

ON TUESDAY, AUGUST 28, 2012, AT 7:00P.M. THE JACKSON TOWNSHIP COUNCIL HELD ITS (EXECUTIVE SESSION) MEETING IN THE MUNICIPAL BUILDING

ROLL CALL:

COUNCILMAN KAFTON
COUNCILMAN MARTIN – (Absent)
COUNCILWOMAN RIVERE
COUNCIL VICE PRESIDENT UPDEGRAVE – (Absent)
COUNCIL PRESIDENT BRESSI

ATTORNEY CIPRIANI
TOWNSHIP CLERK EDEN

ALSO IN ATTENDANCE: ADMINISTRATOR TORRES

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

RESOLUTION 321R-12

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

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

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

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

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

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

DATED: 8-28-12

ANN MARIE EDEN, RMC
TOWNSHIP CLERK

7:30 P.M. - RECONVENE PUBLIC MEETING

PLEDGE OF ALLEGIANCE

COUNCIL PRESIDENT BRESSI - Asked those in attendance not to forget the many freedoms we have; to think of all veterans past, present and future that give

us the right to salute the flag and be here this evening and those who gave the supreme sacrifice, their families and comrades who are along side them.

ROLL CALL:

COUNCILMAN KAFTON

ATTORNEY CIPRIANI

COUNCILMAN MARTIN

TOWNSHIP CLERK EDEN

COUNCILWOMAN RIVERE

COUNCIL VICE PRESIDENT UPDEGRAVE – (Absent)

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 – Good evening. He asked for an update on an ordinance or resolution for outside vendors on 3 bids. Administrator Torres stated Council approved the Procurement & Policy Manual with the amendments as it relates to disclosure. Councilman Kafton asked if there were forms for vendors especially when going out to bid. Mr. Torres indicated a certification was being prepared to address family preference. Councilman Kafton asked when are the repairs happening to West Commodore Boulevard? Mr. Torres will reach out to the County. Council Members discussed that one small section was done. Council President Bressi suggested they may hold off until all the road openings are completed. Mr. Kafton stated that some summer camp some employees might have had family members attend at no cost. Councilman Martin stated none of his children went for free. Mr. Martin explained the discount process goes back decades where the employee’s children of the summer camp program go for free, whereas, Township employee’s children are charged. There are discounts for families that have multiple children of 3 or more. Mr. Kafton stated no Administration was aware of this and its individuals who put upon themselves to get the discount policy in place with no direction from the Administrator, Mayor or Council. Mr. Bressi stated it is not a policy. It is occurring and we found out in the middle of summer camp. We will address this in September. Mr. Martin stated it’s been 2 decades that this has been happening. Mr. Bressi asked Mr. Martin to look into who authorized it. Councilman Kafton announced that Terri Ryman had triple bypass surgery yesterday at Jersey Shore Hospital. Let’s all wish her well.

COUNCILMAN MARTIN – Terri is a very dedicated lady. She is a pleasure to work with and a great person. Jackson Day is September 15th. I attended the James Volpe event; they did a great job for the event. I’ll be leaving shortly after business is over, as my wife is ill and my oldest child is caring for the other children.

COUNCILWOMAN RIVERE – Good evening. I too wish Terri Ryman a speedy recovery. She is always here and is very supportive. Wished everyone a Happy Labor Day and end of summer. My husband and I visited the Veterans Park this weekend and it amazes me how beautiful it is. This afternoon I was with Mr. Garofano who showed me the future renderings of the park. They are beautiful and thanked Council President Bressi and Charlie as it is a wonderful tribute to our Veterans.

COUNCIL VICE PRESIDENT UPDEGRAVE – Absent

COUNCIL PRESIDENT BRESSI - Sends his prayers out to Terri Ryman. He thanked Ms. Rivere for her comments on the Veterans Park. That project was completely funded with grass root donations. He wished everyone a safe trip home and thanked them for coming out.

COUNCILMAN KAFTON – This week I attended the Jackson Memorial Band demonstration for all the residents and they were so impressive. They will be attending the Tournament of Roses in January and are raising money. He asked anyone who can

help with donations to please contribute. A woman who was head of the Tournament of Roses Parade in Florida came up and she was very impressed with our Band. Councilman Martin suggested everyone to view the Jackson Times for their ads on fundraising.

APPROVE EXECUTIVE SESSION MEETING MINUTES: AUGUST 14, 2012

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

Township Clerk Eden asked Counsel if it was ok. Attorney Cipriani stated since both abstains are for absence it's ok.

ORDINANCES, SECOND READING:
NONE AT THIS TIME.

ORDINANCE FIRST READING:

ORDINANCE: 20-12
TITLE: BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 19-09 ADOPTED AUGUST 25, 2009, AS AMENDED BY BOND ORDINANCE NO. 20-10 ADOPTED ON SEPTEMBER 28, 2010, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, AND APPROPRIATING \$1,686,346 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,331,278 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, IN ORDER TO AMEND THE PURPOSE AND TO INCREASE THE ALLOCATION OF THE APPROPRIATION TO COSTS PERMITTED UNDER N.J.S.A. 40A:2-20, AUTHORIZED IN AND BY THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, NEW JERSEY

DISCUSSION – Councilman Kafton referred to Section 1 & Section 3 of the prior ordinance, which mentions the Township Recycling Center including but not limited to the Legler Composting Site. Does this mean that monies that are allocated or a portion will go toward developing a compost site at the Legler site? Council President Bressi said no that's what it was originally. Administrator Torres explained the Governing Body had previously adopted 2 bond issuances in support when the Township was exploring utilizing Legler as a compost site in 2009. Now we are changing to support it for the solar farm. Mr. Kafton, Mr. Martin and Ms. Rivere all agree it does not read that way and will not support it. Mr. Torres stated the misleading portion is at that time there were some expenditures from this bond issuance to support the engineering study that was done to have Legler as a compost site. There was support done by T&M and there could have been some monies that the Township expended. The Township changed their mind and some monies could have been in support of a compost site. Township Clerk Eden stated that a bond ordinance (maybe not this one) came before the Council and was amended to remove reference to Legler. Attorney Cipriani stated she would look at it to make some changes, but she is not Bond Counsel and they (Bond Counsel) must approve amended language. The issue is your amending the purpose of the bond. She suggested taking out the "Legler" word.

CFO, Sharon Pinkava, explained it was left in because there were minimal expenses expended but it is to be amended for the purpose of the solar system. Council Members discussed the wording changes. Councilman Kafton asked how much are we talking about? Mr. Torres stated the Governing Body appropriated 2 bond issuances in 2009 & 2010 and at best we're looking at 8% of \$60,000 for the soft costs. Councilman Kafton stated if the amount is under \$5,000 than why would we even bond for that? Ms. Pinkava

explained it was in there if we did the Leger Compost Site and we did not. Attorney Cipriani stated its common when you issue bonds to have cost of issuance rolled into the bond amount. It was a bond for a project, which was rolled into the bonding cost. The intention was to make a change to the language of the ordinance to make it clear that as amended the remainder of outstanding bond amount is to be used for the preliminary review, design and installation for Solar Photovoltaic System at the Legler site. It acknowledges previous costs incurred in association with original bond issuance. Council agreed anything pertaining to Legler would be removed from this ordinance and in the next ordinance as well.

Councilman Kafton stated he is glad we are finally moving towards solar since he's been pushing it since 2008. He asked if anyone looked into Federal or State funds because in 2008 - 2009 there was money out there. Mr. Torres stated we're looking at it, as it's sort of dried up. He met with Senator Mendez's office and has a call out to the former Commissioner, Ms. Jackson. The Governor amended the law and it is a Superfund Site. Two-thirds of the money we put out for the RFP process we will be seeking to recoup from whoever the successful developer is. Councilman Kafton asked where are we with putting these panels, on our buildings? Mr. Torres explained it is part of the same assessment and study. The key is producing the solar farm and we are able to dictate where the consumption will be divided. It is our intent that we will be the off-takers from the energy we are producing. Therefore, we have approximately 40% savings from our energy bill. Councilman Kafton asked for a current study for what we're putting at Legler? Mr. Torres stated he looked at information and passed it on to Council a few meetings ago. I looked at various RFP's that have been solicited within the past 2 years particularly Essex County and Brick. And so we are looking at amending this bond to proceed in hiring to finish the need assessment as well as prepare bid specifications. Councilwoman Rivere asked Ms. Pinkava how long the bond is? Ms. Pinkava explained it's only a BAN; we have not financed this. It is multipurpose, usually 10-12 years.

Councilman Kafton stated we have no study, no generation of the amount of money it will save, the amount of electricity produced, how much will be sold back and how much land will be covered. Township Clerk Eden stated it is just to finance this study; not to purchase the system. Mr. Torres said the intention is to have the developer pay for the cost of installation. Councilman Kafton asked if this is for review and design than why are we're spending \$1.6 million? CFO Pinkava stated we're only amending the \$35,000. Attorney Cipriani explained it's only repurposing \$35,000 for the review and design of the Solar Photovoltaic System. My assumption is back in 2009-2010, \$1.3 Million was allocated for many purposes. Councilwoman Rivere would like to see a review of those projects.

Attorney Cipriani read the language change as follows, subject to review by Bond Counsel: The preliminary review and design of a Solar Photovoltaic System and payment of cost issuance from the original costs associated with bond ordinance 19-09 with a total appropriation and an estimated cost of \$35,000; an estimated amount of bonds or notes, therefore of \$33,250 and an average period usefulness of 15 years. Councilman Kafton asked how are we doing this study? Mr. Torres responded through RFP's, we can award through a special engineering project or we can solicit RFP's. Mr. Torres explained because of the new laws we can also get money from leasing. Councilman Kafton hopes that the company doing this can find out about money that might be available. Attorney Cipriani explained there was a program providing for a tax credit but it was not available to municipalities. That funding did expire December 2011.

MOTION TO APPROVE ORDINANCE 20-12 (AS AMENDED) ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON SEPTEMBER 11, 2012 BY: MARTIN
MOTION SECONDED BY: RIVERE
YES: KAFTON, MARTIN, RIVERE, BRESSI
ABSENT: UPDEGRAVE

ORDINANCE NO. 20-12

WHEREAS, the Township of Jackson, in the County of Ocean, New Jersey (the "Township") adopted Bond Ordinance No. 19-09 on August 25, 2009, as amended by Bond Ordinance No. 20-10 adopted on September 28, 2010 (collectively the "Prior Ordinance") authorizing various capital improvements and the acquisition of various capital equipment; and

WHEREAS, the Township has determined that the purpose should be amended to include the preliminary review, design and installation of a Solar Photovoltaic System; without increasing the aggregate appropriation or debt authorization for said purposes, by amendment of the Prior Ordinance; and

WHEREAS, the Township has determined that the \$300,000 allocation of the \$1,686,346 appropriation authorized by the Prior Ordinance for purposes permitted under N.J.S.A. 40A:2-20 is insufficient and desires to increase such allocation by \$23,250, to an aggregate amount of \$323,250, without increasing the aggregate appropriation or debt authorization for said purposes, by amendment of the Prior Ordinance.

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

Section One. Section 3(iv) of the Prior Ordinance is hereby amended to read as follows:

(iv) The preliminary review and design of a Solar Photovoltaic System and payment of costs of issuance of the original professional costs associated with Bond Ordinance No. 19-09 and 20-10 with a total appropriation and estimated cost of \$35,000, estimated maximum amount of bonds or notes therefore of \$33,250, and an average period of usefulness of 15 years;

Section Two. Section 5(d) of the Prior Ordinance is hereby amended to read as follows:

(d) An aggregate amount not exceeding \$323,250 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

Section Three. The aggregate appropriation of \$1,686,346, the aggregate debt authorization of \$1,331,278, and other authorizations of the Prior Ordinance remain unchanged and are hereby confirmed.

Section Four. All ordinances or parts of ordinances in conflict or inconsistent with any of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or are inconsistent. In the event that any section, part or provision of this ordinance shall be held to be unconstitutional or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part hereof other than the part so held unconstitutional or invalid.

Section Four. This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final passage, as provided in the Local Bond Law, N.J.S.A. 40A:2-1 et seq.

**TOWNSHIP OF JACKSON
COUNTY OF OCEAN**

BOND ORDINANCE NO. 20-12

NOTICE OF PENDING BOND ORDINANCE

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Jackson, in the County of Ocean, New Jersey, held on August 28, 2012. It will be further considered for final passage after public hearing thereon, at a meeting of said governing body to be held in the Municipal Complex, 95 West Veterans Highway, Jackson, New Jersey, on September 11, 2012, at 7:30 p.m., or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same.

A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted in the Municipal Complex of the Township during the week prior to and up to and including the date of such meeting; copies of the ordinance are available to the general public of the Township who shall request such copies, at the office of the Municipal Clerk in said Township of Jackson, in the County of Ocean, New Jersey. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 19-09 ADOPTED AUGUST 25, 2009, AS AMENDED BY BOND ORDINANCE NO. 20-10 ADOPTED ON SEPTEMBER 28, 2010, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, AND APPROPRIATING \$1,686,346 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,331,278 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, IN ORDER TO AMEND THE PURPOSE AND TO INCREASE THE ALLOCATION OF THE APPROPRIATION TO COSTS PERMITTED UNDER N.J.S.A. 40A:2-20, AUTHORIZED IN AND BY THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, NEW JERSEY

Purpose(s): Providing for various capital improvements and the acquisition of various capital equipment.

Appropriation: \$1,686,346

Bonds/Notes Authorized: \$1,331,278

Section 20 Costs: \$323,250

Useful Life: 9.72 Years

ANN MARIE EDEN,
Municipal Clerk
Township of Jackson
County of Ocean, New Jersey

ORDINANCE: 21-12

TITLE: BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 25-10 ADOPTED NOVEMBER 9, 2010, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, AND APPROPRIATING \$3,098,475 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,121,801 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, IN ORDER TO AMEND THE PURPOSE AND TO INCREASE THE ALLOCATION OF THE APPROPRIATION TO COSTS PERMITTED UNDER N.J.S.A. 40A:2-20, AUTHORIZED IN AND BY THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, NEW JERSEY

Township Clerk Eden had notified Council of a typo under Section 1, Page 1, Part IV – The estimated cost of \$35,000 should read \$30,000 and it will be corrected.

Councilwoman Rivere will move with the understanding that Attorney Cipriani's amendment will be here as well. Attorney Cipriani stated it's the same as Ordinance 20-12 with \$30,000 as the costs and the maximum amount of bonds or notes will be \$28,500. Councilman Martin stated he would second it.

DISCUSSION - Councilman Kafton asked why do we have to pass another one? CFO Pinkava explained it's for 2 bond ordinances (19-09 & 25-10) in order to amend each one from their original issuance. You have to do it for each individually. You're leaving funds available in case we need to use those funds. We're using both, if need be. Councilman Kafton stated if we only need \$35,000.00 right now, then why are we doing this bond ordinance. (*Tape recording error – no audio until discussion agenda*).

Upon further discussion Council elected to table Ordinance No. 21-12 awaiting confirmation from Administration as to the costs associated with moving ahead with this project.

**MOTION TO TABLE ORDINANCE (DATE UNDETERMINED) 21-12 BY:
RIVERE
MOTION SECONDED BY: MARTIN
YES: KAFTON, MARTIN, RIVERE, BRESSI
ABSENT: UPDEGRAVE**

**(TABLED - AWAITING ADDITIONAL INFORMATION FROM
ADMINISTRATION)**

BILLS AND CLAIMS:

**MOTION TO APPROVE BILLS AND CLAIMS BY: RIVERE
MOTION SECONDED BY: MARTIN
YES: KAFTON, MARTIN, RIVERE, BRESSI
NO: KAFTON (No to all professionals except YES to Remington & Vernick)
ABSTAIN: MARTIN (Juan Bellu)
ABSENT: UPDEGRAVE**

CHECK# VENDOR AMOUNT

August 29, 2012
11:06 AM

JACKSON TOWNSHIP
Check Register By Check Date

Page No: 1

Range of Checking Accts: First to Last Range of Check Dates: 08/28/12 to 08/28/12
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
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AFF HS 3RD HARM	08/28/12	AFFORD HOUSING 3RD RD HARMONY			
1001	08/28/12	QUICKCHEK CORP	11,227.00		4288

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	1	0	11,227.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	11,227.00	0.00

CAPITAL

61378	08/28/12	CLA01	CLARK CATON HINTZ CORP.	1,667.97	4283
61379	08/28/12	DIL03	DILWORTH PAXSON,LLP	3,142.00	4283
61380	08/28/12	DOW07	DOWN TO EARTH LANDSCAPING INC.	27,337.10	4283
61381	08/28/12	EAR01	EARLE ASPHALT COMPANY	53,613.68	4283
61382	08/28/12	KAY01	KAYE WELL DRILLING,INC.	10,684.25	4283

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	5	0	96,445.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	5	0	96,445.00	0.00

CURRENT

87233	08/28/12	ABO04	ABOVE THE REST AUTO GLASS LLC	225.00	4282
87234	08/28/12	AIR01	AIR BRAKE & EQUIPMENT INC.	108.56	4282
87235	08/28/12	AIR07	AIR BRAKE & EQUIPMENT	84.00	4282
87236	08/28/12	AME52	AMERICAN SOLUTIONS	786.00	4282
87237	08/28/12	AMP03	AMPCO ELECTRICAL, INC.	298.90	4282
87238	08/28/12	ASB01	ASBURY PARK PRESS, INC.	1,020.75	4282
87239	08/28/12	ASS02	ASSN.OF MUN.ASSESSORS OF O.C.	425.00	4282
87240	08/28/12	ATS02	A-T SOLUTIONS, INC.	796.00	4282
87241	08/28/12	BAD05	MICHELE BADO	460.64	4282
87242	08/28/12	BEL15	JUAN BELLU & ASSOC.	1,875.00	4282
87243	08/28/12	BRI15	BRICK NAPA, LLC	308.45	4282
87244	08/28/12	CAB03	CABLEVISION CORP.	62.32	4282
87245	08/28/12	CDW01	CDW GOVERNMENT, INC.	34.90	4282
87246	08/28/12	CEN26	CENTRAL JERSEY REGISTRAR ASSN	35.00	4282
87247	08/28/12	CIT01	CITTA,HOLZAPFEL & ZABARSKY	234.00	4282
87248	08/28/12	CLA01	CLARK CATON HINTZ CORP.	50.03	4282
87249	08/28/12	CLA16	CLAYTON'S TREE NURSERY	535.25	4282
87250	08/28/12	DAV16	CHRISTIAN DAVID	207.35	4282
87251	08/28/12	DEL01	DELTA DENTAL PLAN OF N.J. INC.	20,131.41	4282
87252	08/28/12	DEL02	DELTA PRODUCTS, INC.	571.02	4282
87253	08/28/12	DEL06	DELL MARKETING L.P.	803.11	4282
87254	08/28/12	DIA13	DIAMOND COMMUNICATIONS,LLC	4,288.31	4282
87255	08/28/12	DOW01	DOWNNS FORD, INCORPORATED	0.00	08/28/12 VOID
87256	08/28/12	DOW01	DOWNNS FORD, INCORPORATED	5,838.92	4282
87257	08/28/12	EDW04	EDWARDS TIRE COMPANY, INC.	137.50	4282
87258	08/28/12	ENZ01	ENZO RESTAURANT	3,212.00	4282
87259	08/28/12	EYE01	EYEMED VISION CARE/FAA INC.	497.70	4282
87260	08/28/12	FAI01	FAIRLITE ELECT. SUPPLY CO. INC	370.80	4282
87261	08/28/12	FCO1	F & C AUTOMOTIVE SUPPLY, INC.	415.00	4282

August 29, 2012
11:06 AM

JACKSON TOWNSHIP
Check Register By Check Date

Page No: 2

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT					
Continued					
87262	08/28/12	FOS02 FOSTER & COMPANY, INC.	579.59		4282
87263	08/28/12	FRE04 FREEHOLD FORD	928.70		4282
87264	08/28/12	FRE10 FRENCH & PARRELLO ASSOC., P.A.	2,655.00		4282
87265	08/28/12	GAM13 J&B MORRIS LLC	800.00		4282
87266	08/28/12	GEO13 LINDA & TOM GEOFFROY	150.00		4282
87267	08/28/12	GER12 GERTNER MANDEL & PESLAK	300.00		4282
87268	08/28/12	GIL02 GILMORE & MONAHAN, P.A.	5,100.00		4282
87269	08/28/12	GOV09 GFOA OF NEW JERSEY	325.00		4282
87270	08/28/12	GPA01 GPANJ	64.00		4282
87271	08/28/12	GRI12 GRIFFIN AUTO-MANUAL SALES INC.	550.00		4282
87272	08/28/12	HAR02 HARTER EQUIPMENT, INC.	278.58		4282
87273	08/28/12	HES06 HESS CORPORATION	14,219.46		4282
87274	08/28/12	HUN03 HUNTER JERSEY PETERBILT	331.50		4282
87275	08/28/12	IMP06 IMPERIAL SUPPLIES	25.75		4282
87276	08/28/12	IND01 INDUSTRIAL WELDING SUPPLY INC.	103.00		4282
87277	08/28/12	JAC12 JACKSON TWP. BOARD OF ED.	6,534,167.00		4282
87278	08/28/12	JAC14 JACKSON TWP.MUN.UTILITIES AUTH	429.71		4282
87279	08/28/12	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	652,962.16		4282
87280	08/28/12	JCP01 JERSEY CENTRAL POWER & LIGHT	0.00	08/28/12 VOID	0
87281	08/28/12	JCP01 JERSEY CENTRAL POWER & LIGHT	0.00	08/28/12 VOID	0
87282	08/28/12	JCP01 JERSEY CENTRAL POWER & LIGHT	62,541.50		4282
87283	08/28/12	JER29 JERRY'S AUTO BODY, LLC	2,599.09		4282
87284	08/28/12	JOH03 JOHNSON & TOWERS INC.	2,262.84		4282
87285	08/28/12	JOH15 JOHNNY ON THE SPOT	514.50		4282
87286	08/28/12	JRH01 J.R. HENDERSON LABS, INC.	60.00		4282
87287	08/28/12	KEM02 KEMPTON FLAG & FLAGPOLE	2,576.00		4282
87288	08/28/12	LOW01 LOWE'S COMPANIES, INC.	335.96		4282
87289	08/28/12	MAR54 MARSHALL & SWIFT	1,126.95		4282
87290	08/28/12	MAZ04 MAZZA RFCYCI TNG, INC.	23,951.80		4282
87291	08/28/12	MCC04 MCCRYSTAL REPORTING SERVICE	200.00		4282
87292	08/28/12	MEA03 MEADOWBROOK VILLAGE CON. ASSOC	2,431.91		4282
87293	08/28/12	MER10 MERIDIAN OCCUPATIONAL HEALTH	170.00		4282
87294	08/28/12	MON32 MONTAGE ENTERPRISES, INC	365.34		4282
87295	08/28/12	MON41 MONMOUTH TRUCK EQUIPMENT	1,400.00		4282
87296	08/28/12	MRA01 M&R ACQUISITIONS	75.00		4282
87297	08/28/12	NAT04 NFPA	165.00		4282
87298	08/28/12	NJD13 N.J. DIVISION OF FISH &	4.00	08/28/12 VOID	4282
87299	08/28/12	NJN03 NEW JERSEY NATURAL GAS	2,239.99		4282
87300	08/28/12	OCE02 OCEAN COUNTY BOARD OF HEALTH	2,794.00		4282
87301	08/28/12	OCE05 OCEAN COUNTY RECYCLING	289.10		4282
87302	08/28/12	OFF06 OFFICE NEEDS	1,059.29		4282
87303	08/28/12	ORN01 GRACE ORNER	8.00		4282
87304	08/28/12	OZA01 OZANE, INC.	55.00		4282
87305	08/28/12	PAR28 PARDO'S TRUCK SERVICE PARTS	1,046.56		4282
87306	08/28/12	PED01 PEDRONI FUEL COMPANY, INC.	42,632.19		4282
87307	08/28/12	PIN19 PINA M. INC.	1,248.75		4282
87308	08/28/12	PRI22 PRIME LUBE, INC.	1,454.64		4282
87309	08/28/12	REM01 REMINGTON, VERNICK & VENA ENG.	4,245.00		4282
87310	08/28/12	RIC25 RICOH AMERICAS COPORATION	237.30		4282
87311	08/28/12	RUB05 RUBBERCYCLE	77.28		4282
87312	08/28/12	RUM02 BRIAN E. RUMPF	1,174.50		4282
87313	08/28/12	SAF02 SAFEGUARD BUSINESS SYSTEMS INC	212.36		4282

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT Continued					
87314	08/28/12	SEA12 SEASHORE FAMILY FUN CENTER LLC	5,300.00		4282
87315	08/28/12	SHE05 SHERWIN WILLIAMS COMPANY, INC.	78.36		4282
87316	08/28/12	SHO13 SHOPRITE/PERLMART, INC.	901.07		4282
87317	08/28/12	SIL09 SHERI SILVERSMITH - PETTY CASH	26.79		4282
87318	08/28/12	STA29 STARKEY, KELLY, BAUER, KENNEALLY &	2,325.00		4282
87319	08/28/12	TMO2 T & M ASSOCIATES	11,211.50		4282
87320	08/28/12	TUR06 TURF EQUIPMENT & SUPPLY CO, LLC	159.60		4282
87321	08/28/12	UNI12 UNITED REFRIGERATION INC.	855.51		4282
87322	08/28/12	UNI20 UNITED STATES ELEVATOR, INC.	200.00		4282
87323	08/28/12	UNU01 UNUMPROVIDENT	7,402.60		4282
87324	08/28/12	USF02 U S FLAGS & FOREIGN FLAGS &	3,010.08		4282
87325	08/28/12	USP01 U.S. POSTAL SVC(NEOPOST POC)	10,000.00		4282
87326	08/28/12	VAN01 VAN SANT EQUIPMENT	170.50		4282
87327	08/28/12	VER03 VERIZON WIRELESS	48.50		4282
87328	08/28/12	VER04 VERIZON	973.01		4282
87329	08/28/12	VER08 VERIZON WIRELESS	293.98		4282
87330	08/28/12	WAG05 LT R WAGNER	1,500.00		4282
87331	08/28/12	WAL02 WALTER R. EARLE CORPORATION	466.11		4282
87332	08/28/12	WES01 WEST-THOMSON CORPORATION	140.00		4282
87333	08/28/12	WIN11 KELLY WINTHROP, LLC	324.00		4282
87336	08/28/12	NJD13 N.J. DIVISION OF FISH &	2.00		4297
87337	08/28/12	NJD13 N.J. DIVISION OF FISH &	2.00		4298
Checking Account Totals					
			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>
		Checks:	99	4	7,462,722.83
		Direct Deposit:	0	0	0.00
		Total:	99	4	7,462,722.83
Amount Void					
					4.00
DEV FEES-COAH DEV FEES - COAH (NEW)					
195	08/28/12	CLA01 CLARK CATON HINTZ CORP.	5,887.25		4286
196	08/28/12	OCE15 OCEAN COUNTY CLERK	8.00		4286
Checking Account Totals					
			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>
		Checks:	2	0	5,895.25
		Direct Deposit:	0	0	0.00
		Total:	2	0	5,895.25
Amount Void					
					0.00
DEVELOPERS-OF DEVELOPERS-OCEAN FIRST					
63631	08/28/12	CME01 CONSULTING & MUNICIPAL ENG LLP	0.00	08/28/12 VOID	0
63632	08/28/12	CME01 CONSULTING & MUNICIPAL ENG LLP	1,170.00		4287
63633	08/28/12	DAS01 DASTI, MURPHY, MCGUCKIN PC	1,242.00		4287
63634	08/28/12	FRE10 FRENCH & PARRELLO ASSOC., P.A.	3,185.00		4287
63635	08/28/12	GER12 GERTNER MANDEL & PESLAK	1,315.07		4287
63636	08/28/12	INN02 INNOVATIVE ENGINEERING INC	4,569.75		4287
63637	08/28/12	JAC08 JACKSON TOWNSHIP CURRENT FUND	10,262.70		4287
63638	08/28/12	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	13,560.00		4287
63639	08/28/12	OWE01 OWEN LITTLE & ASSOCIATES INC.	0.00	08/28/12 VOID	0
63640	08/28/12	OWE01 OWEN LITTLE & ASSOCIATES INC.	10,923.35		4287
63641	08/28/12	REM01 REMINGTON, VERNICK & VENA ENG.	0.00	08/28/12 VOID	0
63642	08/28/12	REM01 REMINGTON, VERNICK & VENA ENG.	5,886.00		4287
63643	08/28/12	TMO2 T & M ASSOCIATES	0.00	08/28/12 VOID	0
63644	08/28/12	TMO2 T & M ASSOCIATES	0.00	08/28/12 VOID	0
63645	08/28/12	TMO2 T & M ASSOCIATES	0.00	08/28/12 VOID	0

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DEVELOPERS-OF DEVELOPERS-OCEAN FIRST Continued					
63646	08/28/12	TM02 T & M ASSOCIATES	11,586.00	08/28/12 VOID	4287
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	9	7	52,113.87	11,586.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	9	7	52,113.87	11,586.00
GENERAL TRUST					
61157	08/28/12	CEL02 SHERRI CELLA	900.00		4284
61158	08/28/12	CLA16 CLAYTON'S TREE NURSERY	396.00		4284
61159	08/28/12	EAS17 EAST COAST NJ SPAY CLINIC	350.00		4284
61160	08/28/12	JAC08 JACKSON TOWNSHIP CURRENT FUND	469.80		4284
61161	08/28/12	PNC03 PNC BANK NATIONAL ASSOCIATION	200.00		4284
61162	08/28/12	RUB12 VINCENT RUBIO	150.00		4284
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	6	0	2,465.80	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	6	0	2,465.80	0.00
PARKS REC					
64266	08/28/12	BAM03 BAM MANAGEMENT	1,995.00		4285
64267	08/28/12	BRI16 THERESE BRISCOE	330.00		4285
64268	08/28/12	COS01 COSTCO WHOLESALE 229	223.24		4285
64269	08/28/12	FLY02 ALIX FLYNN	41.00		4285
64270	08/28/12	GUA04 SUSAN GUADAGNINO	139.00		4285
64271	08/28/12	JAC138 JACKSON LIGHTHOUSE GRILL, LLC	1,020.00		4285
64272	08/28/12	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	86,867.37		4285
64273	08/28/12	JAC95 JACKSON SKATING CENTER INC.	10.00		4285
64274	08/28/12	MCG13 BERNADETTE MCGREEVY	121.00		4285
64275	08/28/12	NJS24 NJ SPORTS&EXPOSITION AUTHORITY	495.00		4285
64276	08/28/12	PIE08 JOSEPH PIENKOWSKI	65.99		4285
64277	08/28/12	SIL09 SHERI SILVERSMITH - PETTY CASH	129.45		4285
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	12	0	91,437.05	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	12	0	91,437.05	0.00
Report Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	134	11	7,722,306.80	11,590.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	134	11	7,722,306.80	11,590.00

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Fund Description	Fund	Budget Total	Revenue Total
	1-01	5,518.91	0.00
	2-01	7,448,253.33	225.00
	C-04	96,445.00	0.00
	G-02	8,725.59	0.00
	T-12	2,465.80	0.00
	T-13	91,437.05	0.00
	T-20	17,122.25	0.00
Year Total:		111,025.10	0.00
Total of All Funds:		7,669,967.93	225.00

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Project Description	Project No.	Project Total
7200064040 JACKSON VALLEY	P30768	67.50
7200135438-PREMIER@WHISGROVE	P31170	135.00
7200135828 LUIGI VITERBO	P31266	2,414.25
LIBERTY COMMONS 1 NO HOPE CHAP	P31589	225.00
GRAWTON ROAD	P31662	1,687.50
ATLANTIC COAST GASTRO	P31679	405.00
RESIDENTIAL UNITS	P31680	9,732.50
36 SAVANNAH RD	P31685	405.00
RESERVE AT PLEASANT GROVE	P31688	6,796.85
7200065093 CLEARING	TWPO0002	300.00
GRAY SUPPLY	TWPOE04	1,280.00
JF KIELY	TWPOE06	3,010.00
VERIZON-	TWPOE114	400.00
WALTER EARLE	TWPOE12	2,650.00
JCP&L PLANNED	TWPOE132	1,880.00
D&D UTILITY	TWPOE16	1,840.00
CARUSO EXCAVATING CO INC	TWPOE163	9,320.00
LAKEND ESTONIANAMAT	TWPOE28	800.00
NELSON TREE SERVICE	TWPOE30	1,920.00
JT SUBDIVISION ACCT	TWPSD001	722.70
D&S MOTOR REPAIR MAINT LLC	Z31692	1,015.07
WALTER EARLE	Z31700	1,253.25
HARD MAPLE REALTY	Z31702	1,577.25
64 kingston	Z31703	189.00
465 TOMS RIVER RD	Z31704	567.00
bismark rd	Z31705	1,521.00
Total of All Projects:		<u>52,113.87</u>

PUBLIC COMMENT OPENED, RESOLUTIONS ONLY

GARY MILLER – 48 BOXWOOD DRIVE – Questioned Shady Oak Park’s violations and property up keep. He also noted that the Park has a different owner. Upon further discussion, Councilman Martin requested that Resolution No. 239R-12 be removed from this evening’s agenda.

MOTION TO REMOVE RESOLUTION 329R-12 BY: MARTIN
MOTION SECONDED BY: KAFTON
YES: KAFTON, MARTIN, RIVERE, BRESSI
ABSENT: UPDEGRAVE

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

RESOLUTION 327R-12 - NOT USED

RESOLUTION 328R-12

TITLE: REJECT ALL BIDS RECEIVED FOR A BUYER OF SCRAP METALS AND AUTHORIZE THE RECEIPT OF NEW BIDS

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: MARTIN

YES: KAFTON, MARTIN, RIVERE, BRESSI

ABSENT: UPDEGRAVE

WHEREAS, the Township of Jackson authorized the receipt of bids for a Buyer of Scrap Metals; and

WHEREAS, four (4) bids were received on June 28, 2012, in response to the invitation to bidders; and

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

Vendor

Mazza & Sons
A & A Iron & Metals
Brick Recycling Co.
Universal Recycling

WHEREAS, said bids have been reviewed, and it has been determined that the specifications should be revised; and

WHEREAS, it is the desire of the governing body to reject such bids pursuant to N.J.S.A. 40A:11-13.2, and to authorize the receipt of new bids for a Buyer of Scrap Metals.

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

1. That the governing body does hereby reject all bids received for a Buyer of Scrap Metals, on the recommendation of the Business Administrator.
2. That the governing body does hereby authorize the receipt of new bids for a Buyer of Scrap Metals.
3. That a notice to bidders shall be published in regard to the receipt of bids for a Buyer of Scrap Metals, in accordance with the specifications prepared by the Purchasing Department.
4. Certified copies of this resolution shall be forwarded to Administration, Chief Financial Officer, Purchasing Department, Director of Public Works, Vendors (as listed above) and any other interested parties.

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

DATED: 8-28-12

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

RESOLUTION 322R-12

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO BARTLEY ASSOCIATES, OF THE PERFORMANCE BOND ISSUED FOR BARTLEY HEALTHCARE A/K/A BLOCK 5601, LOT 66

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

WHEREAS, Bartley Associates has requested a release of the Performance Guarantee, which consists of a cash bond in the amount of \$38,124.12, pertaining to Bartley Healthcare, a/k/a Block 5601, Lot 66, Jackson Township; and

WHEREAS, Mike Miller of T&M Associates, Township Engineer, has reviewed and approved the release of said performance bond in letter report dated August 16, 2012 which letter report is made a part hereof; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Jackson, County of Ocean and State of New Jersey, that the Performance Guarantee which consists of a cash bond in the amount of \$38,124.12, heretofore posted with the Township may and hereby is released. Considering the age of this project the maintenance bond requirement has been waived. This resolution of release is further contingent upon:

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 and Township Engineer.

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

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

DATED: 8-28-12

**RESOLUTION 323R-12
TITLE: APPROVE BINGO/RAFFLE LICENSE**

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

WHEREAS, certain organizations have applied to the Jackson Township Council for permission to hold Raffle or Bingo Games within the Township for fund raising:

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

1. The following application(s) are hereby approved:
 - #RA-1509 – JACKSON HELPING HANDS FOUNDATION
 - #RA-1510 – KNIGHTS OF COLUMBUS #6201
 - #RA-1511 – LIBERTY PARENTS CLUB
 - #RA-1512 – LIBERTY PARENTS CLUB
 - #SRL-192 – WINDING WAYS SR. COMMUNITY ITALIAN AMERICAN CLUB

2. Copies of the Resolution to interested parties.

DATED: 8-28-12

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

RESOLUTION 324R-12

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

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: KAFTON

YES: KAFTON, MARTIN, RIVERE, BRESSI

ABSENT: UPDEGRAVE

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 July 2012 is hereby approved.
2. Copies of this Resolution to Treasurer, Administrator, Township Attorney, and any other interested parties.

DATED: 8-28-12

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

RESOLUTION 325R-12

TITLE: AUTHORIZE THE EXECUTION, SUBMISSION AND ACCEPTANCE OF THE FY 2013 LOCAL ARTS PROGRAM GRANT FOR THE DEPARTMENT OF RECREATION AND SENIOR SERVICES THROUGH THE OCEAN COUNTY CULTURAL AND HERITAGE COMMISSION

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: KAFTON

YES: KAFTON, MARTIN, RIVERE, BRESSI

ABSENT: UPDEGRAVE

WHEREAS, the Jackson Township Department of Recreation and Senior Services is requesting authorization to submit the FY 2013 Local Arts Program Grant through the Ocean County Cultural & Heritage Commission; and

WHEREAS, the Township of Jackson is desirous of obtaining funding to be utilized toward the promotion of arts for the residents of the Town; and

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

1. The Jackson Township Council authorizes the submission of the FY 2013 Local Arts Program grant through the Ocean County Cultural and Heritage Commission and wishes to participate to the fullest extent possible in this program.
2. Certified copies of this resolution forwarded to Administration, Chief Financial Officer, Jackson Township Department of Recreation and Senior

Services and any other interested parties.

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

DATED: 8-28-12

RESOLUTION 326R-12

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO 19 PETROLEUM DISTRIBUTORS, INC., OF THE PERFORMANCE BOND ISSUED FOR JACKSON CITGO, BLOCK 22301, LOT 1

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

WHEREAS, Petroleum Distributors, Inc. has requested the Release of the Performance Guarantee, which consists of \$216,934.20 in the form of a Performance Bond #19490 issued by The Service Insurance Company, Inc., and Cash Bond in the amount of \$24,103.80 pertaining to Jackson Citgo, Block 22301, Lot 1, Jackson Township; and

WHEREAS, Al Yodakis of T&M Associates, Township Engineer, has reviewed and approved the release of said performance bond in letter report dated August 7, 2012, which letter report is made a part hereof; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Jackson, County of Ocean and State of New Jersey, that the Performance Guarantee, which consists of Performance Bond #19490 issued by The Service Insurance Company, Inc. in the amount of \$216,934.20 and a Cash Bond in the amount of \$24,103.80, heretofore posted with the Township may and hereby is released on the condition that the applicant:

1. Post a Maintenance Bond with the Township in the amount of \$30,129.75, subject to the review and approval of the Township Attorney. Said Maintenance Bond shall run for a period of two (2) years; and
2. This resolution of release is further contingent upon the applicant/ developer reimbursing the Township for the cost of any and all outstanding construction inspection fees and the cost of any and all other charges as per Township ordinance for the release of said performance guarantees.
3. Copies of this resolution to Administration, Finance, Applicant/Developer and Township Engineer.

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

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

DATED: 8-28-12

RESOLUTION 329R-12

TITLE: AUTHORIZE RENEWAL OF MOBILE HOME PARK LICENSE FOR THE YEAR 2012 TO EARL TERHUNE, T/A SHADY OAK PARK, A/K/A BLOCK 23302, LOTS 4, 5 & 7

REMOVED FROM AGENDA.

DISCUSSION AGENDA:

1. COUNCILWOMAN RIVERE –

- A. Jackson Jungle – Ms. Rivere stated that Westlake residents have offered to volunteer to spruce up the playground. Administrator Torres stated he would follow-up with Mr. Rasiewicz, Director of Public Works, on trash can's and residents to volunteer to clean and spruce up the playground.

2. ATTORNEY CIPRIANI –

- A. Update – name change – Prospect Pointe. Council President Bressi stated that he has with him two (2) letters (one addressed to the Police Department and the other to the Jackson Township Postmaster) advising each of their concern's over the duplication in name(s). With Council's approval, he would like to mail them and await a response. Council had no objection to Council President Bressi's request.
- B. Update – NJDEP vs. Chaim Abadi/Hard Maple Realty LLC. Ms. Cipriani stated that the Township has drafted correspondence to the Court advising them of the Township's objection to the Order which allows the artifacts to remain in Jackson. Richard Boris spoke on behalf of the J.T.M.U.A.

3. ADMINISTRATOR TORRES –

- A. Approve the purchase of fencing through State Contract Vendor. Mr. Torres discussed the need for fencing through-out Township parks/playgrounds. Council had no objections and requested that a resolution be prepared for the next Council meeting.
- B. Authorize preparation of bids for paving project. Mr. Torres discussed Mr. Burke's request relative to approving this item. Council had no objection and requested a resolution be prepared for the next Council meeting.

(Taping Recording Error – Tape resumes here)

- C. Use of concession stands - Councilman Kafton stated it's important to know which ones they want to utilize. It's respectful to sit down with the organizations that utilize them now and make sure they can work something out. Councilman Martin stated he has no issues with Bartley Road. Administrator Torres stated the letter of law indicates we have to have something approved by the Governing Body in order for us to allow them to operate. Attorney Cipriani stated there is a provision that allows for a non-profit. You need to do it by resolution, which allocates the right to use the property. Concession stands can get tricky such as what is used; hot/cold food, maintenance, expansions, etc. If you have a concession stand that is on Township property that is the correct mechanism. You can award that right to use it to a non-profit organization for a public purpose. Council President Bressi asked if we could do it for one and not the other? She responded yes but the presumption is that the concession stand that is not the subject of agreement would be run by the Township. Council agrees it's too open ended. Council President Bressi stated that the Council will not consider this request until the groups currently using the stands are spoken to and requests that a Council member be present during those discussions.
-

PUBLIC COMMENT, ANY TOPIC

RAY CATTONAR – 11 FORDHAM ROAD – The Jackson Taxpayers Association is presenting a petition by way of initiative which is the power enabling the voters to propose ordinances by petitioning the Governing Body to enact them by a referendum vote, if the Governing Body declines to act. We request the Council represent the residents' interests and adopt this petition by way of ordinance and create an in-house legal team consisting of one Attorney and one Paralegal. We understand if you fail to do this, this issue will be included in the November voting ballot. It's time we started to enjoy similar savings like Howell and Toms River. I'd like to thank Roger Downing, Bonnie Barrington, Bob Blair, the petition committee, Peter Grzelak and the residents of Jackson. I would like to present this petition to the Clerk, if that's ok? Councilwoman Rivere asked if they are petitioning it to have it on the ballot?

Township Clerk Eden stated she didn't know if she could accept this, as she has to confirm the amount of signatures he is submitting. This had happened once before and I did not accept the petition. Mr. Cattonar stated he is asking for the Township Clerk to accept this petition for a legal team. Councilwoman Rivere asked if the petitions are to do it or put it on the ballot? Mr. Cattonar stated if Council neglects to put it in as an ordinance; I have 840 signatures to put it on the November ballot. Attorney Cipriani explained the request is to the Governing Body. The Township Clerk has the right and obligation to review the petition for compliance for statutory requirements. Township Clerk Eden explained the timing is very important. Are you submitting the petition for the question to be on the ballot? Mr. Cattonar said no; Ms. Eden stated (upon my official acceptance) the clock starts for me to confirm. Mr. Cattonar stated Council has until the next Council meeting to adopt this as an ordinance. Township Clerk Eden explained she would have to review the statute to determine if the petitions conform to the statute to be valid and conform they are in proper form. If they are not, you have a timeframe to bring back additional signatures, however, I do not have the time right now to open this up and confirm that. If you're telling me that this petition is going to warrant a question on the ballot in November for the voters to decide; there's a deadline for that and you may be past it.

Councilman Martin expressed we have already been through this issue so many times. Mr. Cattonar stated 92% of our population disagrees with you. Councilman Martin stated no 2% of the population is taking your word on what's being said. Councilman Kafton stated you have to know how many names have to be on the petition; Mr. Cattonar responded 734 signatures. Councilman Kafton stated it has to have a front page that spells out exactly what the wording will be on the ballot. There are certain things that have to be done. Attorney Cipriani asked Township Clerk Eden if it were served tomorrow as Clerk in your office, would you be comfortable with that? Township Clerk Eden explained when you hand it to me that's when it should be clocked in and accepted. I'll take it now and it will be officially received tomorrow. Council Members Kafton & Rivere asked for the wording on the front? Township Clerk Eden stated she doesn't see a question; I'll review it tomorrow morning. Councilman Kafton stated he doesn't have a problem putting it on the ballot as a Council Member if they think it's appropriate. I just need to understand what it says. Council President Bressi asked Township Clerk Eden to put it on the Discussion Agenda for the next Council meeting. Township Clerk Eden explained this would go forward as a petition for possible inclusion on the ballot. Council President Bressi stated if it meets the requirements, it's going on the ballot. Councilman Kafton feels that's not true. The Council has an option to put it on there. Township Clerk Eden stated she needs to confirm the deadline with the County where the Governing Body can put a question on the ballot. Attorney Cipriani took a look at the dates and feels it's sometime around September 20th; it's a vague date. Township Clerk Eden will check. Mr. Cattonar stated he had 3 attorneys create the ordinance for him. Council President Bressi stated Council will look at it.

DAN GROSS – 18 POINTE CIRCLE – Thanked the Council for looking into the name change. If you have a list of names the residents can write to, I'll take it tonight. Council President Bressi will provide it to him after the meeting.

(9:10 P.M. - COUNCILMAN MARTIN EXCUSED HIMSELF FROM THE MEETING)

RICHARD BORYS – 800 GREEN VALLEY ROAD – There was a lot of double-talk on solar. He agrees with Councilman Kafton that for years we have been trying to get solar in. Mr. Borys is on the Going Green Committee and they tried to go solar with the town. For 3 years they asked to get the electrical billing for these buildings and were unable to get it from any predecessor. Before you go out to bid you have to have the amount of power that you are generating now and how much you are using. He asked if Mr. Torres knew that. Mr. Torres explained that is exactly what the engineering firm is going to get. Mr. Borys explained the engineering firm couldn't do it; you have to give them the information so they can do the calculations. We've done this twice with the MUA. We gave you a boilerplate. We are now in the process of doing one with the Elm School. We hired an engineering firm to develop the RFP based upon how much power the pumps are going to use. We could never get the power bills from the Township. Mr. Torres could not understand why not as we approve the bills every month. Councilman Kafton feels Mr. Borys is right. We created the Going Green Committee in 2008 and one of their goals was to bring forth solar panels on all our municipal buildings and also to show how the schools could save hundreds of thousands of dollars a year. If we had that back then we could have saved the taxpayers a million dollars minimum. Mr. Borys stated we even had to get roof structures to find out if the panels could be put in. We hired an engineer to come in, with Mr. Kafton's guidance, to give us that expertise and we couldn't get any information approved from this Council.

Tonight I challenge you to see if you can get the electric bills in a short time to get this going; get me that information and I'll push it through the Going Green Committee. It cost the MUA \$15,000 for an engineering firm to bid a project twice the size of Legler on the books and we're going to supply power to Lucy Holman School on Manhattan Street and the Hyson power plant right behind it at no cost to the Township or the Board of Education. It's a no brainer. Yet the issue I hear tonight is the same for years. We can't get a legalized power bill to see how much consumption we use in this Township and all our buildings. He feels \$30,000 - \$60,000 is a very high number to do that. He criticized Mr. Torres for not providing the information. When you do the RFP, it is included in there. It's not even money you put up front. They have to supply the design. Each individual solar company states which ways they can design the panels and output. I gave you the boilerplates from the MUA to do this. Mr. Torres verified they have a half a dozen boilerplates. Mr. Borys doubts it will happen, as we don't have the information here tonight.

Mr. Borys feels the MUA will be saving over \$40,000 per year just at the Hyson Road power station. All with no cost to the taxpayers. Lucy Holman School will take themselves off the books at the Board of Education. Councilman Kafton commended the MUA for doing this. I scream about saving money all the time and this is a wonderful way to save the taxpayers money. The Governing Body should have been driving it forward all along. Let's get it done. Council President Bressi stated that's why I brought it back up. It came up again at the EDC meeting and I put it back on the table about a month or two ago. He asked Mr. Torres to correspond with Mr. Borys and get him that information.

PETER GRZELAK – 3 ABE'S WAY – At the last Council meeting, there was a discussion about an OPRA request regarding the Recreation Department and email correspondence, which was deleted. Why are there deletions from a department when the State requires the Governing Body to keep them for a minimum of 3 years? Attorney Cipriani stated the Township Clerk was and is aware of the requirements. There were other departments that should have been keeping their emails that were not. It appears part of the problem has to do with the technological limits of what the town had. People were not printing out emails before they deleted them from the server. That should have not occurred. You can retain it in a hard copy or on the server. The server capacity in the Township did not allow for that server retention. The Township is making steps to make changes.

Council President Bressi stated there are incoming emails from 2010 that were archived on the server. On the new system, all outgoing and incoming will be archived. Mr. Grzelak feels we only have about 6 months. Township Clerk Eden stated she would check with the Recreation Department. Mr. Grzelak wants to know if these emails were deliberately deleted because questions were asked in the last few months or did the system not accept the capacity. These emails were directly asked for and now they're gone. Attorney Cipriani believes the problem is system wide and it's not that individual. It is all emails from that time frame not just those specifically in question. Mr. Grzelak wants an answer if it was all the departments. Councilwoman Rivere would like that answer as well. Township Clerk Eden stated the OPRA request was for any and all emails from Tony Beja to Joey Zapata from 2009 to present. We do have some. Mr. Grzelak confirmed with Ms. Eden that the Recreation Department had deleted them. Attorney Cipriani stated all Recreation emails of that era are gone.

Councilman Bressi asked what specific years are we referring to? Mr. Grzelak stated the last 3 years. Mr. Bressi asked even if they deleted them, shouldn't Mr. David have them? Township Clerk Eden answered yes. Mr. Grzelak asked why if we have Mayor and Council emails for 3 -5 years, then why don't we have emails for this particular department? Council President Bressi stated, to the best of his knowledge, we only have archived from mid 2010 incoming emails for everyone. Attorney Cipriani feels there is also a question if the emails were printed out. Mr. Grzelak feels just staying with digital format, if the Mayor's and Council's correspondence is in digital format back beyond 2010, then there is a specific issue. Mr. Grzelak and Councilwoman Rivere both asked for a follow up. Council President Bressi disagrees with the laws not moving up with

technology. He feels the laws were in before everybody had the technology to do it. If I didn't delete my emails, my box would be full and I wouldn't be able to get anymore emails and the public could not reach me. It's a balance. Council President Bressi asked Mr. Torres to follow up in writing.

RAY CATTONAR – 11 FORDHAM ROAD – I'm the one that OPRA'd those 3 years of emails and I only received 8 months. Which is a big violation of government records and a major fine that could be levied against the Township for not providing that information. And then we found out those records were destroyed which cannot be destroyed without the prior consent of the NJ Division of Archives, even if retention period for those records have expired. Attorney Cipriani Jean feels it's not a question of lack of familiarity with the law, there were errors were made. Council President Bressi stated we only learned this week that they were not archived.

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

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

9:25 P.M.

RESPECTFULLY SUBMITTED,

COUNCIL PRESIDENT BRESSI

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

AME/df