

ON TUESDAY, SEPTEMBER 11, 2012, AT 7:30P.M., THE JACKSON TOWNSHIP COUNCIL HELD ITS REGULARLY SCHEDULED TOWNSHIP COUNCIL MEETING IN THE MUNICIPAL BUILDING

(NO EXECUTIVE SESSION WAS HELD)

PLEDGE OF ALLEGIANCE

COUNCIL PRESIDENT BRESSI – Today is the anniversary of September 11. He asked those present for a moment of silence to reflect on the lives of the all the people that perished that day. Also 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.

ROLL CALL:

**COUNCILMAN KAFTON - (7:45 p.m.) ATTORNEY CIPRIANI
COUNCILMAN MARTIN - (8:00 p.m.) 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.

PRESENTATION/PROCLAMATIONS:

NATIONAL PREPAREDNESS MONTH (SEPTEMBER) – Presented / Read by Administrator Torres – In the event of a large scale emergency, natural disaster pandemic or terrorist attack, it is America’s civic responsibility to be prepared. The Ocean County Office of Emergency Management, the Ocean County Board of Health and the Jackson Township Office of Emergency Management recognize the need to increase public awareness about the importance of emergency and public health preparedness in Ocean County and throughout the County. They are urging residents to:

- Be informed about the different types of emergencies that could occur in Ocean County and their appropriate responses
- Make a family emergency plan and exercise it
- Develop an emergency supply kit
- Get involved in preparedness in your community

Therefore, Mayor Michael Reina, proclaims the month of September 2012 as “National Preparedness Month.”

BREAST CANCER AWARENESS MONTH (OCTOBER) – Presented / Read by Councilwoman Rivere – She thanked all the members of the Westlake Women’s Club for all their contributions to Breast Cancer. One out of eight women in the United States will be diagnosed with cancer in her lifetime. Less than 10% of women diagnosed with breast cancer have any known risk factors outside their gender and getting older. All women are at risk. Every three minutes, a woman is diagnosed with breast cancer in the U.S. In 2012, an estimated 2,000 men will be diagnosed with breast cancer.

In New Jersey, 6,970 women are expected to be diagnosed in 2012. Studies show that if women followed breast health screening guidelines and women in need of a mammogram had one, the mortality rate would decrease by at least 30 percent.

She also encourages all Jackson residents to participate in the 19th Annual Central and South Jersey Race for the Cure, which will be held on September 30, 2012 at Six Flags Great Adventure.

To benefit the health of the Township of Jackson community, this Proclamation is strongly made in increase Public Awareness and understanding of breast cancer, breast health and importance of early detection. Mayor Michael Reina proclaims the month of October 2012 as “Breast Cancer Awareness Month” and encourages all women in our community to become “aware” to make early detection a regular part of your lives and to discuss a screening program with your physician or health care provider.

MIRIAM APPELBAUM thanked all the members of the Committee of the Westlake’s Women’s Club for making this possible. We are all aware of what we have to do and I thank you very much.

Councilman Kafton arrived at 7:45 p.m.

COUNCIL COMMENTS:

COUNCILMAN KAFTON – He thanked and congratulated the Westlake Women’s Club. He has participated in their walk every year since it began. He stated they all do an amazing job and he is proud of all of them. Today is 9/11 and I had the honor of attending the 9/11 service at Westlake, which is now in its 11th year. Westlake has honored those who have fallen in that horrible tragedy throughout our county. They have never forgotten to make sure they have a service in memory of that for 11 years. That is another amazing thing that comes out of that community. Thank you for helping Jackson be that special place that it is.

COUNCILMAN MARTIN – *Absent*

COUNCILWOMAN RIVERE – Today is a very emotional day that started with the 9/11 service at Westlake. I have been a member of that committee since its inception in 2002. We try to keep it different and high class and today was a very moving ceremony. She thanked all the Council Members that were able to attend.

There are many breast cancer survivors in this room and it’s a very wonderful thing that our community does for breast cancer. \$500,000 buys a lot of research & mammograms and we should be very proud. I will be speaking for the 5th year on behalf of our Township & Council. I will be giving the greetings at the walk at Great Adventure and it will be my last year. I will not be running again and I wish all those who are the best of luck. Thank you.

COUNCIL VICE PRESIDENT UPDEGRAVE – Good evening. Everyone has touched on the emotion in the room tonight. Westlake put on a beautiful ceremony. I apologize I could not attend this year. It always brings near and dear for all the people that were offended by such a horrible attack. Breast cancer kills and we have people that have survived it. My mother and sister had survived years after being diagnosed. I had a cousin that just succumbed to it this past year. It is rampant in my family and with organizations such as the Westlake Women’s Club we are coming closer and closer to a cure. And for that I thank you with all my heart.

COUNCIL PRESIDENT BRESSI - Thank you for coming out. Westlake’s ceremony had a phenomenal turnout and the professionalism and care put into it really shows as it was so unique. It’s well organized and I was thankful to have attended. Sometimes we also take for granted our veterans in the armed forces protecting our freedoms out there. Sometimes we take for granted our Police, Fire and EMT Departments and all those agencies that we see everyday. And on 9/11, how they ran into those buildings when everyone else was trying to run out. Let’s not forget love thy neighbor. Remember what happened and look at our families and what life is about.

ANNOUCEMENTS – Township Clerk Eden announced she would report and certify the candidate petitions and the initiative petition.

REPORT / CERTIFY CANDIDATE PETITIONS – OFFICE OF TOWNSHIP COUNCIL - I, Ann Marie Eden, Jackson Township Municipal Clerk, have completed my review of the following candidates petitions of nomination and hereby certify that they qualify to run for the Office of Township Council in the upcoming November 6, 2012, Non-Partisan Municipal Election - Kenneth J. Bressi, Barry Calogero, Robert A. Nixon, Raymond Cattonar and Bonnie Barrington. Congratulations to all.

REPORT / CERTIFY INITIATIVE PETITION - I, Ann Marie Eden, Jackson Township Municipal Clerk, hereby certify that the Initiative Petition submitted to the Office of the Township Clerk on August 29, 2012, for an in-house legal Counsel is insufficient with regard to the number of signatures required. The submission consisted of 840 signatures, the total number of signatures required based upon “not less than 10% and no more than 15% qualifier” is 721. Upon my review, I have determined that 654 signatures are valid leaving a balance of 67. Pursuant to N.J.S.A. 40:69A-188, a supplementary position may be submitted within 10 days of this notification to provide for the submission of additional signatures.

With that, if I may, I am to certify this to at least 2 members of the Committee of the Petitioners. Ms. Eden provided a copy of her certification to Mr. Cattonar (who was in the audience).

Councilman Kafton congratulated all the candidates running for the Council seats this November. I wish all of them a good campaign but I will not be involved in it. The sad part is there will actually be one seat in which there will not be someone running against an individual. I can't remember that ever happening in Jackson Township. To that person, whoever it will be, congratulations on your win. I hope you do well for the Township. In the land of the free it is very sad that in this form of government you can always run for office regardless of your party affiliation. That seat stays non-competitive and to me, that is just a shame. Good luck to all.

Township Clerk Eden also announced to the public that a ballot draw to determine position for the Council candidates is going to be held this Thursday, September 13, 2012, here in the main meeting room at 11:00 a.m. I believe the candidates were notified of that and I would like the public to be notified as well. Anyone can attend.

APPROVE EXECUTIVE SESSION MEETING MINUTES: AUGUST 28, 2012

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

ORDINANCES, SECOND READING:

NONE AT THIS TIME.

Township Clerk Eden spoke referencing the introduction of Bond Ordinance 20-12 during the August 28th Council Meeting. She noted that this Ordinance will not be considered by the Township Council and no further action will be taken on this Ordinance.

ORDINANCE FIRST READING:

ORDINANCE: 22-12

TITLE: BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 29-08 ADOPTED JULY 22, 2008, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, AND APPROPRIATING \$1,952,250 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,854,637 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 – Attorney Cipriani stated Bond Ordinance 20-12 was to amend and there was a problem with the language, “Legler” and “installation”. It was confusing as it made reference to the original purchase of that bond. By taking the word “installation” out of the ordinance last meeting, the 15-year bond ordinance without installation, there was nothing to support 15-year bond ordinance. It was not creating an object lasting for 15 years. That ordinance had to be put aside. This ordinance is an allocation of \$30,000 into previous passed multi-use bond ordinance with a 5-year bond ordinance and the review and design part is acceptable within a 5-year ordinance. She went on to read part of the ordinance as follows: The acquisition and implementation of a Telephone/Data System Upgrade, and the preliminary review and design of a Solar Photovoltaic System, with a total appropriation and estimated cost of \$318,450, estimated amount of bonds or notes thereof of \$302,527, and an average period of usefulness of five (5) years.

The allocation amount with the ordinance is going from \$350,375 which is already there and been allocated for the telephone system upgrade to \$380,375 to include the \$30,000 for the review and design of the solar system. Councilman Kafton expressed to Attorney Cipriani that she did a great job.

Councilman Martin arrived at 8:00 p.m.

Councilman Kafton asked if the Council had received a copy of how it was broken down. Administrator Torres explained the Township entered into an agreement with AVAYA. At a previous meeting, we stated we would cancel the original bond (this one) to purchase the telephone system. This is the reason we are amending this bond to allocate \$30,000 of this existing bond to support the feasibility study, bid specifications and inspections of that document that you want to see. We will then go out for an RFP and hire a firm to give us the usage. At a later date, we will be canceling the original intent of this bond (the phone system) because we purchased the phone system under state contract utilizing our monthly costs.

It appears were increasing it but we’re allocating the same monies that we will be canceling. Later on in the meeting, you will hear about purchasing an archiving system for our emails. Part of these telecommunication funds that were previously granted to the Township and the remaining monies will be canceled out.

Attorney Cipriani explained we’re not awarding the \$30,000. The intention was that it is around what it will probably cost for design and review. There is no guarantee on that but it will not be awarded tonight. It would be awarded by a separate resolution. At that point, I’m sure there will be a break down on costs associated with it. Councilman Kafton feels that by the 2nd reading, Mr. Torres could probably have the ability to show us more data for the costs. Before the 2nd reading, he requested a break down. Mr. Torres has no problem providing that, as he would like to preserve the integrity of the completion of the RFP.

MOTION TO APPROVE ORDINANCE 22-12 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON OCTOBER 2, 2012 BY: UPDEGRAVE

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

BOND ORDINANCE NO. 22-12

WHEREAS, the Township of Jackson, in the County of Ocean, New Jersey (the “Township”) adopted Bond Ordinance No. 29-08 on July 22, 2008 (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 and design 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 \$350,375 allocation of the \$1,952,250 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 \$30,000, to an aggregate amount of \$380,375, 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(ii) of the Prior Ordinance is hereby amended to read as follows:

- (ii) The acquisition and implementation of a Telephone/Data System Upgrade, and the preliminary review and design of a Solar Photovoltaic System, with a total appropriation and estimated cost of \$318,450, estimated amount of bonds or notes thereof of \$302,527, and an average period of usefulness of five (5) years;

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

- (d) An aggregate amount not exceeding \$380,375 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 \$1,952,250, the aggregate debt authorization of \$1,854,637, 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.

Date: _____

Michael Reina
MAYOR

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Bond ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Jackson held on the 11th day of September, 2012, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 2nd day of October, 2012 at 7:30 p.m., or soon thereafter, at the Township Municipal Building, located at 95 West Veterans Highway, Jackson, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Ann Marie Eden
Township of Jackson

**TOWNSHIP OF JACKSON
COUNTY OF OCEAN**

BOND ORDINANCE NO. 22-12

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 September 11, 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 October 2, 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. 29-08 ADOPTED JULY 22, 2008, PROVIDING FOR VARIOUS
CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL
EQUIPMENT, AND APPROPRIATING \$1,952,250 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$1,854,637 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: \$1,952,250

Bonds/Notes Authorized: \$1,854,637

Section 20 Costs: \$380,375

Useful Life: 8.64 Years

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

BILLS AND CLAIMS:

DISCUSSION - Councilman Kafton asked Administrator Torres if Council has copies of the disclosure procedure on outside vendors. Mr. Torres explained it was part of the procurement and procedures policy and he would forward a copy to him. Councilman Kafton confirmed with Mr. Torres that if he picked something out and called him tomorrow, could Mr. Torres show him the process of how they got to that vendor? Mr. Torres answered yes.

MOTION TO APPROVE BILLS AND CLAIMS BY: UPDEGRAVE

MOTION SECONDED BY: MARTIN

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

NO: KAFTON (No to all professionals except YES to Remington & Vernick), NO on P1201076 (pg. 23)

ABSTAIN: MARTIN (JUAN BELLU), UPDEGRAVE (WINDING WAYS)

September 12, 2012
01:06 PM

JACKSON TOWNSHIP
Check Register By Check Date

Page No: 3

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT					
Continued					
87411	09/11/12	WBM01 W.B.MASON COMPANY	2,130.25		4300
87412	09/11/12	WTH01 WTH TECHNOLOGY, INC.	2,754.00		4300
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	72	3	1,858,492.59	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	72	3	1,858,492.59	0.00
DEV FEES-COAH DEV FEES - COAH (NEW)					
197	09/11/12	TM02 T & M ASSOCIATES	5,613.00		4308
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	1	0	5,613.00	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	5,613.00	0.00
DEVELOPERS-OF DEVELOPERS-OCEAN FIRST					
63652	09/11/12	19P001 19 PETROLEUM DISTRIBUTORS	24,103.80		4301
63653	09/11/12	BAR18 BARTLEY ASSOCIATES	38,124.12		4301
63654	09/11/12	CME01 CONSULTING & MUNICIPAL ENG LLP	483.75		4301
63655	09/11/12	EDE04 EDEN JACKSON LLC	816.43		4301
63656	09/11/12	FRE10 FRENCH & PARRELO ASSOC., P.A.	5,740.00		4301
63657	09/11/12	GER12 GERTNER MANDEL & PESLAK	0.00	09/11/12 VOID	0
63658	09/11/12	GER12 GERTNER MANDEL & PESLAK	4,611.66		4301
63659	09/11/12	HAR44 HARMONY BANK	7,040.64		4301
63660	09/11/12	JAC08 JACKSON TOWNSHIP CURRENT FUND	606.80		4301
63661	09/11/12	JAC103 JACKSON BAPTIST CHURCH	85.09		4301
63662	09/11/12	LAM11 DR. ROBERT LAMBROU	2.59		4301
63663	09/11/12	OME01 OWEN LITTLE & ASSOCIATES INC.	3,430.00		4301
63664	09/11/12	TM02 T & M ASSOCIATES	2,590.80		4301
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	12	1	87,635.68	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	12	1	87,635.68	0.00
DOG DOG ACCOUNT - NEW					
525	09/11/12	NJS04 N.J.STATE DEPT. OF HEALTH	391.20		4302
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	1	0	391.20	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	391.20	0.00
GENERAL TRUST					
61164	09/11/12	AHH01 A H HARRIS & SONS INC.	1,064.78		4303
61165	09/11/12	FER16 CARLOS FERREIRA, ESQ.	800.00		4303
61166	09/11/12	FER24 FERNANDES CONSTRUCTION	3,564.00		4303
61167	09/11/12	GRE34 ANTHONY R. GRECO	2,000.00		4303
61168	09/11/12	JER35 JERSEY SHORE ENTERTAINMENT LLC	2,500.00		4303
61169	09/11/12	MAD09 MAD SCIENCE OF WEST N.J	455.00		4303
61170	09/11/12	NAL05 MARINA NALITT	25.00		4303

September 12, 2012
01:06 PM

JACKSON TOWNSHIP
Check Register By Check Date

Page No: 6

Project Description	Project No.	Project Total
7760145851 19 PETROLEUM	1512-2374	24,103.80
BARTLEY HEALTH RENOVATION	1512-2438	38,124.12
CONSTRUCTION 780/720 BENNETTS	1512-2461	2.59
7200063950 WESTLAKE 4B	P30609	36.00
7200135828 LUIGI VITERBO	P31266	810.00
7200135904-EDEN JACKSON LLC	P31316	816.43
360 BENNETTS MILLS S/P60-2	P31644	85.09
33 acre extraction	P31661	3,430.00
RESIDENTIAL UNITS	P31680	4,305.00
JACKSON WOODS	P31682	1,038.00
RESERVE AT PLEASANT GROVE	P31688	483.75
7200065093 CLEARING	TWP00002	165.00
JT SUBDIVISION ACCT	TWPSD001	2,123.60
HARMONY BANK	Z31551	7,040.64
495 W VETS HWY	Z31689	1,803.97
10 S NEW PROSPECT	Z31693	403.25
577 SOUTH HOPE CHAPEL RD	Z31695	1,070.69
197 east pleasant grove	Z31696	1,154.12
NJNG SUBSTATION	Z31697	166.86
bismark rd	Z31705	472.77
Total of All Projects:		87,635.68

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

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

**RESOLUTION 339R-12
TITLE: AUTHORIZE PERSON-TO-PERSON TRANSFER OF PLENARY
RETAIL ALCOHOLIC BEVERAGE DISTRIBUTION LICENSE NO. 1511-44-
006-009 FROM REDDY & REDDY, INC. TO HOPE CHAPEL LIQUORS LLC**

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

WHEREAS, application has been made by Hope Chapel Liquors, LLC as transferee of Plenary Retail Alcoholic Beverage Distribution License No. 1511-44-006-009 for a person to person transfer from Reddy & Reddy, Inc. on the premises located at 10 South Hope Chapel Road, Jackson, New Jersey; and

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

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

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

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

1. That the Township Council of Jackson Township hereby formally authorizes the transfer of Plenary Retail Alcoholic Beverage Distribution License No. 1511-44-006-009 presently held by Reddy & Reddy, Inc. to Hope Chapel Liquors, LLC for the premises located at 10 South Hope Chapel Road, Jackson, New Jersey.
2. This resolution shall become effective upon the presentation of the Plenary Retail Alcoholic Beverage Distribution License to the Township Clerk for formal transfer.
3. That upon the adoption of this resolution, the Clerk is authorized and directed to forward a certified copy of it to the Director of the Division of Alcoholic Beverage Control.
4. Transfer is authorized with approval from the Police Director that everything is cleared.

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

DATED: 9-11-12

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

RESOLUTION 331R-12

TITLE: RESOLUTION APPROVING A DISABLED VETERAN EXEMPTION ON BLOCK 13301 LOT 8

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: MARTIN

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, The Department of Veteran Affairs determined that Javier Rosa at 300 Clearstream Rd, Block 13301 Lot 8 had a service connected disability that was totally disabling effective 1/25/06, and has owned the above listed parcel since 3/21/96, and;

WHEREAS, the property owner has made application to the Township as a totally disabled veteran, which has been approved by the Tax Assessor as of 8/27/12, and;

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

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

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

2010 - \$8,647.59
 2011 - \$9,188.91
 2012 - \$9,315.22
 2013 - \$4,657.61 – 1st half 2013 taxes (until parcel is formally exempt)

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

Copy to: Collector, Assessor, Finance

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

DATED: 9-11-12

RESOLUTION 332R-12
TITLE: APPROVE BINGO/RAFFLE LICENSE

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

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

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

1. The following application(s) are hereby approved:
 - #RA-1513 – JACKSON MEMORIAL BAND PARENTS INC.
 - #RA-1514 - JACKSON MEMORIAL BAND PARENTS INC.
 - #RA-1515 – LOYAL ORDER OF MOOSE #1459
 - #RA-1516 - KNIGHTS OF COLUMBUS LADIES AUXILIARY
2. Copies of the Resolution to interested parties.

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

DATED: 9-11-12

RESOLUTION 333R-12
TITLE: AUTHORIZE THE RENEWAL OF A ZOOLOGICAL PARK LICENSE TO SIX FLAGS THEME PARK FOR BLOCK 3101, LOT 11

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

WHEREAS, Six Flags Theme Park has applied for renewal of a Zoological Park License under the provisions of Chapter 443 of the Jackson Code for Block 3101, Lot 11, Jackson Township; and

WHEREAS, the application is in proper form, the proper fee has been paid and taxes are paid in full on the premises in question; and

WHEREAS, all appropriate municipal officials and other governmental agencies have either inspected the premises or otherwise have no objection to the renewal of this license; and

WHEREAS, Six Flags Theme Park affirms that no changes in the park or its use will take place during the period of licensure; and

WHEREAS, a Certificate of Public Liability Insurance conforming with the requirements set forth in the Jackson code, Section 443-3(f), for coverage during the period of licensure, has been submitted to the Township Clerk.

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 Six Flags Theme Park for a renewal of a Zoological Park License for the premises located on Block 3101, Lot 11, Route 537, Jackson, New Jersey is hereby approved for a period commencing July 1, 2012 and ending June 30, 2013.
2. The Township Clerk is hereby authorized to issue the aforesaid license to the applicant.
3. 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 Six Flags Theme Park.

DATED: 9-11-12

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

RESOLUTION 334R-12

TITLE: APPROVE JACKSON TOWNSHIP COUNCIL MEETING MINUTES OF AUGUST 14, 2012

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: MARTIN

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

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

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

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

1. The following Minutes are hereby approved by the Jackson Township Council:
AUGUST 14, 2012
2. Copies of this resolution to any interested parties.

DATED: 9-11-12

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

RESOLUTION 335R-12

TITLE: AUTHORIZE THE PREPARATION, ADVERTISEMENT AND ACCEPTANCE OF BIDS FOR PROJECT KNOWN AS "ROAD IMPROVEMENT/PAVING OVERLAY OF VARIOUS TOWNSHIP ROADWAYS"

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: MARTIN

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, Jackson Township has a number of roadways that require improvements, including paving and other work; and

WHEREAS, the Mayor and Township Engineer, Daniel Burke, P.E., are requesting approval to prepare, advertise and receive bids for road improvements/paving overlay of various Township roadways; and

WHEREAS, the Township Council desires to authorize the Township Engineer to solicit public bids, in accordance with all legal requirements, for the improvement on all such miscellaneous roadways;

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 Township Engineer, Daniel Burke, P.E., is hereby authorized and directed to prepare, advertise and solicit bids for road improvements/paving overlay of various Township roadways.
2. That upon the adoption of this Resolution, the Clerk is authorized and directed to forward a certified copy of it to the Chief Financial Officer, the Purchasing Agent and the Township Engineer.

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

DATED: 9-11-12

RESOLUTION 336R-12 - NOT USED

RESOLUTION 337R-12

TITLE: AUTHORIZE RENEWAL OF KENNEL LICENSE TO JENNIFER VAN SCHOICK, T/A NOAH’S ARK SCHOOL FOR DOGS/ARK ANGEL LABRADORS (BLOCK 2201, LOT 47)

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: MARTIN

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, the applicant, Jennifer Van Schoick, t/a Noah’s Ark School for Dogs/Ark Angel Labradors, 636 William Street, Jackson, New Jersey, (Block 2201, Lot 47) has submitted an application for renewal of the license to operate a kennel at the premises as set forth below pursuant to Article III of Chapter 98 of the Jackson Township Code; and

WHEREAS, the applications are in proper form, the proper fees have been paid and taxes have been paid up-to-date on the premises in question; and

WHEREAS, all involved municipal agencies and officials have either reviewed the applications or inspected the premises and have no objection to the renewal of the 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. That the Township Clerk is hereby authorized to deliver the applicant, Jennifer Van Schoick, t/a Noah’s Ark School for Dogs/Ark Angel Labradors, 636 William Street, Jackson, New Jersey, a renewal of the kennel license commencing on February 1, 2012 and terminating January 31, 2013.
2. This license is issued subject to applicant’s continued compliance with

conditions and requirements as follows:

- A. Payment of all outstanding fees and taxes.
- B. The applicant shall conform with all laws and regulations required by Chapter 98.
- C. The applicant obtaining all other local, County and State permits.

3. That upon adoption of this resolution, the Clerk is authorized and directed to forward a certified copy of it to Jennifer Van Schoick t/a Noah's Ark School for Dogs/Ark Angel Labradors.

DATED: 9-11-12

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

RESOLUTION 338R-12

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO K-LAND #11 OF THE CASH BONDS ISSUED FOR VARIOUS BLOCK AND LOTS AS FOLLOWS

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: MARTIN

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, K-Land #11 has requested the release of cash bonds for winter conditions for various Block and Lots, Jackson Township as follows:

<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Amount</u>
5304	1	35 Lancaster Way	\$1,500
5301	7	35 Hampshire Blvd.	\$8,500

WHEREAS, the above properties were inspected and have received a Certificate of Occupancy in 2000; and

WHEREAS, the Township Council of the Township of Jackson has considered the request of the developer for release of said winter conditional bonds.

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 cash bonds for winter conditions heretofore posted with the Township may and hereby are released to K-Land #11.

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

DATED: 9-11-12

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

RESOLUTION 340R-12

TITLE: RESOLUTION APPROVING A DISABLED VETERAN EXEMPTION ON BLOCK 13002 LOT 17

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: MARTIN

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, The Department of Veteran Affairs determined that Rudolph Williams at 34 Birmingham Rd, Block 13002 Lot 17 had a service connected disability that was totally disabling effective 3/27/12, and has owned the above listed parcel since 12/17/02, and;

WHEREAS, the property owner has made application to the Township as a totally disabled veteran, which has been approved by the Tax Assessor as of 8/21/12, and;

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

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

1. The Tax Collector is directed to cancel taxes as follows:
 2012 - \$4,711.14
 2013 - \$2,945.66 – 1st half 2013 taxes (until parcel is formally exempt)
2. The Tax Collector is directed to process a refund for any overpayment due to the cancellation of taxes.
3. The parcel is to be exempted on the 2013 tax list.

Copy to: Collector, Assessor, Finance

DATED: 9-11-12

**ANN MARIE EDEN, RMC
MUNICIPAL CLERK**

RESOLUTION 341R-12

TITLE: AUTHORIZE INSTALLMENT AGREEMENT FOR DELINQUENT TAXES ON BLOCK 2006 LOT 44 PURSUANT TO NJSA 54:5-19 ET SEQ.

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: MARTIN

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

WHEREAS, 54:5-19 et seq. permits an installment plan on delinquent taxes and municipal charges prior to Tax Sale, and the owner of Block 2006 Lot 44, 23 Kacie Lynn Ct, has requested an installment plan for delinquent taxes through the third quarter of 2012; and

WHEREAS, the homeowner has already paid to the Tax Collector the sum of \$3,000.00, an acceptable amount down on the total delinquency, in good faith as a demonstration of ability to fund the plan; and

WHEREAS, the homeowner will make 2 monthly installments of \$2,200.00 for September and October 2012 and 34 monthly installments of approximately \$1,500.00 beginning in November of 2012, and keep subsequent taxes and other municipal charges up to date while the agreement is in effect; and

WHEREAS, the Tax Collector has reviewed the request and the owners' ability to pay, and recommends that the plan be approved and it is now the desire of the governing body to act upon the tax installment plan so submitted by the Tax collector.

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. That the Township Council of Jackson Township hereby authorize the installment plan covering the property known as Block 2006 Lot 44, the down payment, the terms of the agreement, the approximate amount of each monthly installment .
2. That in the event that any of these installments or payments for subsequent taxes and/or municipal charges are not made in accordance with the agreement approved herein, the township shall have the right to proceed with the regular statutory collection procedures including, but not limited to, Tax Sale and subsequent foreclosure.

Copy to: Tax Collector

DATED: 9/11/12

**ANN MARIE EDEN, RMC
MUNICIPAL CLERK**

DISCUSSION AGENDA:

1. COUNCIL PRESIDENT BRESSI –

A. Update – name change – Prospect Pointe – He received a response from the Chief of Police with his concerns and his dispatchers are aware of it. He took the liberty of forwarding his response to all emergency responders (Quality Medical, EMS Advisory Board) and all 4 fire districts for any potential errors in responding to 911 calls.

2. ADMINISTRATOR TORRES –

A. Server upgrade – email/archive hardware – the Township was unable to provide some emails for OPRA requests because of the capacity of our server. I request that Council authorize me to enter into a contract with an email archiver provider for all departments, as well as elected officials.

Councilwoman Rivere asked how long would we be able to archive all emails? Administrator Torres explained it basically be unlimited. Right now we are piggy backing off of a server that was purchased for the Police Department which has the capacity. The IT Committee and Mr. David recommended purchasing a big server and it would be under \$18,000. It would just function as the archiving server for the Township.

Councilwoman Rivere asked if this would address the problem that was brought to our attention of not having emails available, particularly the incoming? Mr. Torres confirmed it would. Councilman Kafton asked Mr. Torres to explain. Mr. Torres stated it's a service provider that gives us the capacity for archiving incoming and outgoing activity. Right now its limited; 2 years since 2010 and we only have incoming not outgoing. I believe it's between \$16,000 to \$18,000 and I'll be bringing it back to the Council next week. Councilman Kafton confirmed with Mr. Torres that Council is not expending anything.

Township Clerk Eden explained if Council agrees to go forward then we will have a resolution prepared authorizing that purchase and you would vote on that at the next meeting. Council President Bressi stated no one bothered to check with Mr. David who has since advised that the archiving of emails actually goes back to mid 2009 (inbound only). Councilman Kafton asked if we established the individual or the company and how is this being handled? Mr. Torres stated after review of various companies, it was determined the software, Zimbra, was recommended. Township Clerk Eden stated the purchase is from Dell. Council President Bressi asked Mr. Torres to provide all the information at the next meeting.

B. CY 2013 NJDOT Municipal Aid – There is a mid-October deadline for our Engineering Department to submit to the NJDOT for municipal aid for road improvements and he is seeking authorization. Council President Bressi advised him to have it ready for the next meeting.

Administrator Torres spoke about the Community Aggregate Program – Energy Bill Savings. There have been recent changes in State Legislature and recent policies updated by the State Board of Public Utilities. The Community Aggregate Program, which allows the Township to hire an energy consulting company to manage the process and chose a competitive third-party electrical supplier. The Mayor is holding two Town Hall Presentation Meetings and he is urging all residents to come out on September 22nd and 29th between 10:00 a.m. – 12:00 p.m. (to be held in the Main Meeting Room at Town Hall). The provider can explain the benefit of this new program. Every rate payer can see

a 5-10% savings on their energy bill. This is a community purchase and you have to opt-in and then you will have an opportunity to opt-out at any time and you would never pay anything more than what your current provider is providing. The provider is the same conduit, JCP&L. Councilman Kafton asked if it was a presentation by one company. Mr. Torres indicated the company is Colonial, based out of Boston, Massachusetts, and they are the largest producer of community aggregate programs.

Mr. Torres stated if the residents show an interest then the Mayor brings it back to Council. It would then require a resolution, in addition to a RFP process. Councilman Kafton indicated that there are several of those companies out there and Mr. Torres stated yes but Colonial is the strongest and largest aggregate supplier out there right now. That's why the Mayor opted to have them come in to speak. Councilman Kafton feels the Council should examine several companies and choose the lowest rate. Mr. Torres believes that perhaps Councilman Kafton misunderstood as they will only provide a presentation to outline the program and what the legislation allows. If the community is interested, then we will have them come before the Governing Body and if the Governing Body allows it, then we will do a resolution. Then we will solicit a request for proposals and hire a firm to be the best competitive provider. Councilman Kafton thanked him for his explanation.

PUBLIC COMMENT, ANY TOPIC

RAYMOND CATTONAR – 11 FORDHAM ROAD – We were told at the last Council Meeting that we would have a CD available of those archived emails. Township Clerk Eden stated she sent that to him by email. Mr. Cattonar stated on the response to his OPRA request it did not indicate there was a server issue. We got 8 months of 2012 and the email indicated they were deleted after 6-8 months. Have we investigated that? Attorney Cipriani stated she thinks that Mr. Cattonar's request led toward the investigation at the scope of his request. The only reason it said deleted was because we went specifically to that department and the message back was that they were deleted. At that point we were not aware that there were emails on the server. There was a further investigation as to the status. That's why at the last meeting we discussed they had begun in mid 2009 and those emails now going forward are available. Prior to that, the IT Department simply didn't have the server space or was not aware of the problem. Mr. Cattonar confirmed with Council that it was only incoming and not outgoing emails.

Mr. Cattonar questioned the bond ordinance referencing the Legler facility as there was some confusion. He asked Council if it was originally slated to be a compost site? Council President Bressi explained it was removed. Mr. Cattonar asked if it was denied because of heat generation. Councilman President Bressi explained originally it was being considered as a compost site; however, we (the Council) had concerns regarding traffic, etc. The solar has no ground penetration, there is no traffic concern and there is already a fence. We are moving forward looking into it for solar use; no compost site is going there. Mr. Cattonar had concerns about methane gas as the solar panels generate heat, which could be a dangerous condition. Council President Bressi explained it is monitored regularly and the NJDEP themselves is recommending locations like it. Mr. Torres stated our Engineers monitor the Legler site for gas emissions and there is no way that it could cause fires. Mr. Cattonar asked about the \$30,000 cost to do a study and why are we paying for it? Council President Bressi stated we didn't say it's the cost; it's the amount we can allocate once the RFP has been approved and be ready to move. We don't want this project stalled again. We changed the language on the bond ordinance and then we are ready to go for data.

RYAN ARCHER – 486 FRANK APPLGATE ROAD – He requested an update on the Frank Applegate illegal dump site. Attorney Cipriani stated she called the Attorney for the DAG who is handling this matter for the NJDEP and was told that there is action being taken. She asked to be included in any further action because Jackson Township's interests were not represented. The information she got back was the intention and the expectation that the Jackson site would be clear and the new Lakewood site is sufficient for all of the materials from both sites to be cleared up. Mr. Archer indicated there was no action taken. We put in an OPRA request and got all except for Police & Code for that

day. He asked the Council why he couldn't get copies? Township Clerk Eden explained the OPRA came to her attention was she was advised by Code when they were on site. The County or DEP came on board; Code took no notes and has no record of it. That's what they advised me because the outside agencies that came in took control and they handled everything. The Police also have no incident report; our departments advised me they don't exist. Township Clerk Eden indicated she would double check with them again.

Mr. Archer indicated in his conversations with the State that we have an issue where someone has stated that the town was aware prior to this event happening and they claim they had approval from the town to perform this. Attorney Cipriani asked approval to perform what? Mr. Archer replied to dump on the ground. She asked if he could obtain those documents, to please forward them onto her. He explained it was mentioned in the depositions that the Township was aware. Township Clerk Eden explained an OPRA needs to be very specific for the item that you request. "Any and all information" is not a proper OPRA request. When I received the request, I distributed it to the departments that would have handled it and there was some paperwork on it. I go by what the departments tell me to advise the requestor.

Mr. Archer asked the Council if there has been any movement in addressing the court with a complaint. Attorney Cipriani answered yes and we have written to the court and asked to be notified and included in any further actions as the orders did not represent Jackson Township. We asked to be put on notice for any further appearances before the court. Mr. Archer asked if they have responded yet? She suggested that he can follow up with the court. If they're not complying here, we do know that they have begun to take action in Lakewood. There will probably be another hearing scheduled.

Councilwoman Rivere asked for an update on the Vista Site. Mr. Torres explained the burden of proof is on us to show what land we are swapping to allow us to proceed with the diversion plan. We are working with the NJDEP and we are moving forward. We are now required to do a little bit of clean up on the application; they insist on us treating both diversion plans simultaneously (Camp Joy & Crawford-Rodriguez School). I have reached out to the Board of Education to see who dropped the ball. It was an application that was done by the Boards Attorney and a previous attorney firm, not Gilmore and Monahan. Councilwoman Rivere stated while it's still going through the hearings, how long is our extension at Vista? He stated as long as we are proceeding with the diversion plan and progressively moving forward, we are allowed to continue composting at the temporary site until that matter is resolved. Attorney Cipriani stated even if it were rejected, we would then receive another end date. Mr. Torres feels we are still moving aggressively and has his meeting in the new year coming before the State House.

PAUL MAYEROWITZ – 91 CYPRESS POINT LANE – I'd like to thank and congratulate the Council for finally taking an initiative on a solar farm. Solar farms have been discussed at Council meetings, Economic Development Advisory meetings and Technology Committee meetings and we're finally getting someplace. The Legler site is approximately 100 acres and the problem area within that site is less than 10 acres. We have an issue with methane and I am concerned that an initiative is going to be railroaded because of the same concerns or same actions that we had relative to the compost facility. A solar farm does not have an issue with methane when only 10% of site has the methane release.

My recollection of the initiative petition is that we didn't have enough signatures on that petition. Have we had an alternative Counsel to Gilmore and Monahan review the proposal itself in terms of compliance with the format and State Statutes as well as with the Supreme Court rulings on initiative and referendum? Council President Bressi stated we have not because there is not an initiative yet there are not enough signatures. When the proper signatures are supplied and verified, then we could move forward with those suggestions. We cannot issue anything else with this because it is not an initiative petition until Mr. Cattonar hands in the other signatures. Mr. Mayerowitz has looked at the petition and feels it is unworkable. He asked for Council President Bressi's permission to discuss with the Business Administrator those issues that he believes makes it unworkable. Council President Bressi answered yes, but not here this evening. Township

Clerk Eden explained the initiative petition hasn't been presented to Council. Once it's verified, it will be presented to Council. It will then be presented at a public hearing on the initiative as it was presented. The Council has 20 days to act on that. Whether to adopt or modify but substantially keep it as presented. So I think you are jumping the gun. Mr. Mayerowitz stated he would present his case during those 20 days.

Councilman Kafton feels Mr. Mayerowitz brought up a good point. When would we be having an outside counsel review it? Council President Bressi explained they wouldn't be having an outside counsel review until it becomes a legal document and has enough signatures. Once it is certified, we will then have the Township Attorney look at it. Councilman Kafton asked Attorney Cipriani if her office has reviewed it? She answered no; the intention and certainly their preference is since they hold the appointed position it seems best to send it to a firm that is not so directly involved, so the public can be more confident in the lack of self interest in the analysis. Councilwoman Rivere asked Counsel if it was possible to be put on this ballot? Township Clerk Eden explained that not in any way, shape or form will it be on this November ballot nor will there be a special election. Council President Bressi stated at this time it will be on the November 2013 election ballot. Councilman Kafton asked what the deadline is for this election? Township Clerk Eden stated it was August 31, 2012 and it was submitted on August 29th. It would have had to go through the procedure of the 20 days, etc. There was no time.

MOTION TO CLOSE PUBLIC HEARING ON ANY TOPIC BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

MOTION TO ADJOURN BY: KAFTON

MOTION SECONDED BY: MARTIN

YES: KAFTON, MARTIN, RIVERE, UPDEGRAVE, BRESSI

8:50 P.M.

RESPECTFULLY SUBMITTED,

COUNCIL PRESIDENT BRESSI

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

AME/df