie, Senator Diane B. Allen – 7th Legislative District, Senator Steven V. Oroho – 24th Legislative District, the New Jersey Legislature, the 12th Legislative District, all Ocean County Municipalities and any other interested parties.

DATED: 7-24-12

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

RESOLUTION 286R-12
TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE SOLICITATION OF PROPOSALS FOR PREVENTATIVE MAINTENANCE CONTRACTS FOR TOWNSHIP HVAC SYSTEMS

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

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, After Disaster Housing Corp. has requested a release of the maintenance guarantee, which consists of a cash bond in the amount of \$32,112.90, pertaining to Block 2701, Lots 31, 34 & 35, 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 July 10, 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 cash bond in the amount of \$32, 112.90, heretofore posted with the Township may and hereby is released upon the condition;

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 performance guarantees.
2. Copies of this resolution to Administration, Finance, Applicant/Developer, Township Engineer, Jackson Board of Education Transportation Department, Attn: Dolores 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.

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

DATED: 7-24-12

**RESOLUTION 289R-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 4A A/K/A
BLOCK 66.01, LOTS VARIOUS**

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

WHEREAS, Toll Brothers has requested a release of the Maintenance Guarantee, which consists of \$90,630.00 in the form of a Maintenance Bond #929498112 issued by the Continental Insurance Company, pertaining to Westlake, Section 4A, 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 June 26, 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 #929498112 issued by Continental Insurance Company in the amount of \$90,630.00 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.

DATED: 7-24-12

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

RESOLUTION 290R-12

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING REDUCTION TO THE PERFORMANCE GUARANTEES POSTED BY ARCON DEVELOPMENT, LLC. FOR PLEASANT GROVE ESTATES (A.K.A. CAMELOT ESTATES) LOCATED ON BLOCK 106.02, LOT 10

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, Arcon Development has requested a Reduction of the Performance Guarantee posted for Pleasant Grove Estates (a.k.a. Camelot Estates) located on Block 106.02, Lot 10, Jackson Township; and

WHEREAS, the following Performance Guarantees currently in place are:

1. Performance guarantee in the form of Performance Bond # SUR009548 in the amount of \$256,711.68 issued by Lincoln General Insurance Company.
2. Cash Guarantee in the amount of \$28,523.52

WHEREAS, Michael Miller, Township Engineer, T&M Associates, has reviewed and approved the reduction of the Performance Guarantee in a letter report dated July 9, 2012 in the following amount:

1. Reduction of the Performance Bond to not less than \$187,221.62
2. Reduction of the Cash Guarantee to not less than \$20,802.40

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 \$256,711.68 to not less than \$187,221.62 and the Cash Guarantee from \$28,523.52 to not less than \$20,802.40. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

DATED: 7-24-12

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

RESOLUTION 292R-12

TITLE: RESOLUTION MEMORIALIZING THE EXTENSION OF THE GRACEPERIOD TO AUGUST 13, 2012 FOR THE AUGUST 1ST, 2012 TAX QUARTER DUE TO THE DELAY IN MAILING THE TAX BILLS

DISCUSSION - Council Vice President Updegrave brought to Council’s attention she believes a typo exists in paragraph one (i.e.: states August 17, 2012 as the mailing date). Township Clerk Eden will confirm with the Tax Collector and, if Council has no objection, she will make the correction. Council agreed.

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

WHEREAS, the mailing of Jackson Townships’ tax bills were slightly delayed due to the late start of the tax billing process pending approval of the State budget and State Aid figures and bills were not mailed until July 17, 2012, and;

WHEREAS, State Statute provides that the Grace Period must be extended to allow for 25 days from the date of the mailing of the tax bills for payments of the August 1, 2012 tax quarter to be made without interest, and;

WHEREAS, the Tax Collector has set the last day to pay the August 1st, 2012 tax quarter at 8/13/12, being the next business day after the 25 calendar days from the date the tax bills were mailed, and;

WHEREAS, the extension only applies to the August 1, 2012 tax quarter. The normal Township grace period will apply to all other tax quarters on the bill.

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 Governing Body of Jackson Township memorializes the extension of the grace period to 8/13/12 for the August 1, 2012 tax quarter and recognizes that the normal Township grace period will apply to all other quarters on the tax bill.

Copy to: Tax Collector

DATED: 7-24-12

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

RESOLUTION 293R-12
TITLE: RESOLUTION CANCELING TAXES ON COUNTY OWNED
PROPERTY VARIOUS BLOCKS & LOTS

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

WHEREAS, The below listed parcels were acquired by the County on December 29, 2011 and the deed was not received by the Township in time to list the parcels as exempt in the 2012 Tax Duplicate, and;

WHEREAS, the County is exempt from taxes in the year following acquisition and 2012 taxes need to be cancelled until the parcel can be formally listed as exempt in the 2013 tax duplicate.

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:

<u>BLOCK/LOT</u>	<u>2012 TAX</u>	<u>BLOCK/LOT</u>	<u>2012 TAX</u>
16406/15	\$ 26.49	19201/7	\$ 682.73
16407/1	\$ 34.65	19201/11	\$2,590.30
16407/2	\$ 28.53	19301/14	\$3,100.50
16407/3	\$ 24.46	19301/15	\$3,244.50

16407/4	\$ 34.65	19301/17	\$6,738.42
19201/4	\$2,492.47	19301/18	\$5,758.66
19201/5	\$ 140.62	22801/1.02	\$ 946.68
19201/6	\$ 550.26	22801/1.02 Q	\$ 128.16

- The parcels are to be exempted on the 2013 tax list.

Copy to: Tax Collector

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

DATED: 7-24-12

RESOLUTION 294R-12

TITLE: RESOLUTION CANCELING 2012 SECOND HALF TAXES ON VARIOUS 100% DISABLED VETERAN EXEMPTION PARCELS

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, 100% Disabled Veteran Exemptions were previously approved by Resolution on various parcels listed below and should be exempt from taxes for 2012, and;

WHEREAS, 2012 first half taxes were cancelled at the time of the original approval of the exemptions by resolution, and;

WHEREAS, 2012 second half taxes have now been determined and need to be cancelled to complete the exemption.

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:

- The Tax Collector is directed to cancel taxes as follows:

<u>BLOCK/LOT</u>	<u>LAST NAME</u>	<u>ORIG RESO & DATE</u>	<u>2012 2ND ½ TAX AMT</u>
104/25	WEST	119R-12 3-13-12	\$ 2,055.39
9501/8	WEBB	175R-12 4-24-12	\$ 6,485.04
13106/8	COHEN	255R-12 6-26-12	\$ 2,365.20
13107/4	HERCULES	181R-12 5- 8-12	\$ 3,227.98
14801/32	BOVE	102R-12 3-13-12	\$ 2,055.34
19702/9	CHAPMAN	210R-12 5-22-12	\$ 4,639.38

- The Tax Collector is directed to process a refund for any overpayment due to the cancellation of taxes.
- The parcel is to be exempted on the 2013 tax list.

Copy to: Collector, Assessor, Finance

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

DATED: 7-24-12

RESOLUTION 295R-12

TITLE: RESOLUTION CANCELING 2ND HALF 2012 TAXES ON TOWNSHIP OWNED PROPERTY BLOCK 16901 LOT 23

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, Block 16301 Lot 13 was acquired by the Township on December 13, 2011 in lieu of foreclosure of Municipal Tax Sale Certificate #070063, and the lien and 1st half 2012 taxes were cancelled by Resolution 105R-12 on 3-13-12 and;

WHEREAS, the Township is exempt from taxes and 2nd half 2012 taxes need to be cancelled until the parcel can be listed as exempt in the 2013 tax duplicate.

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:

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

2012 – 2nd half taxes in the amount of \$112.32

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

Copy to: Tax Collector

DATED: 7-24-12 ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

RESOLUTION 297R-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 DRIVE SOBER OR GET PULLED OVER 2012 STATEWIDE CRACKDOWN GRANT

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 State of NJ, Department of Law and Public Safety, Division of Highway Traffic Safety in the amount of \$4,400.00; 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 \$4,400.00 by the Director of the Division of Local Government Services, which is now available as a revenue from:

Miscellaneous Revenue: (Special Item of general revenue anticipated with prior written consent of the Director of Local Government Services)
State of NJ, Department of Law and Public Safety,
Division of Highway Traffic Safety

Drive Sober or Get Pulled Over 2012 Statewide Crackdown \$4,400.00

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

General Appropriations: (operations excluded from CAP)

State of NJ, Department of Law and Public Safety,
Division of Highway Traffic Safety

Drive Sober or Get Pulled Over 2012 Statewide Crackdown \$4,400.00

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, R.M.C.
TOWNSHIP CLERK

DATED: 7-24-12

DISCUSSION AGENDA:

1. COUNCILMAN KAFTON

- a. Update – Township Attorney amended contract for CY 2012 – N/A – It was previously discussed and no further action is required.

2. ADMINISTRATOR TORRES

- a. Update CBAC Report – Recreation Department – Mr. Torres stated there had been a meeting with Councilwoman Rivere, Mr. Mayerowitz, Ms. Pinkava and myself because Ms. Rivere had questions about the author and full disclosure on the participating report. Mr. Torres read the letter from the Auditors, Holman and Frenia.

Dear Mayor Reina and Council Members, the following investigation was conducted by Keith Ingling, CPA Forensic Manager for the Firm from 7/18/2012 through 7/20/2012. On July 18, 2012, our firm was contacted by Jackson Township Business Administrator for an allegation that had been made by the Township regarding misappropriation of funds in particular certain funds pertaining to the account being maintained for the benefit of the Girl's Softball Program as alleged being improperly spent. Our investigation began by obtaining and reviewing the following pertinent documentation: Township Ordinance 5-11 & Ordinance 29-11, a sponsor letter dated 11/2/2011, Township Resolution 109R-12, a report by the Township's CBAC Committee regarding the results of their investigation to the matter dated 6/20/2012, the year to date detail as of July 18, 2012, received and disbursement from the account T1356-859-000-848 named Donations Girls Softball.

Our investigation revealed the following: We conducted an independent review of the received and disbursement and the aforementioned account, which totaled \$6,353 deposited into the account between January 26, 2012 – June 18, 2012. Between May 8, 2012 – June 12, 2012 \$3,218.10 was disbursed from the account. Also on July 18, 2012, \$500 was encumbered into the account. Therefore, there was a \$2,634.90 remaining in the account as of July 18, 2012. All of the disbursement from and encumbered in this account were for the benefit of the Girl's Softball Program.

As previously stated, we reviewed the reports submitted by the Township's CBAC Committee regarding their investigation of the circumstances surrounding this matter. Their investigation revealed no misappropriation of funds in the aforementioned account; we concur with their findings. Lastly we express to the CFO and to the Business Administrator our willingness to meet with the complainants in this matter. This includes making ourselves available to the complainant or anyone else if any such concerns occur. A detailed report

of that meeting would be prepared and submitted to the Mayor and Council. Thank you for the opportunity to be of service to the Township of Jackson citizens. If I can be of assistance, please let me know. Rodney Haines, CPA, RMA.

Councilwoman Rivere stated her take on that meeting was that they asked the question and was told that only one individual prepared our report and only one individual interviewed the various people in the Township employ who would be relevant to this discussion. I think that the methodology bothered me. I said it at the meeting and I'm saying it here. One person who is very involved in the Township shouldn't be conducting a report and delivering a report on behalf of the Committee, when indeed he said, "I did it myself and I asked them to look at it." That was my complaint all along. We should have had an independent person looking into the allegations of misappropriations. I'm not sure if I agree that there was misappropriation of funds. However, I objected then and now to the way it was done. That one individual is very qualified to look at these records but one individual to do it all is not the way it should go and it was done in-house and it was done by an individual who has been around the block a long time here.

I met with the complainant and there were things that were given to me and, in truth, I think that there are many things to be looked at. You have a brand new Recreation Department with a new way of running the department. There have been complaints & problems. I think that it is incumbent on this Council to look into how our Recreation Department is fairing under the new method. We need to do it. Ms Rivere asked Mr. Torres what about the rest of the CBAC report; it should be forthcoming. She feels the whole Recreation issue, which has come into controversy, should be looked at. You don't put in a new program and have that program attacked and then not even look at it to see if there is a problem.

Administrator Torres stated he believes Ms. Rivere's point is well taken and the decision of the Mayor moving forward and getting this Council to adopt the Recreation Advisory Board and getting all the stake holders involved, all those who are involved in Recreation and to try to come up with a reasonable game plan as to see the do's and the don'ts about how we could improve overall providing the recreation activity to the participants & residents of the Township. Ms. Rivere stated again it's an Advisory Committee not a Committee that's going to go and look into how things are running and are they working internally. I still say we need that information. Our individual said he was going to do it but is no longer going to go any further with it. I think we, as a Council, should demand that we some how look into and see how our program is running. Mr. Torres stated he does not want to speak for that person but I believe his words were that only if the Council President requested him to produce those reports, than he would produce them. Ms. Rivere stated in the last 3 agendas you stated you would have those reports forthcoming.

Councilman Martin stated the CBAC investigated this and they cleared no wrongdoing. An independent Audit was asked for and our Finance Department also cleared them of any wrongdoing. You're not satisfied with any of these reports. Ms. Rivere stated she did not say that. She only questioned the one person doing all the research and interviewing. I never said and used the words that I thought there were misappropriations. Do not put words in my mouth. My issue is not the misappropriation it is the fact that we need to look into how the Recreation Department is running. Councilman Martin just wanted to make sure Ms. Rivere was clear with the CBAC report and the Auditors report. Ms. Rivere stated she never said no; it was the method.

Councilman Kafton stated as far as he is concerned this Council has been lied to. This Council was told the CBAC would be doing a study of which I was completely against and am still against today. And now I am coming to find out that it is one member of the CBAC. That does not consist of a CBAC Committee doing this report. I stated from the beginning there should be an

outside auditing firm and all I got back from Council & the Mayor's office was it will cost the taxpayers money. Now to find out after the CBAC report, the Committee did not do this, one individual did. And then their report was sent to our CPA. Is there a cover-up going on here?

Administrator Torres stated absolutely not. Council President Bressi directed Councilman Kafton if he feels that way, he knows how to contact the Prosecutor. If he wants to challenge the Certification of the CPA and the consultants he may do so. Mr. Kafton asked how much is it costing the Consultant to reviewing the findings of one individual? Mr. Bressi stated if you want to do an allegation of cover-ups, than I suggest we stop the meeting, secure the tapes and we take it to the Prosecutor. Mr. Kafton stated no I'm not going to stop the meeting; I want some answers. Mr. Kafton stated Holman & Frenia only reviewed the findings of an individual. This Council was told the CBAC was doing this report. Now to find out only one individual prepared the report and it was sent to Holman & Frenia and that's how they made their decision.

Council President Bressi, Council Vice President Updegrave and Councilman Martin all stated it's not true and asked him to look at everything the firm looked at. The Council Members discussed just voting on the Resolution to approve the Township Audit and Mr. Kafton voted yes. Mr. Kafton explained he voted on that because he reviewed the Audit. Mr. Torres explained at Fridays meeting the question was posed as to the authenticity of that document. The Chairman indicated that he took responsibility as reporting it because he's the Chairman of the Committee. He forwarded every single document to all the members and asked for feedback, comments, suggestions and recommendations. And for those members who chose to provide their comments, he added that into his report. It was Ms. Rivere who wanted the 2 gentlemen that were present here at that meeting when the author was not present and that's when the President indicated why another meeting should take place and it was scheduled for another date.

Mr. Torres stated I emphatically asked Ms. Rivere if she would be satisfied if I sent a certification to every member of the CBAC for them to certify with their signature of their participation, review and acceptance of that document and the Councilwoman told me that it was not necessary. Mr. Kafton stated so am I to understand that going forward if we need to audit any department in this town, we should ask the audience to raise their hands to see if they would like to handle the audit because that's what happened. We have 7 members of the CBAC of which 6 of them did not do this and yet we're told the CBAC did it. Mr. Martin stated we have a letter here from the Auditor who reviewed the findings of the CBAC along with other pertinent information. He did not just take the word from a member of the CBAC he checked the account of the Girls Softball. Mr. Bressi & Mr. Martin stated they feel Ms. Rivere is heading towards the fact that she thinks they made it up. Ms. Rivere stated no and she never stated that. Mr. Martin stated but Mr. Kafton is.

Mr. Kafton feels it appears that we have more than this as an issue in the Recreation Department and he knows what he is talking about. There is a potential that some people who work for this town possibly had been given discounts like summer camp to family members. That is an issue that we have not dealt with yet. As far as I'm concerned, there seems to be one issue after another when it comes to the Recreation Department and I am demanding that this Council get an outside audit of that department. We have a problem with monies that could have been potentially missing or put in to a freezer at the end of the day; this is not the way we handle money in this town.

PAUL MAYEROWITZ – 91 CYPRESS POINT LANE – Mr. Torres' comments concerning how the report was prepared, edited, critiqued and published are 100% accurate. There isn't a single member of the CBAC who didn't have the opportunity to participate or comment on the final report. This

Committee is not biased; they are citizens who volunteer their expertise to benefit the citizens of Jackson Township. In return, they have been criticized, their qualifications questioned and all for doing the job asked by this Council to do.

Yes, there are problems in the Recreation Department and I don't disagree with that based upon what I've seen in the course of my interviews. Those issues can be straightened out by the Business Administration if we can get that out of dealing with the political scenario's relating to Recreation. If we had the cooperation of Township citizens who know recreation, we would be able to resolve this problem and not bicker about it. We had a simple problem with misinterpretation, lack of communication and an ordinance about sponsorships by this Council.

Ms. Rivere & Mr. Kafton asked Mr. Mayerowitz how many members sat down with members of the Recreation Department and actively participated in that study? Mr. Mayerowitz suggested he speak to the members of the CBAC; all participated except Gary Moll & Barry Calogero. Each member of that Committee was afforded the opportunity to review multiple drafts and ask questions. This Township Council received the report on June 26, 2012 and no member of this Council bothered to ask a question. Mr. Mayerowitz then asked who were the individuals on this Council who are raising the questions on this report? It appears this Council has splintered along political lines relative to the report as the report was done without political motivation. We addressed issues that we were asked to address. If you want to ask us to address other issues, than ask us to address it through the voice of the Township Council President.

Mr. Kafton believes this should be addressed where the public can hear what's going on. Mr. Mayerowitz stated this report stands as written, it is accurate and has been supported by our outside Auditors. Mr. Mayerowitz feels even Ms. Rivere agrees that there were no misappropriations. Ms. Rivere stated she told him she doesn't see the misappropriation from day one. She stated as far as the report, I tried to raise it last month and I was shut down. Mr. Bressi stated to Ms. Rivere that she was not shut down and she was told to obtain the information at a meeting.

Ms. Rivere stated Mr. Mayerowitz's comment about no one questioning the report is blatantly untrue. I tried to question it and yes I did have my meeting. Within that meeting, there were a few things and nothing was mentioned here at the meeting. There were a couple of issues including the wording of who does what with the CBAC. The first sentence of the report is inaccurate. All I wanted to ask Mr. Mayerowitz, than and now, is how many people participated, how many people went in and interviewed and I still don't know that. One person did all the interviewing and its one persons perspective. Again, please do not tell me how to do my job.

Mr. Kafton asked Ms. Rivere if she did state that Mr. Mayerowitz was the one that did the studies and report; she replied yes. Mr. Kafton stated it's typical on how it is flip flopped both ways. This is why there needs to be an outside auditing firm because if you want to scream this is politics; your right it probably is. That's why I wanted an outside service to come in so it could wash the politics right out of it. Mr. Martin stated last time Mr. Kafton requested an outside service, we did it and you didn't like it. He stated Mr. Kafton keeps going until he hears what he wants to hear.

Mr. Bressi asked Mr. Torres if he did state that Mr. Mayerowitz took responsibility for the entire report as Chairman of the CBAC; Mr. Torres stated that was correct. Mr. Kafton stated since when does this Township have individuals do audits of a department? There are too many issues in this department. Mr. Bressi asked Mr. Torres to speak to the Mayor and find out where this Recreation Advisory Board is going.

- b. Upgraded phone system – Mr. Torres stated the Council previously gave me direction to solicit quotations from vendors to upgrade our telephone system. The IT Committee and Christian David have finalized their analysis and would like to present their recommendations at the next Council Meeting. Mr. Bressi asked if their recommendation is still Light Path? Mr. Torres replied no; we could upgrade our service and get a reduction in price as well. Once I get a guarantee, I'll get a performance bond from the vendor. I will be making a recommendation to award at the next meeting. Mr. Bressi stated it has been a long time coming and requested all the back up data. He wants someone from the IT Committee here to answer any questions the Council may have on it.

Mr. Kafton asked if this is a recommendation from the IT Committee? Mr. Torres explained it is a combined recommendation between the Administration and the IT Committee. Mr. Kafton asked of 3 different companies that will be recommended, you will recommend one of those companies? Mr. Torres replied yes, the lowest responsible bidder is being recommended. Mr. Kafton asked for full disclosure of anyone on the IT Committee with a relation to all 3 of those companies. He wants to see all qualifications of the members of the IT Committee and any companies that they are involved in. Mr. Torres answered of course.

- c. RWV Land/Livestock Company – Volleyball Court – Mr. Torres explained that items C & D are both combined. Item C is to purchase pea gravel & beach sand. In 2010, a CDBG Grant was received from the County to add a Volleyball Court to the Justice Complex. This vendor exceeds our aggregate amount, therefore, I am asking to award to purchase materials for the Volleyball Court. It is being done in house by our staff members, however, we need to procure the materials open and competitive and I'd like to award it to this firm. Mr. Bressi asked the Council if they have any questions. Ms. Updegrave had a question on going over the aggregate. Mr. Torres explained we do purchase gravel and sand to support our construction material in DPW. All Council Members agreed and Mr. Bressi requested a resolution for the next meeting.
- d. Authorize preparation and advertisement of bids – fencing – various Township-owned locations – There is some existing park area that requires some fencing to provide spectators from getting hit by a foul ball. All Council Members agreed and Mr. Bressi requested a resolution for the next meeting.

PUBLIC COMMENT, ANY TOPIC

RAY CATTONAR – 11 FORDHAM ROAD – I thought we were doing a full audit on the Recreation Department not just the Girl's Softball sponsorship. We had a Coach indicate that there were monies misappropriated. Mr. Bressi stated Mr. Beja announced at Opening Day that the Girl's Softball program had no missing money. He also indicated in writing on websites that there is no money missing. Mr. Beja checked the account and continues to check it regularly. Mr. Cattonar asked for a copy of that statement. Mr. Bressi stated it could be found on line. When we called for a full Recreation audit, I assumed that's what we were getting. Mr. Bressi stated you called for a full audit and I asked them to look into the Girl's Softball registration specifically and we all agreed on that. Mr. Cattonar stated in a prior meeting he asked for a full audit of the Recreation Department and Mr. Bressi answered that's what we're doing.

Mr. Kafton stated if you recall when this audit for the Girl's Softball was given to the Council, Mr. Torres stated the rest of the audit will be forthcoming. We have yet to receive anything on it. The Council did request the audit of the entire Recreation Department. Mr. Torres stated you are correct. It was reported by the CBAC that there was additional information as it relates to additional funding sources in which we could explore to fund the Recreation Department. There was a report governing some maintenance of the Division and strategic planning as to further roll it out. Referencing the meeting that took place with Ms. Rivere, Mr. Mayerowitz made it clear that if the

Governing Body wanted him to further produce past reports that at the direction of the Chair with the consent of the Council, then yes he had no problem producing those reports.

Ms. Rivere said it is understood that's what we asked for but there seems to be a misunderstanding on what was asked for and again not my issue. The fact you said the Mayor and his advisory Committee are forming this Recreation Advisory Board. Mr. Martin and I are both on that Committee. I can't see us making recommendations to ourselves. We are there are liaisons to bring back what happens. Once again, we're asking a committee to oversee a program. Your asking them to come up all these suggestions and we as a group are not looking in to what's going on in our own department. We are asking a group of parents who volunteer their time to come up with suggestions, ideas and suggest fees. We need to administratively go in and you can tell me all year that it's the CBAC doing it or the new advisory board; we set up the program. We need to look at the program and if there are problems that are being brought forward, it's incumbent upon us to check over the whole program.

Mr. Bressi stated these people on the committee use the recreation facilities and will bring forth good ideas and that's the idea of this board according to the Mayor. That's the idea to bring this stuff forward by the board so it can be addressed. Mr. Torres stated that was the language that was explicitly stated at the creation of the Board. And I recall that it was Mr. Mayerowitz who said we are even excluding our senior population. Mr. Bressi stated if anyone on this Council or the public has any inclination of wrongdoing, you owe it to everyone to take it to the Prosecutor.

Mr. Kafton stated this Council owes it to the taxpayers and we're just shuffling it to off onto other people. Just like you did on the last study with the landscaping company and pushed it off to the State without all the findings. This Council is ineffective.

Mr. Cattonar stated usually on an audit report you get incoming expenses, budget account status, billings, invoices, etc. I have never seen any audit that did not include these findings. Mr. Bressi asked Mr. Torres to give him a copy of the audit. Township Clerk Eden stated to Mr. Cattonar that he had already OPRA'd it and he commented none of that information was in it. She stated it is a letter from the Auditors, there are no line items on it. He asked how to obtain a copy of that. Ms. Eden explained that under OPRA you need to know what to ask for; that's how its done. She stated he has to specify the record that was provided. Ms. Eden believes they had referred to certain items in their letter; they received Township Ordinance 5-11, a sponsor letter dated November 2nd. Personally, if my office was OPRA'd on that letter, I would have no idea what that is. A record needs to be specific such as 109R-12. Mr. Cattonar believes those records are inconclusive because of them being so vague and believes the Auditor ruled based upon the information that the CBAC had supplied him.

Mr. Martin said the Auditor also requested the year to date details, receipts and disbursements. Township Clerk Eden stated you can OPRA this letter. Ms. Rivere stated one of the suggestions of the CBAC that came out of that meeting is that we re-word those ordinances as they are inclusive and can be interpreted many ways. Mr. Cattonar stated we previously subtracted the uniforms prior to this out of registration fees and then we modified it to take it out of sponsorship fees, when we initially didn't do that. The ordinance doesn't support either argument due to the vagueness of the argument even though the CBAC sides with it means we can do it. It doesn't mean we can do it correctly. And why would we do that if the monies are to remain within the program, why did we deviate from the registration fees anyway and move that money or that cost over to the sponsorship fee. Ms. Rivere stated the section of the sponsorship ordinance is unclear. He replied yes, traditionally uniforms were paid for from the registration fees. He spoke to Ex-Director, Sheila Flamm and she indicated the Administration was aware that the sponsorship monies were not to come out of the uniforms. None of that was in the report. Ms. Rivere stated what's vague here is that it's misinterpreted. We don't give pants, just uniform shirts and a uniform sponsorship that someone is buying is buying the shirt. It's also a uniform, so it's not clear. The language needs to be revisited.

BONNIE BARRINGTON – 930 HYSON ROAD – She finds Mr. Bressi's behavior to be extremely unprofessional the way you scream and don't give anyone a chance to speak. She addressed Mr. Martin and stated she personally sat with him and Ex-Director, Sheila Flamm, and worked on the ordinance together but I did not write the ordinance. You knew that these monies were going to be used as extras that the registration fees did not pay for. Did anyone from the CBAC contact my former Director, Sheila Flamm, who was laid off and not fired? Mr. Mayerowitz never picked up the phone to call her. I resent the fact that in this report I am accused of going out on my own and soliciting without Administrative Approval. I had absolutely no reason to go out to the public and ask businesses for money so that I could do whatever I want to do with this money. Mr. Mayerowitz has displayed a total lack of unprofessionalism in the way that this report is written. I believe he should be asked to step down from this committee. This is the type of work that the Mayor of this town condones from public citizens that volunteer. The report is not professional without a single dollar amount listed except for the price of the sponsorships.

I resent what I am seeing up here; nobody is allowed to talk against this report. I don't respect the way you are treating Ms. Rivere. I had met with her this weekend and went over everything. I believe this Administration is looking to generate money for their own uses. Yes, I do believe there were misappropriations of funds. Maybe, at first I should have used the word misallocation. This report is nothing and you accept it before having an outside auditing firm look at it; this report has no validity. I would like to see the documentation they were given. Did Mr. Mayerowitz contact Jackson Little League or Holbrook to find out how they handle their sponsorships? Those monies were to be used for extras and I truly believe that there is some kind of cover up.

Councilman Kafton explained to Ms. Barrington it is a selective findings report, which is more of a witch-hunt and I think the witch-hunt was headed toward you. Ms. Barrington agreed with Mr. Kafton's comment. This is why he is so frustrated with it and equally frustrated that this Council will back up the report. This is an embarrassment and I can't believe this is how we do business. Ms. Barrington stated that Mr. Mayerowitz found the time to open up my personal e-mails with a private Softball organization looking to slam my credibility so that he didn't have to follow through with this audit. It is amazing how he found time to do that when he had no time to properly conduct this study. He OPRA'd my business records with the Board of Education to see if there was a deal under the table with me doing uniforms, which he did not find. I'm sorry that this is the person that you want to represent your committee. Mr. Kafton was outraged that this is what the Council allows to attack a citizen of the Township; he agreed he should be removed from that committee. Mr. Bressi asked if he did this as a member of the CBAC or as an individual?

Attorney Foran stated it can't be a personal record if your using OPRA; that's a misconception. When it comes to OPRA, it has to be a public record. Township Clerk Eden stated when it comes to OPRA, it is a citizens right to invoke and only a citizen can invoke OPRA. And when they do, regardless of their reasons why it matters not, they have the right to ask and request. Mr. Kafton asked to see a copy of those OPRA requests; Ms. Eden explained he would need to OPRA the Board of Education. Ms. Barrington stated Mr. Mayerowitz OPRA'd information on my email between me and the President of Jackson Renegades Softball, who is a Board of Education employee, looking to see if I was feeding girls to the Jackson Renegades so he could go back and stand here and talk about I'm crazy about my allegations of misappropriation of funds. That's what he found the time to do. For \$11.75/hour I walked away from that job because of what I saw and what did I have to gain by making those allegations? I believe the ordinance should be re-written.

When I was part of the whole discussion, I gave Sheila Flamm pricing from when I fundraised for the Jackson Board of Athletes, that's what she came up on the prices based on what the market barred in Jackson for signage, etc. We met and Mr. Martin was sitting in her office; he knew what we were doing with these monies. Sheila Flamm also told me that Administrator Torres and Mayor Reina knew exactly what those monies were to be used for. I take great resentment to this witch-hunt. I don't feel that this is fair and I believe he should step down from that committee because he conducted himself in a very

unprofessional manner and I don't think that he should be out there representing the Township. You need to change the ordinance because Basketball sponsorships that will probably be solicited for if any one in the Recreation Department could go out of their way to exert themselves. You will have the same problem because there will be names going on the back of those uniforms and you'll be paying for those uniforms out of the registration fees as well.

Mr. Kafton asked the Council to request copies of any OPRA's requested to the Board of Education pertaining to this, all OPRA's pertaining to this audit report by an individual or by the CBAC Committee. Township Clerk Eden stated again citizens do OPRA's. Mr. Kafton stated this Council, for some crazy reason, allowed the CBAC Member to do the study. Township Attorney Foran stated you cannot do an OPRA request but you can certainly send a letter to the Board of Education requesting their cooperation. Mr. Bressi addressed Attorney Foran that Mr. Kafton also said OPRA the CBAC request; the CBAC could not request it, correct? Attorney Foran stated an individual does an OPRA's. Mr. Kafton asked Attorney Foran so under legal obligation if the Council makes a request to the Board of Education there may be no legal obligation to provide it to us, but if I put in an OPRA request they do. Attorney Foran stated yes.

SEAN GIBLIN – 515 SO. COOKSBRIDGE ROAD – He asked if this audit will be available on line as well as recommendations? Township Clerk Eden stated the Township Audit will be and there are no recommendations. Mr. Giblin asked how much the Auditor firm charged for the audit? Mr. Torres stated this was under their current contract at an hourly rate at \$120 per hour. Mr. Giblin asked how many hours? Mr. Torres stated not sure, I have to wait for bill. Mr. Giblin asked how many hours did they spend at Town Hall? Mr. Torres stated they were not in my presence. I would need to get that information from the CFO. Mr. Giblin asked why he would pay for a bill without knowing the facts and Mr. Torres explained the process that the CFO confirms and signs off on that bill and then we process the payment.

Mr. Giblin stated that in the letter Mr. Torres read, you provided facts and ordinances; did they actually do anything or just look at the ordinances and the CBAC's report? That letter was short of the 2 numbers, which is simple to get the account number that lists \$6000 vs. \$2000. I find that as vague as the CBAC audit. To me it looks like a publicity stunt. Mr. Giblin referenced the sponsorships and stated it is common sense. The uniforms registration paid for \$8 shirt the other \$3 put the name on it. They were trying to raise funds to provide for other items. What's lost in the report is common sense. I sat on the original CBAC with Mr. Mayerowitz from day one and Mr. Mayerowitz's roll seems to have, in his or the leaderships mind, exploded. The employees of this town are at his beckon call for documents. Now Mr. Mayerowitz has taken it further, instead of forwarding or demonstrating his position as a CBAC member, he has access to things that the average person doesn't including my personal resume in 2010. He gained access to check Ms. Barrington's personal records and yet none of that was ever mentioned in the report. If there was ever an example of an abuse of the system, Mr. Mayerowitz is that answer.

PETER GRZELAK – 3 ABE'S WAY – I totally agree with Mr. Giblin. He addressed Mr. Bressi and stated he has served and is an intelligent man, yet you allow an individual under the CBAC going outside the scope and then being a regular citizen, you can't have it both ways. Mr. Mayerowitz mentioned the other board members but it only seemed like they read it; even that I would question. Yet Mr. Torres takes it as a proper audit. Mr. Bressi stated Mr. Grzelak is trying to mix two different things together. Mr. Grzelak stated Mr. Mayerowitz is trying to mix two different things together being CBAC and OPRAing private stuff. Mr. Bressi stated the Attorney explained it and no Council Member has control of that. We do have control of the CBAC, but what Mr. Mayerowitz does on his own time is his own business. I don't agree with a lot that he does on his own, but the law allows it.

Mr. Grzelak stated so this is how it works, we give someone all this information and power that no other citizen has and then he can step out of that role as a regular citizen and use that information against another private citizen because that what it seems like. Mr. Bressi stated I never said that it's the law. Mr. Grzelak stated but you have control

over the CBAC, as you are the one that requested the audit. Attorney Foran stated under OPRA you only get public records. Mr. Grzelak stated the problem is he wouldn't have known about it if he weren't on the CBAC. We have an individual who has rights to go into personal files and has a lot of information at his fingertips. He can step out of that role and you say that's ok because he did it as a citizen. He respectfully stated Mr. Bressi should be ashamed of himself. Mr. Bressi stated I also spoke with the Mayor stating a professional audit company should look at that.

Ms. Rivere believes the misunderstanding seems to be the scope of the CBAC. The Council needs to address not one individual. Mr. Grzelak believes that individual is holding up other members here, who happen to be running for office, as people who have actually participated in this. Ms. Rivere feels the point is that the CBAC is a Council Committee and, as such, the Council has to determine what the CBAC scope is. Mr. Grzelak feels if that's the case then the Council is a joke. Ms. Rivere answered if you look at the first sentence of that report it says at the direction of the Council and the Mayor. The Mayor cannot do that.

Mr. Grzelak stated shame on the Council or whoever is approving this as a regular audit. It is not an audit, it is one man's opinion. Mr. Martin don't forget the independent audit that we backed it up with. Mr. Martin agrees with one part that Ms. Barrington stated on working on this ordinance together with Ms. Flamm but there was no misappropriation here. Mr. Martin asked him what are we sweeping under the rug if there is no misappropriation? Mr. Grzelak believes there are people here that know something did happen. Two people stated something happened, one person that worked for that Department and Mr. Beja. Mr. Bressi stated no Mr. Beja thought there was misappropriation and he OPRA'd all the data. After he researched it himself, he acknowledged the money was there transferred from one account to another.

RAY CATTONAR – 11 FORDHAM ROAD – Ms. Barrington and Sheila Flamm were the ones that came up with the sponsorship program basically to replace equipment in the Girls Softball program, as well as creating clinics for the benefits of the Girls in the program and this is how we treat her. I think we all owe Ms. Barrington an apology because she is a dedicated hardworking employee.

Mr. Cattonar had questions referencing the Township Attorney's amended contract. Mr. Kafton stated he brought it up at the prior meetings and obviously they did some changes. I voted against it as I have many concerns. Mr. Cattonar stated we are now putting an Attorney on salary and is that person entitled to any pension credits from the system? Mr. Martin replied no. Ms. Rivere stated it's an outside firm willing to do the work and take it in as a salaried amount.

Mr. Kafton thanked Ms. Barrington for her service to the residents of Jackson. He is embarrassed for her, as it seems she was the target to this whole investigation and that is a shame.

JOE BRILL – 100 MUIRFIELD ROAD – He asked Council to investigate someone putting up a fence by Westlake's back gate and So. Boston Road. It is stopping him (a Disabled Veteran) from using this path. He used it to go to 7-11 and now he needs to travel an extra mile to go through Westlake just to get out of his development. Mr. Bressi asked Mr. Torres to check it out. Mr. Brill then stated that the President only gave them \$17 and the Mews is taking \$23 and nobody fights for us anymore. Westlake got their 118 homes and now we're under HUD under the fair housing act. There are people here now who are 25 years old; it is no longer age restricted. I don't want to move but I can't afford to live here anymore.

DAN PEKARCHIK – 17 ALASKA AVENUE – You called for an audit of the entire Recreation Department. We didn't get it, our independent firm didn't do it and to sit here when Mr. Beja made an accusation and then to tell us to go online and get it yourself. He made an accusation and we asked you to look at it and you didn't. Mr. Bressi stated that evening he said he would OPRA the information and when he got the information he came back with it. Mr. Pekarchik stated you didn't do what you told the citizens you would do and now your continuing to not do it. You have a history of doing this. Ms.

Rivere on September 13th asked who had cell phones. We we're to get a list and the whole Council agreed. On September 27th, Ms. Rivere asked for the total amount /expenses due to the hurricane and was told tallies are still being done. Mr. Bressi stated he believes those numbers were out given out; Ms. Rivere stated she never got it. On April 24th, you stated Mr. Rasiewicz and Ms. Zapata would be here to explain all the things that were going on in the Recreation Department and why fees need to go up and that has never happened. We say something, you let it go by and hope that people forget. Mr. Bressi stated they were here and ordinances were changed as the rates were never changed. Mr. Pekarchik told Mr. Bressi you lost my trust and your lack of actions affect others. You're a poor excuse for accountability.

KEVIN WICKMAN – 879 LAKEHURST AVENUE – I'm asking the Council for an exception for the mobile food unit rule of being able to park within 500 feet of an established food business. I have in my possession a letter from the 3 businesses that would be affected with where I would park my ice cream truck. The current rule doesn't allow parking within 500 feet of a food business. I am asking the Council to consider an exception to the rule. Mr. Bressi asked Attorney Foran who stated Counsel would have to check the ordinance.

Township Clerk Eden stated she knew he would attend this meeting because my office provides the paperwork and it is very clear in the Ordinance. It's Chapter 310 in our Code, "no vendor shall place his vending unit within 500 feet of any location already being used by another vendor or established merchant." We could not give him a license and I told him he would have to seek relief from the Council (because it's an Ordinance). Mr. Kafton asked Township Clerk Eden if the Council is allowed to offer the relief. She replied possibly because due to the fact that it's legislation and Council imposes the rules.

Council Vice President Updegrave stated it's something to consider because the merchants are saying its ok. Council Members discussed the possibility and Counsel needs to research the entire process. Mr. Kafton asked Mr. Bressi if the merchants were to sign off, Counsel looks into making sure we can do it, can we grant a waiver this evening as long as all is in place? Mr. Bressi stated too much is at risk and we have to look into it. Attorney Foran suggested its up to Council. Ms. Updegrave asked Ms. Eden if there was a situation like this before with a hot dog vendor. Township Clerk Eden stated we have had this on occasion where we would not pursue. When the paperwork comes into our office, we forward it to various departments. Typically Code Enforcement confirms if they are within the 500-foot radius of another merchant or food establishment. Mr. Wickham would be placing his unit on property that has food but had a waiver from the owner. In my opinion, the only way he could obtain relief is through Council. Upon further discussion Council requested The Township Attorney look into it and they will discuss it further at the August 14th meeting.

Mr. Kafton explained he was trying to speed up the process to help the gentleman as long as it was done correctly. Mr. Bressi stated it's an exception and there may be other merchants or vendors in town that may have other visions of the exception. We need to look into it further and do it the proper way. Mr. Bressi asked if there needs to be public notice and Ms. Eden stated she didn't know if there needs to be public notice it's just a waiver for the stipulation in the code. It's an exception. Mr. Martin asked to have a legal document prepared, signed & notarized and sent back to Council which would put them in a position at the next meeting, if that document is received, to make a decision to waive it. Mr. Bressi asked Mr. Torres to stay in contact with the Township Clerk and the Attorney. Township Clerk Eden stated to Mr. Wickham if there is a waiver, you would need to keep that document with you at all times in case Code Enforcement or the Police request your approvals. Mr. Wickham stated that he understands the rule is there but the surrounding businesses are on board with allowing him to be there. Attorney Foran stated he'd possibly have an answer before the August 14th meeting.

PAUL MAYEROWITZ – 91 CYPRESS POINT LANE –Mr. Kafton raised a question about a maintenance program for the Recreation Department and playgrounds. Mr. Torres maybe unaware but under the direction of Scott Sergeant, the DPW has created an inspection program for issues in safety for all playground equipment. Bill Spedding and I reviewed it and found it to be thorough; the only issue would be vandalism. Mr. Kafton

asked for a copy of his report in reviewing that. I don't have authorization to release it at the moment. Mr. Kafton stated the Council formed the CBAC so what do you mean you can't release it? He asked him if he is refusing to release documentation to this Council? Mr. Mayerowitz stated I can give it to you but we haven't written it up. Mr. Kafton stated he is reviewing DPW and keeping it for himself. Why doesn't Council have it? What are you doing on that board? Why are you studying these different playgrounds and you don't have a report for Council. Who asked you to do it? You have gone out of control and I want you removed from that Board.

Mr. Kafton asked Mr. Bressi if he authorized Mr. Mayerowitz to do this work? Mr. Mayerowitz stated he would like legal Counsel to remind everyone present about Section 10 4-12 of the State Statutes saying that any matter involving the elevation and performance of an employee or any individual appointed by a Governing Body; this conversation violates the rights of the individuals on the CBAC. I have made my request you may or may not honor it. Attorney Foran stated to Council you can't talk about employees.

Mr. Kafton asked who authorized you to review it and where is your documentation? Mr. Mayerowitz stated the Committee in our discussions with Mr. Torres at the Friday meeting that we had with Ms. Rivere, Recreation Department members and DPW. Certain comments were made and information given to members of the CBAC and we followed up on those comments to ascertain whether or not the Recreation Department did indeed have a safety inspection program. On one hand, we responded directly to the Council's request for an audit and you didn't say whether it was a financial or operational audit. Many people here seem not to understand between those 2 types of audits. We followed up to see if there was a safety maintenance report. We ascertained that there was and we have not yet written a report on those findings or what we found. Tonight I reported to an issue that Mr. Kafton raised and asked Mr. Torres to investigate. I happen to have the answer. Do you want to criticize us for taking the initiative to follow up on comments that were made at the meetings we had? One on hand your saying you didn't go far enough and now on some information your saying we went too far. The CBAC was created through comments that were made at this microphone by Mr. Kafton and myself. The CBAC has worked on numerous budgets, evaluation of the Building Department closure and its performed within the direction of the Township Council. If the Council deems it appropriate to eliminate that committee, feel free to do so. They are the hardest working committee that this Township has had. The members on that committee, donate their time and expertise into the way the Township works.

I was accused of receiving too much information from a prior Administration. I used the data for the benefits of the citizens of this Township. Any data, which I have accumulated as a private citizen, has been done to benefit the residents of this town. Its been said that I filed an OPRA as a member of the CBAC, I can provide Mr. Kafton with the OPRA request to Board of Education and their responses. All you had to do was ask for it in a civil manner. If you check the dates of those OPRA's, you'll find that they pre-dated the charge from the Council to do an investigation of the Recreation Department.

So to connect the two, is inappropriate and those individuals who have created a fiction account of all the information, I don't know what they're talking about except to create a political environment that poisons this Township. It creates an environment where volunteers no longer wish to volunteer. If they state an opinion or report that something is contrary to a portion of our Township Council, they are politically attacked by members of Council but those individuals who support them or who take signatures for petition. It's politics at its worse.

If the Council wants my resignation they could have it and such documentation was provided to the Council President prior to this meeting a couple of weeks ago. I felt the work of the CBAC shouldn't be sacrificed to the political wolves of Jackson Township. I don't know where to stop this conversation but am truly disappointed by the actions of this Township Council. This isn't about Paul Mayerowitz; it should be about the Recreation program and about what's right for Jackson Township. I'm embarrassed for this Township.

Mr. Kafton stated he would appreciate Mr. Mayerowitz's resignation from that Board or any Board he sits on. Thank you and I hope this Council would also agree and ask for the same. This evening's meeting has been tied up for over 2 hours over this individual. I don't think we need to move forward on this. If this is what it causes we don't need residents' volunteerism being attacked in reports. If this is costing us controversy, than I think it is in the best interest to step down and serve the residents in a different capacity. Mr. Martin disagrees and feels he does a great job and always puts the residents first. For Mr. Kafton it comes down to you getting a report that you don't like. No one denies looking into the Recreation Department to see if we can run it more efficiently. Mr. Bressi stated yes 2 hours was Mr. Mayerowitz and 1 hour was for you Mr. Kafton. Mr. Bressi stated he does not agree with Mr. Mayerowitz in many respects; however, he is on this board as he was appointed. If he were to hand in his resignation, he is welcome to do so; but I am not asking him to. If he wants to remain, I have no problem with it. We do have our differences but he is a volunteer that puts his time in; I will not vote to have him removed. Mr. Martin stated he would never request it.

JOE FIERO – 25 DANIELLE COURT - After hearing Mr. Kafton speak tonight, I am well aware of who is shooting arrows into my back. Mr. Kafton stated he doesn't know what he is referring to.

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

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

10:25 P.M.

RESPECTFULLY SUBMITTED,

COUNCIL PRESIDENT BRESSI

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

AME/df