

ON TUESDAY, NOVEMBER 20, 2012, AT 6:30P.M. THE JACKSON TOWNSHIP COUNCIL HELD ITS (EXECUTIVE SESSION) MEETING IN THE MUNICIPAL BUILDING

ROLL CALL:

COUNCILMAN KAFTON - *Absent*
COUNCILMAN MARTIN - 6:45 p.m.
COUNCILWOMAN RIVERE
COUNCIL VICE PRESIDENT UPDEGRAVE
COUNCIL PRESIDENT BRESSI

ATTORNEY DENIS KELLY
TOWNSHIP CLERK EDEN

ALSO IN ATTENDANCE:

ADMINISTRATOR TORRES
JOHN MACZUGA (T&M ASSOCIATES)
COUNCIL ELECT B. CALOGERO
COUNCIL ELECT R. NIXON

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 369R-12

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

MOTION TO APPROVE BY: UPDEGRAVE

MOTION SECONDED BY: RIVERE

YES: RIVERE, UPDEGRAVE, BRESSI

ABSENT: KAFTON, MARTIN

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

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

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

1. The public shall be excluded from discussion concerning the hereinafter-specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - a) Personnel/Professionals:
 - b) Litigation/Potential Litigation: Approve amended Third Round Housing Element and Fair Share Plan (Resolution ready).
Settlement agreement D.M. Developers (Resolution ready).
 - c) Potential Land Sale/Land Acquisition:
 - d) Contracts/Agreements:
3. It is anticipated that the subject matter discussed may be made public upon its conclusion or final disposition.

DATED: 11/20/12

ANN MARIE EDEN, RMC
TOWNSHIP CLERK

7:30 P.M. - RECONVENE PUBLIC MEETING

PLEDGE OF ALLEGIANCE

COUNCIL PRESIDENT BRESSI – Announced Councilman Kafton’s Mother is in the ICU for a Cerebral Hemorrhage and asked to please keep their family in their prayers. Many people suffered much more in Monmouth & Ocean Counties than we did during the storms; keep in mind that we can rebuild and move on. We have the freedom to do so because of all the Veterans that have served this Country and have given the supreme sacrifice. Please take a moment to reflect.

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

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

CERTIFICATES OF APPRECIATION – Pat Wood, Recycling Coordinator, acknowledged all the contributors to Jackson Day and thanked Administrator Torres, Mayor Reina and Council, with special thanks to Councilman Martin who raised funds. She also thanked all 103 vendors, volunteers, flash mob participants and Connie Sidor. It was a very successful day and the total cost of Jackson Day was \$42,623.75. We received \$22,875 in cash donations spending only \$19,748. All the groups are non-profit groups and after Jackson Day we did the roadside cleaning. Normally, we would have paid them \$10,800 from the grant, but we did not pay out this year. So technically, the cost for Jackson Day was \$8,948.75.

She thanked Mary Bianchi, Kimberly Bressi, Detective Campbell Brown, John Burmeister, Angela Carlo, Hailey Cattonar, Ray Cattonar, Jackson Cert Team, Jackson Police Auxiliary, Jackson First Aid, Kimberli Fox, Denise Olejarz, Morgan Olejarz, Nicole Olejarz, Rebecca Olejarz, Zachary Olejarz, Max Schultz, Katherine Sellaro, Samantha Solis, Phil Stilton, Taylor Zapata and James Zapata for all their hard work and participation.

COUNCILMAN KAFTON - *Absent*

COUNCILMAN MARTIN – Thanked everyone who made Jackson Day a success with special thanks to Pat Wood for all her hard work. Congratulations to Mr. Bressi as well as Rob Nixon and Barry Calogero as he looks forward to working with them. We have overcome a lot with Hurricane Sandy and the snowstorm. A lot of damage and people’s houses were destroyed and we need to keep them in our hearts and prayers. Life is getting back to normal slowly but surely. He congratulated the Public Works Department and all the people who worked so hard for all those days as they did an outstanding job. My wife, Debbie and I, are helping the Jackson Food Pantry with the Adopt-A-Family Program. We hope there are people interested in helping the people of Jackson. We are up to 150 families, which is double from last year.

COUNCILWOMAN RIVERE – Congratulated the Council Elect and Council President Bressi for his re-election. She thanked those who ran but did not win. She asked to put discussion of the recent storm into the Discussion Agenda for this evening. She thanked the employees for working so very hard during the storms.

COUNCIL VICE PRESIDENT UPDEGRAVE – She echoed all the employee’s efforts with the recent storms and thanked Pat Wood for dedicating a tremendous amount of time to helping out with the storms. We had a wonderful Veterans Day ceremony this year all

the flags were flown for the different divisions of the armed forces. She thanked those that won the election and also those that ran.

COUNCIL PRESIDENT BRESSI - Thanked Mr. Cattonar & Ms. Barrington for running for Council. He thanked Ms. Wood for all her and her department's tremendous work efforts. It was truly wonderful to watch OEM, Police and Public Works click together and work so hard also coordinating with JCP&L. The Veterans Day Ceremony was heartwarming and over 250 people came out even after the storms. I would like to take special notice to the R.O.T.C. Cadets and the Police Explorers who did the raising of our flags for the Armed Forces. Please think of all the people who lost a lot more than we have. He wished Councilman Martin luck with his new program.

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

ORDINANCES, FIRST READING:

ORDINANCE: 23-12

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY TO AMEND CHAPTER 3 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF JACKSON, ENTITLED "ADMINISTRATIVE CODE"

MOTION TO APPROVE ORDINANCE 23-12 ON FIRST READING, ADVERTISE THE APPROVAL, NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON DECEMBER 11, 2012 BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: MARTIN, RIVERE, UPDEGRAVE, BRESSI

ABSENT: KAFTON

ORDINANCE NO. 23-12

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

SECTION 1: The Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 3 entitled "Administrative Code" so as to amend § 3-8 entitled "Meetings of Council," subsection A. which shall read as follows:

A. Regular meetings. The Council shall meet annually for organization on the first day of January at 12:00 noon or at some other hour on any day during the first week of January. The Council shall designate by resolution the time of the holding of regular meetings, which shall be at least monthly.

SECTION 2: The Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 3 entitled "Administrative Code" so as to amend § 3-36 entitled "Office established; appointment," subsection B. which shall read as follows:

B. Appointment and term of office. The Tax Assessor shall be appointed by the Mayor, with the advice and consent of the Township Council, for a term of four years commencing on January 1 next following appointment.

SECTION 3: The Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 3 entitled “Administrative Code” so as to amend § 3-37 entitled “Deputy Tax Assessor,” subsection B. which shall read as follows:

B. Appointment and term of office. The Deputy Tax Assessor shall be appointed by the Mayor, with the advice and consent of the Township Council, for a term of four years commencing on January 1 next following appointment.

SECTION 4: The Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 3 entitled “Administrative Code” so as to amend § 3-106 entitled “Appointment of Police Physicians,” which shall read as follows:

Each Police Physician shall be appointed by the Township Council for the term of one year, beginning on the first day of January of the year for which the appointment shall be made. To be eligible, the appointee must be duly licensed under the laws of the State of New Jersey for the general practice of medicine.

SECTION 5: The Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 3 entitled “Administrative Code” so as to amend § 3-143 entitled “Court Administrator; term, appointment; duties,” which shall read as follows:

There shall be a Court Administrator who shall be appointed by the Mayor with the advice and consent of Township Council. The Court Administrator shall serve for a term of three years from January 1 of the year in which he or she is appointed and until a successor is appointed and qualified. The Court Administrator shall supervise and administer the work of the Municipal Court, subject to the direction of the Judges and applicable statutes and Court rules, and act as the Clerk of said Court according to statute and the rules of Court.

SECTION 6: The Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 3 entitled “Administrative Code” so as to amend § 3-147 entitled “Environmental Commission,” subsections B. and D. which shall read as follows:

B. Membership. The Commission shall consist of seven members appointed by the Mayor, one of whom shall also be a member of the Planning Board and all of whom shall be residents of the Township of Jackson. The members shall serve without compensation. The Mayor shall annually designate one of the members to serve as Chairman and presiding

officer of the Commission. The terms of office of each member shall commence on January 1 of the year of appointment and shall e for a term of three years, to expire on December 31 of the third year. A vacancy occurring otherwise than by the expiration of the term shall be filled for the unexpired term in the same manner as an original appointment.

D. Alternate members. In addition to the regular members, the Environmental Commission shall have two alternate members, designated as “Alternate No. 1” and “Alternate No. 2.” The terms of the alternate members shall be for two years. A vacancy occurring otherwise than by the expiration of the term shall be filled by the appointing authority for the unexpired term only. The terms of alternate members shall commence on July 1 of the year of appointment and expire on June 30 of the second year.

SECTION 7: The Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 3 entitled “Administrative Code” so as to amend § 3-150 entitled “Planning Board,” subsection B(3). which shall read as follows:

(3) The terms of all Class IV members first appointed pursuant to this chapter shall be so determined that, to the greatest extent practicable, the expiration of such terms shall be evenly distributed over the first four years after their appointment, provided, however, that no term of any member shall exceed four years, and further provided that nothing herein shall affect the terms of any present members of the Planning Board, all of whom shall continue in office until the completion of the terms for which they were appointed. Thereafter, all Class IV members shall be appointed for terms of four years, except as otherwise herein provided. All terms shall run from January 1 of the year in which the appointment was made.

SECTION 8: The Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 3 entitled “Administrative Code” so as to amend § 3-154 entitled “Terms of members; manner of appointment; number of members,” subsection A. which shall read as follows:

A. Have a term for one year, commencing January 1 and terminating on December 31 of that year; and

SECTION 9: The Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 3 entitled “Administrative Code” so as to amend § 3-157 entitled “Terms of office; vacancies; participation by alternates,” subsection A. which shall read as follows:

A. All appointments to the Americans with Disabilities Act Advisory Board shall be for a term of one year, commencing January 1 of the year of

appointment and ending on December 31 of the year of appointment. A vacancy on the Board occurring other than by expiration of term shall be filled for the unexpired term by the Mayor.

SECTION 10: The Township Code of the Township of Jackson is hereby amended and supplemented so as to amend Chapter 3 entitled “Administrative Code” so as to amend § 3-159 entitled “Americans with Disabilities Act (ADA) Coordinator,” subsection E. which shall read as follows:

E. The term of office for the ADA Coordinator and Deputy ADA Coordinator shall be for one year, commencing on January 1 of the year of appointment and ending on December 31 of the year of appointment.

SECTION 11: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 12: This ordinance shall take effect after the second reading and publication as required by law.

Date: _____

Michael Reina,
MAYOR

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Jackson held on the 20th day of November, 2012, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 11th day of December, 2012 at 7:30 p.m., at the Township Municipal Building, located at 95 West Veterans Highway, Jackson, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Ann Marie Eden,
Township of Jackson

Township Clerk Eden announced that Resolution 374R-12 (which was listed on the agenda posted on-line) has been removed and will not be used.

PUBLIC COMMENT OPENED, RESOLUTIONS ONLY

NO ONE CAME FORWARD.

**MOTION TO CLOSE THIS PUBLIC COMMENT ON RESOLUTIONS ONLY BY:
MARTIN**

SECONDED BY: UPDEGRAVE

YES: MARTIN, RIVERE, UPDEGRAVE, BRESSI
ABSENT: KAFTON

RESOLUTION 370R-12

TITLE: TO AMEND 2012 BUDGET- TRANSFER RESOLUTION #1

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: MARTIN, RIVERE, UPDEGRAVE, BRESSI

ABSENT: KAFTON

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

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

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

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

1. The following annexed transfer schedule (#1) for the 2012 Municipal Operating Budget of the Township of Jackson are hereby made for the above stated reasons
2. This resolution shall take effect upon two-thirds affirmative vote by the full governing body of the Township of Jackson.
3. Copies of this resolution to the Administrator, Chief Financial Officer and Auditor.

**TOWNSHIP OF JACKSON
ANNEXED TRANSFER RESOLUTION
RESOLUTION 370R-12 , 2012 TRANSFER #1
MEETING November 20, 2012**

Dept. Code #	Description	Proposed Amounts	Sub-Totals
TRANSFERS FROM (INSIDE CAPS):			
2-01-20-100-000-020	General Administration-Other Expenses	(10,000.00)	
2-01-20-103-000-010	Purchasing-S&W	(2,297.41)	
2-01-20-112-000-010	Office of the Mayor-S&W	(13,000.00)	
2-01-20-125-000-010	Elections-S&W	(2,000.00)	
2-01-20-125-000-020	Elections-Other Expenses	(7,000.00)	
2-01-20-130-000-010	Financial Administration-S&W	(3,607.17)	
2-01-20-130-000-020	Financial Administration-Other Expenses	(15,000.00)	
2-01-22-200-000-010	Housing & Inspection Code-S&W	(21,266.85)	
2-01-23-210-000-020	Liability Insurance-Other Expenses	(10,000.00)	
2-01-23-220-000-020	Employee Group Insurance-Other Expenses	(30,000.00)	
2-01-26-305-000-010	Solid Waste-Recycling-S&W	(15,000.00)	
2-01-26-315-000-010	Vehicle Maintenance-S&W	(13,273.12)	
2-01-27-340-000-010	Animal Control Services-S&W	(7,085.61)	
2-01-28-373-000-010	Handicapped Committee-S&W	(600.00)	
2-01-30-425-000-010	Salary and Wage Adjustment-S&W	(126,382.56)	
2-01-31-445-000-020	Utility/Water-Other Expenses	(2,000.00)	
2-01-32-465-000-020	Sanitary Landfill-Other Expenses	(20,000.00)	
2-01-36-472-000-020	Social Security-Other Expenses	(10,000.00)	
TOTAL TRANSFERS FROM (INSIDE CAPS)			<u>(308,512.72)</u>
TRANSFERS TO (INSIDE CAPS):			
2-01-20-100-000-010	General Administration-S&W	4,194.82	
2-01-20-105-000-010	Human Resources-S&W	3,458.08	
2-01-20-120-000-010	Municipal Clerk-S&W	11,898.57	
2-01-20-140-000-010	Computerized Data Processing-S&W	4,200.37	
2-01-20-145-000-010	Collection of Taxes-S&W	10,903.52	
2-01-20-150-000-010	Assessment of Taxes-S&W	30,000.00	
2-01-20-155-000-020	Legal Services-Other Expenses	60,000.00	
2-01-20-165-000-010	Engineering-S&W	16,592.64	
2-01-21-183-000-010	Planning & Zoning-S&W	7,787.38	
2-01-22-195-000-010	Uniform Construction Code-S&W	12,866.48	
2-01-22-197-000-020	Rent Leveling Board-Other Expenses	9,000.00	
2-01-22-198-000-010	Code Enforcement-S&W	25,676.91	
2-01-25-240-000-010	Police Department-S&W	7,202.65	
2-01-25-250-000-010	Police Dispatch/911-S&W	1,932.59	
2-01-26-290-000-010	Streets & Roads-S&W	10,073.91	
2-01-26-310-000-010	Buildings & Grounds-S&W	10,456.32	
2-01-26-310-000-020	Buildings & Grounds-Other Expenses	10,000.00	
2-01-26-315-000-020	Vehicle Maintenance-Other Expenses	30,000.00	
2-01-28-370-000-010	Recreation-S&W	2,984.09	
2-01-28-372-000-010	Office of the Golden Age-S&W	4,352.40	
2-01-31-460-000-020	Fuel & Petroleum Products-Other Expenses	30,000.00	
2-01-43-490-000-010	Municipal Court-S&W	4,931.99	
TOTAL TRANSFERS TO (INSIDE CAPS)			<u>308,512.72</u>
			0.00

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

DATED: 11/20/12

**RESOLUTION 371R-12
TITLE: RESOLUTION APPROVING THE AMENDED THIRD ROUND HOUSING
ELEMENT AND FAIR SHARE PLAN**

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

WHEREAS, the Township of Jackson adopted its current Housing Element and Fair Share Plan pursuant to N.J.S.A. 40:55D-28 in January of 2008; and

WHEREAS, the on December 4, 2009, the Court directed the Township to prepare a Housing Element and Fair Share Plan to demonstrate the Township's ability to satisfy its fair share affordable housing obligation for the third and prior rounds; and

WHEREAS, the Court requires the submission of the Housing Element and Fair Share Plan prior to holding an Affordable Housing Compliance Hearing for the Township of Jackson; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board held public hearings on the amended Third Round Housing Element and Fair Share Plan on November 5, 2012 and November 19, 2012; and

WHEREAS, the Planning Board has determined that the amendment to the Housing Element and Fair Share Plan, which is entitled “Amended Housing Element and Fair Share Plan, Jackson Township, Ocean County, New Jersey” October 15, 2012, and prepared by John D. Maczuga, PP, AICP, of T&M Associates is consistent with the goals and objectives of the Township of Jackson’s Master Plan adopted in 2009, and that adoption and implementation of the amendment to the Housing Element and Fair Share Plan are in the public interest and protect public health and safety and promote the general welfare; and

WHEREAS, the governing body desires to endorse the Amended Housing Element and Fair Share Plan as adopted by the Planning Board.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Council of the Township of Jackson, County of Ocean, State of New Jersey hereby endorse the Amended Housing Element and Fair Share Plan as adopted by the Planning Board.

BE IT FURTHER RESOLVED that the Mayor and Township Council of the Township of Jackson, County of Ocean, State of New Jersey hereby authorizes its professionals to immediately file the adopted and endorsed amended Housing Element and Fair Share Plan with the Court and to submit a copy of all relevant documents to the Council on Affordable Housing (COAH); and

BE IT FURTHER RESOLVED that the Mayor and Township Council of the Township of Jackson, County of Ocean, State of New Jersey hereby authorizes its professionals to take any and all actions reasonable and necessary to secure a Judgment of Compliance and Repose from the Court and to maintain the Township’s immunity from any additional Mount Laurel lawsuits.

DATED: 11/20/12

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

RESOLUTION 372R-12

TITLE: AUTHORIZE EXTENSION OF THE GRACE PERIOD FOR FOURTH QUARTER 2012 TAXES TO NOVEMBER 26, 2012 PURSUANT TO EXECUTIVE ORDER 113.

DISCUSSION: Councilwoman Rivere asked how this would be publicized? Council President Bressi explained the Governor extended it until the 16th and Mr. Campbell, Tax Collector, saw fit that we can change it to the 26th. It would not defer any payments we need to make from now until then and it will be publicized online.

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

WHEREAS, due to the effects of Hurricane Sandy Executive Order 113, signed by the Governor, extends the fourth quarter 2012 grace period to November 16, for non-accelerated tax sale municipalities, and provides for a further extension by Resolution of the Governing Body; and

WHEREAS, the Mayor and Governing Body wish to extend the grace period beyond the 16th of November to allow residents additional time to pay their November 1st taxes without interest; and

WHEREAS, the Tax Collector has recommended an extension of the grace period for fourth quarter 2012 taxes to November 26, 2012.

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 authorizes the extension of the grace period for fourth quarter 2012 taxes to November 26, 2012.
2. This extension does not affect or apply to any previous tax quarters other than the fourth quarter 2012 taxes currently due.

Copy to: Tax Collector

DATED: 11/20/12

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

RESOLUTION 373R-12

TITLE: RESOLUTION CERTIFYING REVIEW OF THE LOCAL GOVERNMENT BEST PRACTICES CHECK LIST

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

WHEREAS, the Department of Community Affairs requires the Chief Financial Officer of every municipality to have certified the Local Government Best Practices Check List; and

WHEREAS, the Check List has been certified by the Chief Financial Officer and a copy thereof has been received by each member of the Governing Body; and

WHEREAS, the members of the Governing Body have personally reviewed the Local Government Best Practices Check List; and

WHEREAS, such resolution of certification shall be adopted by the governing body; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Jackson, hereby states that it has reviewed the checklist and ratifies the Chief Financial Officer's filing of the Best Practice Check List to the Department of Communities Affairs on September 28, 2012.

BE IT FURTHER RESOLVED that certified copies are provided to: Division of Local Government Services, Administrator, Clerk, Chief Financial Officer, and Municipal Auditor.

DATED: 11/20/12

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

RESOLUTION 374R-12
NOT USED.

RESOLUTION 376R-12
TITLE: AMEND RESOLUTION NO. 356R-12 AUTHORIZING CONTRACT AWARD FOR VEHICLE AND VEHICLE OPERATING PERSONNEL FOR SUPPLEMENTAL SNOWPLOWING SERVICES FOR ONE (1) TWO YEAR PERIOD COMMENCING JANUARY 1, 2013 THROUGH DECEMBER 31, 2014

WITH THE OPTION TO RENEW FOR AN ADDITIONAL TWO (2) OR THREE (3) YEAR PERIOD

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

WHEREAS, Jackson Township previously awarded contracts for Supplemental Snowplowing Services for one (1) two year period commencing January 1, 2013 through December 31, 2014 with the option to renew for an additional two (2) or three (3) year period; and

WHEREAS, Resolution No. 356R-12 stated that all vendors agreed to accept work at the price awarded to the lowest responsible bidder as set forth in Resolution No. 356R-12; and

WHEREAS, Bil-Jim Construction did not agree to this provision as indicated in their bid proposal; and

WHEREAS, the Township of Jackson wishes to clarify and acknowledge that Bil-Jim Construction will not accept work at the price awarded to the lowest responsible bidder as set forth in Resolution No. 356R-12.

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 the Township of Jackson does hereby amend Resolution No. 356R-12 whereby acknowledging that Bil-Jim Construction does not accept work at the price awarded to the lowest responsible bidder as set forth in Resolution No. 356R-12.
2. All other provisions of Resolution No. 356R-12 shall remain in full force and effect, except to the extent modified herein.
3. A copy of this resolution shall be forwarded to the Municipal Administrator, Director Public Works Director, Purchasing Department, Chief Financial Officer, Bil-Jim Construction and any other interested parties.
4. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

DATED: 11/20/12

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

RESOLUTION 378R-12
TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A SHARED SERVICE AGREEMENT WITH THE COUNTY OF OCEAN FOR DEBRIS REMOVAL AND MONITORING FOR POST-HURRICANE SANDY CLEAN UP EFFORTS

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

WHEREAS, the Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes the Township of Jackson to enter into a contract for the provision of certain governmental services with the County of Ocean; and

WHEREAS, N.J.S.A. 40A:65-5 requires that such a contract be authorized by resolution; and

WHEREAS, it is the desire of the governing body to authorize the execution of a Shared Services Agreement with the County of Ocean for the provision of Debris Removal Services by Ashbritt, Inc. and Monitoring Services by the Louis Berger Group for post-Hurricane Sandy clean up efforts within the Township.

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 governing body does hereby authorize the execution of a Shared Services Agreement with the County of Ocean for the provision of Debris Removal Services by Ashbritt, Inc. and Monitoring Services by the Louis Berger Group for post-Hurricane Sandy clean up efforts within the Township, in accordance with the form and terms approved by the Township Attorney.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to the Shared Services Agreement, and any other documents necessary to effectuate the terms of this resolution.
3. That a copy of the agreement referenced herein shall be kept on file and made available for public inspection at the Township Clerk’s Office during normal business hours.
4. That a certified copy of this resolution, together with a copy of the agreement, shall be forwarded to: Mayor and Council Members; Ocean County Administrator; Township Attorney; Business Administrator; and Chief Financial Officer.

DATED: 11/20/12

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

RESOLUTION 379R-12

TITLE: AUTHORIZE CONTRACT AWARD TO HUNTER JERSEY PETERBILT FOR THE PURCHASE OF ONE ROLL-OFF TRUCK WITH ACCESSORIES AND ONE (1) OPTIONAL LIQUID BRINE SPRAY APPLICATOR FOR A TOTAL CONTRACT PRICE IN THE AMOUNT OF \$271,966.00

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

WHEREAS, the Director of Public Works, Fred Rasiewicz, has requested authorization to award a contract for the purchase of one (1) Roll-Off Truck with accessories and one (1) Optional Liquid Brine Spray Applicator; and

WHEREAS, Jackson Township previously advertised for the receipt of bids on October 23, 2012 at 10:00 a.m. for one (1) Roll-Off Truck with accessories, one (1) Optional Hopper Material Spreader and one (1) Optional Liquid Brine Spray Applicator; and

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

<u>Vendor</u>	<u>Roll-Off w/ Accessories</u>	<u>Optional Hopper Material Spreader</u>	<u>Optional Liquid Brine Spray Applicator</u>
1. Hunter Jersey Peterbilt	\$246,770.00	\$26,679.00	\$25,196.00
2. Trius	No Bid	\$21,772.00	\$30,689.00
3. U.S. Municipal Supply	No Bid	\$26,679.00	\$25,196.00

and;

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

WHEREAS, the Director of Public Works, Fred Rasiewicz, has determined that Hunter Jersey Peterbilt submitted the lowest responsible bid adhering to the bid specifications outlined by the Township of Jackson; and

WHEREAS, the Director of Public Works, Fred Rasiewicz, has recommended that the bid for one (1) Roll-Off Truck with accessories and one (1) Optional Liquid Brine Spray Applicator; be awarded to Hunter Jersey Peterbilt for a total contract price of \$271,966.00; and

WHEREAS, the Director of Public Works, Fred Rasiewicz, has recommended that the bid for one (1) Roll-Off Truck with accessories and one (1) Optional Liquid Brine Spray Applicator; be awarded to Hunter Jersey Peterbilt for a total contract price in the amount of \$271,966.00; and

WHEREAS, the Director of Public Works has elected not to award a contract for the Optional Hopper Material Spreader due to insufficient funding; and

WHEREAS, the Chief Financial Officer has certified that sufficient funding exists for this purpose; and

WHEREAS, it is now it is the desire of this Township Council to act upon the recommendation of the Director of Public Works.

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

1. The Director of Public Works, Fred Rasiewicz, is hereby authorized to award a contract for the purchase of one (1) Roll-Off Truck with accessories (\$246,777.00) and one (1) Optional Liquid Brine Spray Applicator (\$25,196.00) to Hunter Jersey Peterbilt for a total contract price in the amount of \$271,966.00.
2. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.
3. Certified copies of this resolution to Administration, Director of DPW, Chief Financial Officer, Purchasing Department, all Bidders and any other interested parties.

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

DATED: 11/20/12

RESOLUTION 385R-12

TITLE: AUTHORIZE THE SETTLEMENT OF LITIGATION FILED BY JACKSON TOWNSHIP AGAINST FIRST INDEMNITY OF AMERICA INSURANCE CO., DM DEVELOPERS INC., YOSSEI FISHCER AND ESTHERE BASH

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: UPDEGRAVE

YES: MARTIN, RIVERE, UPDEGRAVE, BRESSI

ABSENT: KAFTON

WHEREAS, Jackson Township filed a lawsuit in the Superior Court of New Jersey, Ocean County, Docket No. OCN-L-3704-11 against First Indemnity of America Insurance Co., DM Developers Inc., Yossi Fishcer and Esther Bash, in which the Township was seeking completion of certain improvements to the Development pursuant to the Surety Bond filed as a condition of the approval; and

WHEREAS, in exchange for the payment of \$18,000 to the Township by the Defendants, the Township has agreed to provide a full release of all claims and potential claims stemming from the underlying Complaint and therefore settle the matter with the parties; and

WHEREAS, the Defendants have paid all funds required by this stipulation and same are on deposit with the Township and or the Township Attorney;

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 Township Council does hereby approve the settlement described herein between Jackson Township and First Indemnity of America Insurance Co., DM Developers Inc., Yossi Fishcer and Esther Bash. Docket No. OCN-L-3704-11.
2. That Gilmore & Monahan, PA, is authorized to execute a Stipulation of Dismissal on behalf of the Township of Jackson.
3. That the Mayor and Clerk are hereby authorized to execute and attest to, the Release Agreement.
4. Copies of this Resolution to Administrator, Denis Kelly (Gilmore & Monahan), Chief Financial Officer and any other interested parties.

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

DATED: 11/20/12

RESOLUTION 386R-12

TITLE: RESOLUTION AUTHORIZING ALLOWABLE “COSTS OF EXTRAORDINARY EXPENSE” INCURRED BY DEPARTMENT OF PUBLIC WORKS FOR CLEARING DEBRIS WITH ACTION DIRECTED TO KEEPING ROADS AND PUBLIC PROPERTY SAFE AS PER N.J.S.A. 40A:4-54 DURING DECLARED STATE OF EMERGENCY (HURRICANE SANDY)

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

WHEREAS, Jackson Township contacted nine (9) vendors for price quotes for hourly rates for equipment and equipment operators during the declared State of Emergency; and

WHEREAS, the Department of Public Works received pricing from the following (6) vendors: Arbor Tree Service, Bil-Jim Construction, Riccio Inc. Construction, Sam S. Russo Inc., Galloway Enterprises and Victory Garden’s, Inc. And has requested authorization to include the below listed equipment and applicable billing schedule for the declared State of Emergency cleanup; and

<u>EQUIPMENT</u>	<u>HOURLY RATE W/OPERATOR</u>
Skid Steer /Bobcat	\$150.00
Loader/Backhoe – various sizes	\$150.00 - \$340.00
Roll Off/Axle Tandem-various sizes	\$ 75.00 - \$194.00
Wood Chipper w/truck-various sizes	\$125.00 - \$225.00
All Terrain Aerial Lift w/ supporting equipment vehicles and 5 man crew	\$500.00
Single Axle Dump	\$ 65.00
Utility Truck Support/Supervisor	\$148.00
Chainsaw/Chipper Laborer	\$ 30.00 -\$ 55.00

WHEREAS, in order to ensure the safety, health and welfare of the Township’s residents, the Department of Public Works is seeking the approval from the Township Council to call upon outside vendors at the rates noted above for the Declared State of Emergency Cleanup; and

WHEREAS, a determination of value has been made by the Township that said services may have a value in excess of \$17,500; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.12, the Township is not prohibited from awarding a contract when the public agency requires immediate delivery of goods or performance of emergency services as determined by the State Treasurer; and

WHEREAS, Township Council is authorizing the use of funds from the Reserve Forester Trust account, T-12-56-851-000-817, until FEMA reimbursement has been received BY THE Township of Jackson and re-deposited back into the Forester Trust account.

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 Department of Public Works is hereby authorized to utilize the rates/equipment schedules established above for emergency services for the Township of Jackson due to the declaration of a State of Emergency issued by the State of New Jersey (Hurricane Sandy).

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

3. 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: 11/20/12

BILLS AND CLAIMS:

MOTION TO APPROVE BILLS AND CLAIMS BY: MARTIN
MOTION SECONDED BY: RIVERE
YES: MARTIN, RIVERE, UPDEGRAVE, BRESSI
ABSTAIN: MARTIN (Juan Bellu), RIVERE (20120110000066 - P1201436),
UPDEGRAVE (WINDING WAYS)
ABSENT: KAFTON

CHECK# VENDOR AMOUNT

November 21, 2012
09:28 AM

JACKSON TOWNSHIP
Check Register By Check Date

Page No: 1

Range of Checking Accts: First to Last Range of Check Dates: 11/20/12 to 11/20/12
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																								
CAPITAL																													
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61399	11/20/12	TM03 T&M ASSOCIATES	9,371.25		4354																								
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Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>																								
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Direct Deposit:	0	0		0.00	0.00																								
Total:	2	0		20,278.25	0.00																								
CREDIT CARD																													
1005	11/20/12	NAT51 NATIONWIDE PAYMENT SOLUTIONS	337.86		4357																								
<table border="0"> <tr> <td>Checking Account Totals</td> <td></td> <td><u>Paid</u></td> <td><u>Void</u></td> <td><u>Amount Paid</u></td> <td><u>Amount Void</u></td> </tr> <tr> <td>Checks:</td> <td>1</td> <td>0</td> <td></td> <td>337.86</td> <td>0.00</td> </tr> <tr> <td>Direct Deposit:</td> <td>0</td> <td>0</td> <td></td> <td>0.00</td> <td>0.00</td> </tr> <tr> <td>Total:</td> <td>1</td> <td>0</td> <td></td> <td>337.86</td> <td>0.00</td> </tr> </table>						Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>	Checks:	1	0		337.86	0.00	Direct Deposit:	0	0		0.00	0.00	Total:	1	0		337.86	0.00
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>																								
Checks:	1	0		337.86	0.00																								
Direct Deposit:	0	0		0.00	0.00																								
Total:	1	0		337.86	0.00																								
CURRENT																													
87613	11/20/12	A1301 A1 JDK SPECIALTIES LLC	100.00	11/20/12 VOID	4349																								
87614	11/20/12	ACE05 ANIMAL CARE EQUIP.& SVCS., LLC	273.65	11/20/12 VOID	4349																								
87615	11/20/12	AIR01 AIR BRAKE & EQUIPMENT INC.	650.57	11/20/12 VOID	4349																								
87616	11/20/12	ANT01 EMANUEL & AURA ANTON	1,537.89	11/20/12 VOID	4349																								
87617	11/20/12	ASB01 ASBURY PARK PRESS, INC.	84.00		4349																								
87618	11/20/12	ATL29 ATLANTIC TACTICAL OF NJ, INC.	645.00		4349																								
87619	11/20/12	BAR07 PATRICIA BARNOSKY	30.00		4349																								
87620	11/20/12	BEL15 JUAN BELLU & ASSOC.	475.00		4349																								
87621	11/20/12	BRI15 BRICK NAPA, LLC	281.20		4349																								
87622	11/20/12	BRO01 BROUWER HANSEN & IZDEBSKI	550.00		4349																								
87623	11/20/12	BRO27 BROWNELLS INC	261.41		4349																								
87624	11/20/12	BUG01 DENISE BUONO	57.50		4349																								
87625	11/20/12	CAM02 CAMPBELL FOUNDRY COMPANY, INC.	12,135.00		4349																								
87626	11/20/12	CAM13 THE CAMBRIA COMPANIES	1,494.21		4349																								
87627	11/20/12	CAP02 PAUL & SHARON CAPPUCCI	659.98		4349																								
87628	11/20/12	CDW01 CDW GOVERNMENT, INC.	1,536.00		4349																								
87629	11/20/12	CEDE01 CEDE & COMPANY	3,219,577.50		4349																								
87630	11/20/12	CEN22 CENTRAL JERSEY WASTE AND	52,648.33		4349																								
87631	11/20/12	CIC05 CICCIONI FARM INC.	209.00		4349																								
87632	11/20/12	CIT01 CITTA, HOLZAPFEL & ZABARSKY	676.00		4349																								
87633	11/20/12	COR14 CORE MECHANICAL, INC.	1,848.43		4349																								
87634	11/20/12	COS01 COSTCO WHOLESALE 229	480.48		4349																								
87635	11/20/12	DAS01 DASTI, MURPHY, MCGUCKIN PC	3,690.45		4349																								
87636	11/20/12	DEL02 DELTA PRODUCTS, INC.	526.63		4349																								
87637	11/20/12	DIA13 DIAMOND COMMUNICATIONS, LLC	4,288.31		4349																								
87638	11/20/12	DOW01 DOWNS FORD, INCORPORATED	1,482.22		4349																								
87639	11/20/12	EDW04 EDWARDS TIRE COMPANY, INC.	839.55		4349																								
87640	11/20/12	FAI01 FAIRLITE ELECT. SUPPLY CO. INC	1,902.32		4349																								
87641	11/20/12	FAS02 FASTENAL COMPANY	517.60		4349																								
87642	11/20/12	FAZ02 JOSEPH FAZZIO - WALL, LLC	344.74		4349																								
87643	11/20/12	FC01 F & C AUTOMOTIVE SUPPLY, INC.	769.13		4349																								
87644	11/20/12	FRA20 FRANCINE S. SHAMES CONSULTING	2,081.25		4349																								
87645	11/20/12	FRE04 FREEHOLD FORD	1,073.30		4349																								

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
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87649	11/20/12	GIL02 GILMORE & MONAHAN, P.A.	29,025.00		4349
87650	11/20/12	GLO03 GLORY'S DISCOUNT MARKET, INC.	220.64		4349
87651	11/20/12	GOO08 GOOD FRIEND ELECTRIC SUP, INC.	542.86		4349
87652	11/20/12	HES06 HESS CORPORATION	1,342.80		4349
87653	11/20/12	HOF08 HOFFMAN SERVICES INC.	825.00		4349
87654	11/20/12	HUN03 HUNTER JERSEY PETERBILT	112.92		4349
87655	11/20/12	IND01 INDUSTRIAL WELDING SUPPLY INC.	103.00		4349
87656	11/20/12	INT22 INTERNATIONAL SALT COMPANY	1,512.95		4349
87657	11/20/12	JAC12 JACKSON TWP. BOARD OF ED.	6,543,607.00		4349
87658	11/20/12	JAC13 JACKSON TWP. GENERAL TRUST FUND	101,404.25		4349
87659	11/20/12	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	710,855.19		4349
87660	11/20/12	JAC20 JACKSON TWP. FIRST AID SQUAD	15,000.00		4349
87661	11/20/12	JAC75 JACKSON TWP OPEN SPACE TRUST	1,348,484.57		4349
87662	11/20/12	JCP01 JERSEY CENTRAL POWER & LIGHT	0.00	11/20/12 VOID	0
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87664	11/20/12	JER29 JERRY'S AUTO BODY, LLC	2,765.00		4349
87665	11/20/12	JOH15 JOHNNY ON THE SPOT	1,950.00		4349
87666	11/20/12	LAN19 LANGUAGE SERVICES ASSOCIATES	31.50		4349
87667	11/20/12	LOT01 SUSAN LOTITO	1,260.00		4349
87668	11/20/12	LOW01 LOWE'S COMPANIES, INC.	137.37		4349
87669	11/20/12	LTG01 LAND TEK GROUP, INC	4,000.00		4349
87670	11/20/12	MAJ04 MAJESTIC OIL CO. INC.	685.43		4349
87671	11/20/12	MAT02 MATTHEW BENDER & CO. INC.	211.00		4349
87672	11/20/12	MAZ04 MAZZA RECYCLING, INC.	18,955.81		4349
87673	11/20/12	MID02 MID-STATE ABSTRACT COMPANY	100.00		4349
87674	11/20/12	MON37 MONMOUTH TELECOM	1,228.52		4349
87675	11/20/12	MRD01 WILLIAM EVERSON	83.16		4349
87676	11/20/12	NAP02 NAPCO/R.S. KNAPP CO. INC	144.40		4349
87677	11/20/12	NJL01 NJLM	110.00		4349
87678	11/20/12	NJN03 NEW JERSEY NATURAL GAS	2,980.01		4349
87679	11/20/12	NJS02 NJSLM	42.00		4349
87680	11/20/12	OCE02 OCEAN COUNTY BOARD OF HEALTH	4,131.00		4349
87681	11/20/12	OCE05 OCEAN COUNTY RECYCLING	103.39		4349
87682	11/20/12	OZA01 OZANE, INC.	55.00		4349
87683	11/20/12	PED01 PEDRONI FUEL COMPANY, INC.	32,160.55		4349
87684	11/20/12	PRO07 PRO- KLEEN	329.00		4349
87685	11/20/12	REM01 REMINGTON, VERNICK & VENA ENG.	756.00		4349
87686	11/20/12	RIC25 RICOH AMERICAS COPORATION	0.00	11/20/12 VOID	0
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87690	11/20/12	SHE05 SHERWIN WILLIAMS COMPANY, INC.	73.26		4349
87691	11/20/12	SHO13 SHOPRITE/PERLMART, INC.	209.57		4349
87692	11/20/12	SIL09 SHERI SILVERSMITH - PETTY CASH	116.78		4349
87693	11/20/12	SNA01 SNAP-ON INDUSTRIAL	80.00		4349
87694	11/20/12	SPR02 SPRINT	688.88		4349
87695	11/20/12	STA01 NJSHBP	304,177.36		4349
87696	11/20/12	TIL02 TILTON BODY WORKS	225.00		4349
87697	11/20/12	TMO2 T & M ASSOCIATES	4,587.00		4349

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
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87701	11/20/12	UPS02 UNITED PARCEL SERVICE	133.90		4349
87702	11/20/12	URB03 URBAN OFFICE PRODUCTS	3,478.80		4349
87703	11/20/12	USA03 USA MOBILITY WIRELESS, INC.	8.96		4349
87704	11/20/12	USM01 U.S. MUNICIPAL SUPPLY INC.	870.96		4349
87705	11/20/12	VAN01 VAN SANT EQUIPMENT	102.42		4349
87706	11/20/12	VER03 VERIZON WIRELESS	1,681.45		4349
87707	11/20/12	VER04 VERIZON	1,005.79		4349
87708	11/20/12	VET03 NORTHSTAR VETS	246.06		4349
87709	11/20/12	WAG04 BILL WAGNER & SON, INC.	891.49		4349
87710	11/20/12	WAG05 CAPT. J.R. WAGNER	120.00		4349
87711	11/20/12	WAL02 WALTER R. EARLE CORPORATION	1,552.02		4349
87712	11/20/12	WBM01 W.B. MASON COMPANY	2,280.76		4349
87713	11/20/12	WIN11 KELLY WINTHROP, LLC	290.00		4349
87714	11/20/12	XTR02 XTREME MACHINES	697.56		4349
87715	11/20/12	YPE01 Y-PERS, INC.	280.00		4349
87716	11/20/12	AIJ01 AI JDK SPECIALTIES LLC	100.00		4350
87717	11/20/12	ACE05 ANIMAL CARE EQUIP. & SVCS., LLC	273.65		4350
87718	11/20/12	AIR01 AIR BRAKE & EQUIPMENT INC.	650.57		4350
87719	11/20/12	ANT01 EMANUEL & AURA ANTON	1,537.89		4350
87720	11/20/12	DEL01 DELTA DENTAL PLAN OF N.J. INC.	40,578.56		4361
87721	11/20/12	EYE01 EYEMED VISION CARE/FAA INC.	490.59		4361
87722	11/20/12	UNU01 UNUMPROVIDENT	7,473.46		4361
87723	11/20/12	WAG05 CAPT. J.R. WAGNER	1,000.00		4361
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DEV FEES-COAH DEV FEES - COAH (NEW)					
199	11/20/12	CLA01 CLARK CATON HINTZ CORP.	274.75		4359
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
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63700	11/20/12	CME01 CONSULTING & MUNICIPAL ENG LLP	450.00		4352
63701	11/20/12	DAS01 DASTI, MURPHY, MCGUCKIN PC	0.00	11/20/12 VOID	0
63702	11/20/12	DAS01 DASTI, MURPHY, MCGUCKIN PC	960.55		4352
63703	11/20/12	EAR01 EARLE ASPHALT COMPANY	140.00		4352
63704	11/20/12	FRI02 ISACK FRIED	437.00		4352
63705	11/20/12	GER12 GERTNER MANDEL & PESLAK	0.00	11/20/12 VOID	0
63706	11/20/12	GER12 GERTNER MANDEL & PESLAK	0.00	11/20/12 VOID	0
63707	11/20/12	GER12 GERTNER MANDEL & PESLAK	2,960.91		4352
63708	11/20/12	INN02 INNOVATIVE ENGINEERING INC	0.00	11/20/12 VOID	0
63709	11/20/12	INN02 INNOVATIVE ENGINEERING INC	2,117.09		4352

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
DEVELOPERS-OF DEVELOPERS-OCEAN FIRST					
Continued					
63710	11/20/12	JAC08 JACKSON TOWNSHIP CURRENT FUND	0.00	11/20/12 VOID	0
63711	11/20/12	JAC08 JACKSON TOWNSHIP CURRENT FUND	11,108.40		4352
63712	11/20/12	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	27,630.00		4352
63713	11/20/12	KHO1 K.HOVNANIAN	38,462.23		4352
63714	11/20/12	OWE01 OWEN LITTLE & ASSOCIATES INC.	15,329.60		4352
63715	11/20/12	REM01 REMINGTON,VERNICK & VENA ENG.	0.00	11/20/12 VOID	0
63716	11/20/12	REM01 REMINGTON,VERNICK & VENA ENG.	3,888.00		4352
63717	11/20/12	TM02 T & M ASSOCIATES	0.00	11/20/12 VOID	0
63718	11/20/12	TM02 T & M ASSOCIATES	0.00	11/20/12 VOID	0
63719	11/20/12	TM02 T & M ASSOCIATES	0.00	11/20/12 VOID	0
63720	11/20/12	TM02 T & M ASSOCIATES	0.00	11/20/12 VOID	0
63721	11/20/12	TM02 T & M ASSOCIATES	11,248.50		4352
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks: 13	10	117,288.02	0.00
		Direct Deposit: 0	0	0.00	0.00
		Total: 13	10	117,288.02	0.00
DOG					
DOG ACCOUNT - NEW					
527	11/20/12	ACE05 ANIMAL CARE EQUIP.& SVCS., LLC	157.50		4353
528	11/20/12	BEG02 DR. PHILLIP BEGUN DVM	400.00		4353
529	11/20/12	GRE16 GREATER MEDIA PUBLICATIONS	210.00		4353
530	11/20/12	JAC65 JACKSON TIMES	357.00		4353
531	11/20/12	NJS04 N.J.STATE DEPT. OF HEALTH	806.46		4353
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks: 5	0	1,930.96	0.00
		Direct Deposit: 0	0	0.00	0.00
		Total: 5	0	1,930.96	0.00
GENERAL TRUST					
61209	11/20/12	ARB01 ARBOR TREE SERVICE	300.00		4355
61210	11/20/12	HAR35 HARLEY DAVIDSON OF OCEAN CNTY	2,241.92		4355
61211	11/20/12	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	1,470.00		4355
61212	11/20/12	RWV01 RWV LAND/LIVESTOCK CO.INC.	22,165.60		4355
61213	11/20/12	SPO09 SPOHN RANCH,INC	84,000.00		4355
61214	11/20/12	STA28 STATE OF NJ LABOR/WORKFORCE	19,524.95		4355
61215	11/20/12	TM01 T & M ASSOCIATES, INC.	468.00		4355
61216	11/20/12	UNI23 UNITED VOLLEYBALL SUPPLY LLC	2,652.34		4355
61217	11/20/12	BLU10 BLUE LINE EMERG. LIGHTING, LLC	3,272.54		4362
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks: 9	0	136,095.35	0.00
		Direct Deposit: 0	0	0.00	0.00
		Total: 9	0	136,095.35	0.00
HANDICAPPED					
2064	11/20/12	ACM01 A.C. MOORE, INC.	149.42		4358
2065	11/20/12	ALW02 ALWAYS & FOREVER ENGRAVING LLC	400.00		4358
2066	11/20/12	SHO13 SHOPRITE/PERLMART,INC.	126.46		4358

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
HANDICAPPED					
Continued					
Checking Account Totals			<u>Paid</u>	<u>Void</u>	
	Checks:		3	0	
	Direct Deposit:		0	0	
	Total:		3	0	
			<u>Amount Paid</u>	<u>Amount Void</u>	
			675.88	0.00	
			<u>0.00</u>	<u>0.00</u>	
			675.88	0.00	
OPEN SPACE					
9158	11/20/12	CED01 CEDE & COMPANY	659,926.26		4360
Checking Account Totals			<u>Paid</u>	<u>Void</u>	
	Checks:		1	0	
	Direct Deposit:		0	0	
	Total:		1	0	
			<u>Amount Paid</u>	<u>Amount Void</u>	
			659,926.26	0.00	
			<u>0.00</u>	<u>0.00</u>	
			659,926.26	0.00	
PARKS REC					
64325	11/20/12	CDW01 CDW GOVERNMENT, INC.	399.99		4356
64326	11/20/12	CLA31 CLASSIC TOURS	1,410.00		4356
64327	11/20/12	COS01 COSTCO WHOLESALE 229	378.79		4356
64328	11/20/12	GLI04 MARK GLICK	75.00		4356
64329	11/20/12	IG01 I & G FARMS INC.	150.00		4356
64330	11/20/12	JAC15 JACKSON TOWNSHIP P/R ACCOUNT	1,170.85		4356
64331	11/20/12	MCG04 ED McGRATH	150.00		4356
64332	11/20/12	NOK02 JOYCE NOKES	75.00		4356
64333	11/20/12	SCH33 DEANA SCHUELER	570.00		4356
64334	11/20/12	SIL09 SHERI SILVERSMITH - PETTY CASH	71.88		4356
64335	11/20/12	STA61 STARS THAT SHINE, LLC	275.00		4356
64336	11/20/12	TOB04 JODI TOBIAS	26.00		4356
64337	11/20/12	USS03 U.S. SPORTS INSTITUTE, INC.	7,011.00		4356
64338	11/20/12	HOL09 HOLBROOK LITTLE LEAGUE	7,685.00		4363
64339	11/20/12	JAC12 JACKSON TWP. BOARD OF ED.	919.80		4363
Checking Account Totals			<u>Paid</u>	<u>Void</u>	
	Checks:		15	0	
	Direct Deposit:		0	0	
	Total:		15	0	
			<u>Amount Paid</u>	<u>Amount Void</u>	
			20,368.31	0.00	
			<u>0.00</u>	<u>0.00</u>	
			20,368.31	0.00	
Report Totals			<u>Paid</u>	<u>Void</u>	
	Checks:		154	17	
	Direct Deposit:		0	0	
	Total:		154	17	
			<u>Amount Paid</u>	<u>Amount Void</u>	
			13,522,402.95	2,562.11	
			<u>0.00</u>	<u>0.00</u>	
			13,522,402.95	2,562.11	

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Fund Description	Fund	Budget Total	Revenue Total
	1-01	15,261.41	0.00
	2-01	12,526,312.04	1,434.25
	2-17	806.46	0.00
Year Total:		12,527,118.50	1,434.25
	C-04	20,278.25	0.00
	G-02	22,557.47	0.00
	T-12	136,095.35	0.00
	T-13	20,368.31	0.00
	T-14	675.88	0.00
	T-17	1,124.50	0.00
	T-19	659,926.26	0.00
	T-20	274.75	0.00
Year Total:		818,465.05	0.00
Total of All Funds:		13,403,680.68	1,434.25

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Project Description	Project No.	Project Total
LANDSCAPING REVISIONS 57 CARLI	1512-1882	5,000.00
7200135368 K HOV @ JCKN	C10786	33,417.99
7200135369 K HOV @ JACKSON	C10787	44.24
7200064181FOUR SEASONS MET	P30968	1,506.00
7200064208-SOUTH KNOLLS/SEC1C	P31002	36.00
7200065340 SYDNEY KRUPNICK	P31151	330.00
7200135389	P31160	2,511.00
7200135541 HAWKINS RIDGE	P31197	66.00
7200135560-SOUTH KNOLLS	P31205	1,656.00
7200135828 LUIGI VITERBO	P31266	561.50
7200135926	P31321	1,416.00
7200135935 MARK PROPERTIES LLC	P31326	132.00
7760145680 PARAMOUNT HOMES	P31354	636.00
7760145730-PARA CLASSICS@ROYAL	P31387	144.00
SAKOUTIS	P31533	210.00
1 SIX FLAGS BOULEVARD	P31576	264.25
NEW PROSP PLAZA	P31599	199.50
SPIROS WRIGHT DEBOW RD	P31621	330.00
SD#622	P31653	144.00
JACKSON ATHLETIC	P31670	45.00
JACKSON WOODS/RES UNITS	P31680	14,201.90
JACKSON WOODS	P31682	360.00
DEER TRAIL FARMS	P31686	495.00
RESERVE AT PLEASANT GROVE	P31688	1,840.00
AMENDED APPR MAJOR SUBDIVISION	P31707	364.00
INSPECTION FEES	P31709	72.00
905 PATTERSON RD.	P31713	70.00

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Project Description	Project No.	Project Total
7200065093 CLEARING	TWPO0002	750.00
CRAY DAVID/ED	TWPOE01	160.00
JF KIELY	TWPOE06	720.00
SIXFLAGS O/E	TWPOE11	13,510.00
VERIZON-	TWPOE114	10,530.00
WALTER EARLE	TWPOE12	140.00
JCP&L PLANNED	TWPOE132	1,350.00
CARUSO EXCAVATING CO INC	TWPOE163	450.00
UNDERGROUND UTILITIES CORP.	TWPOE172	120.00
SLP CONCERTS	TWPOE173	640.00
RTB RELAY	TWPOE174	430.00
NELSON TREE SERVICE	TWPOE30	8,340.00
NJNG	TWPOE46	960.00
JT SUBDIVISION ACCT	TWPSD001	1,528.40
7760145731-ISACK FRIED	Z31391	437.00
ATT WIRELESS	Z31537	2,555.74
PINWOOD ESTATES INC	Z31561	1,934.96
THEBANK PROJECT	Z31605	165.00
NJNG	Z31616	696.00
MERIDIAN HEALTH VILLAGE	Z31675	144.00
NJNG SUBSTATION	Z31697	1,056.83
D&S MOTORS	Z31698	97.34
TREVOR GROSS PASTOR	Z31699	144.00
WALTER EARLE	Z31700	216.00
465 TOMS RIVER RD	Z31704	227.25
bismark rd	Z31705	2,460.54
976 W VETERANS HWY.	Z31706	554.58

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Project Description	Project No.	Project Total
APPV AMENDMENT VAR 2929	Z31711	540.00
ANDREWS RD	Z31712	378.00
Total of All Projects:		<u>117,288.02</u>

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

RESOLUTION 375R-12

TITLE: AUTHORIZE TAX OVERPAYMENT REFUNDS

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: MARTIN

YES: MARTIN, RIVERE, UPDEGRAVE, BRESSI

ABSENT: KAFTON

WHEREAS, it has been determined by the Township Tax Collector that the taxpayers as indicated on the attached Schedule "A" are entitled to overpayment refunds, and;

WHEREAS, it is the desire of the Township Council to have these overpayments returned to the respective taxpayers;

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

1. The Tax Collector is hereby authorized to make overpayment refunds in the amount shown and to the taxpayers, as appears on Schedule "A" which made apart hereof.
2. Copies of this Resolution to the Tax Collector.

**TOWNSHIP OF JACKSON
OVERPAYMENT REFUNDS
Resolution 375R-12**

November 20, 2012

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>YEAR-QTR</u>	<u>AMOUNT</u>
4701	16	Anton, Emanuel & Aura E	2012 – 4 th	\$ 1,537.89
21701	7	Cappucci, Paul R & Sharon M	2011 – 4 th	659.98
			<i>Total:</i>	<i>\$2,197.87</i>

DATED: 11/20/12

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

RESOLUTION 377R-12

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO 271 SOUTH NEW PROSPECT ROAD, LLC. OF THE PERFORMANCE BOND ISSUED FOR NEW PROSPECT PLAZA, A/K/A BLOCK 6801, LOT 37

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: MARTIN

YES: MARTIN, RIVERE, UPDEGRAVE, BRESSI

ABSENT: KAFTON

WHEREAS, 271 South New Prospect Road, LLC, has requested a release of the Performance Guarantee, which consists of \$227,795.49 in the form of a Performance Bond #B98816021224 issued by American Southern Insurance Company and a Cash Bond in the amount of \$25,310.61 pertaining to South New Prospect Road, LLC, a/k/a Block 6801, Lot 37, Jackson Township; and

WHEREAS, Michael Miller of T&M Associates, Township Engineer, has reviewed and approved the release of said performance bond in letter report dated October 22, 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 #B98816021224 issued by American Southern Insurance Company in the amount of \$227,795.49 and a Cash Bond in the amount of \$25,310.61; 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 \$31,638.26, subject to the review and approval of the Township Attorney. Said Maintenance Bond shall run for a period of two (2) years.
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: 11/20/12

RESOLUTION 380R-12

TITLE: REQUEST APPROVAL FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A: 4-87 - FOR THE 2012 NJOEM RADIOLOGICAL EMERGENCY RESPONSE-966 GRANT

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: MARTIN

YES: MARTIN, RIVERE, UPDEGRAVE, BRESSI

ABSENT: KAFTON

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

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

WHEREAS, the Township of Jackson has been provided additional funds from the New Jersey State Office of Emergency Management in the amount of \$16,441.00; and

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

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

1. That the Mayor and Township Council do hereby request an amendment to the 2012 Budget to provide the insertion of a special item of revenue in the amount of \$16,441.00 by the Director of the Division of Local Government Services, which is now available as a revenue from:

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

NJOEM RERP-966 Grant	\$16,441.00
(Traffic Barriers/Base Radio Equipment)	

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

General Appropriations: (operations excluded from CAP)

NJOEM RERP-966 Grant	\$16,441.00
(Traffic Barriers/Base Radio Equipment)	

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

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

DATED: 11/20/12

**RESOLUTION 381R-12
TITLE: APPROVE BINGO/RAFFLE LICENSE**

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

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:

#SRL-193 – WOMEN’S CLUB OF FOUR SEASONS @ SOUTH KNOLLS
#SBL-194 – WOMEN’S CLUB OF FOUR SEASONS @ SOUTH KNOLLS
#RA-1522 – JACKSON VFW POST #4703 LADIES AUXILIARY
#RA-1523 – PTN ELMS SCHOOL INC.
#RA-1518 (AMENDED) – JACKSON MEMORIAL ICE HOCKEY BOOSTER CLUB, INC.

2. Copies of the Resolution to interested parties.

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

DATED: 11/20/12

**RESOLUTION 382R-12
TITLE: AUTHORIZE SUBMISSION AND ACCEPTANCE OF GRANT APPLICATION TO STATE OF NEW JERSEY, DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF HIGHWAY TRAFFIC SAFETY FOR DRIVE SOBER OR GET PULLED OVER 2012 YEAR END STATEWIDE CRACKDOWN**

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

WHEREAS, in 2010, 20% of New Jersey’s motor vehicle fatalities were alcohol related and impaired driving remains a significant issue, both in New Jersey and nationally; and

WHEREAS, there is an objective to reduce the rate of alcohol-related fatalities in the State through targeted impaired driving enforcement and education; and

WHEREAS, the Township of Jackson wishes to submit a grant application to the State of New Jersey, Department of Law and Public Safety, Division of Highway Traffic Safety for the Drive Sober or Get Pulled Over 2012 Year End Statewide Crackdown; and

WHEREAS, the amount of said funding is \$4,400.00, whereby participating

departments will incur all costs and then submit necessary documentation to the Division of Highway Traffic Safety for reimbursement.

WHEREAS, it is necessary for the Township Council to adopt a resolution authorizing the submission and acceptance of this grant application.

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

1. The Township Council hereby approves and authorizes the submission and acceptance of the above referenced grant application (MOB-YEDS-2013-Jackson Township-00154).
2. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

Certified copies of this resolution to be filed with the State of New Jersey, Department of Law and Public Safety, Division of Highway Traffic Safety, Municipal Administrator, Chief Financial Officer, Chief of Police, Sergeant Brian J. Geoghegan and any other interested parties.

DATED: 11/20/12

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

RESOLUTION 383R-12
TITLE: APPROVE CHIEF FINANCIAL OFFICERS REPORT FOR MONTH OF OCTOBER 2012

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

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

DATED: 11/20/12

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

RESOLUTION 384R-12
TITLE: ACKNOWLEDGE RECEIPT OF STATE FISCAL YEAR 2012 BODY ARMOR REPLACEMENT FUND PROGRAM THROUGH THE NEW JERSEY DIVISION OF CRIMINAL JUSTICE IN THE AMOUNT OF \$7,417.69

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

WHEREAS, the Township of Jackson has been awarded funding through the FY 2012 State Body Armor Replacement Fund Program through the New Jersey Division of Criminal Justice; and

WHEREAS, the State has awarded funding to the Township of Jackson in the amount of \$7,417.69; and

WHEREAS, the funding will assist all eligible law enforcement agencies in offsetting costs to purchase body vests for protection of Officers.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Jackson, County of Ocean, State of New Jersey, to accept funding in the amount of \$7,417.69 for the FY 2012 State Body Armor Replacement Fund Program through the New Jersey Division of Criminal Justice.

Copies of this Resolution to Administrator, Chief of Police, Chief Financial officer and any other interested parties.

DATED: 11/20/12

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

DISCUSSION AGENDA:

1. COUNCILWOMAN RIVERE

- A. Storm Issues – I was on two conference calls with JCP&L and it was incredible to me how little information they gave to the Townships. The last conference call I was on was with Mayors and Council Members from all over the State and the gentleman who was providing information as to how many trucks were in their town and what was going on. Mayor after Mayor of these towns said that information was contradicting. It was an incredible storm but I hope that our Township is going to address some of these communication issues with our Area Director from JCP&L. Council President Bressi updated everyone about the Governor’s conference call with all the Mayors from the towns. He stated he was involved all the consecutive days and had participated by having direct contact with our JCP&L representative. I went around with Mr. Rasiewicz, Director of Public Works, and we saw all the trucks (some were outside vendors from other states). We will be looking at all the after action reports, which Mr. Administrator Torres is collecting at this time. Hopefully, by the end of December we can review and discuss those reports. Yes, we were all inconvenienced and can there be better service? Maybe, but we did have excellent contact and communications with JCP&L. Perhaps we didn’t get all the answers but all the information given to us was accurate. Our representative advised us any time a truck cleared lines in our area so that the Police and Public Works were with them. As soon as they took the debris off the power lines, we were removing it off our roads. Councilwoman Rivere respectfully disagreed.
- B. Councilwoman Rivere advised Council a lot of residents are interested in installing these generators. My community is seeking the ones that run through the gas lines. Council President Bressi advised her that the residents must go through a variance with the Zoning Board, as there are different aspects of each generator. I contacted our Planner and our Legal Counsel and they’re looking to see if it can be a permitted use in the PRC Zone. There was misinformation from our Zoning Officer about the permits being held up and you cannot get one. That is not a true statement. You may obtain one but you must go through the Zoning Board for application. Administrator Torres stated we are looking into how to expedite those applications. There is a 45-day turnover perhaps we can bundle all those and expedite the hearing process. We are looking into a possible relief of a cost factor to applicants by waiving fees.

Attorney Kelly stated from a legal standpoint there are good points with concerns for set backs and the manufacturer has restrictions for set backs as well. The Zoning Board needs to review all the variables on an individual basis. Councilwoman Rivere stated legally it is very difficult to come up with an ordinance to address all those issues. The adult communities don't have enough set back to put anything. Council President Bressi stated you have manufacturing variations and quality of life issues. They are looking at it as a one-on-one basis and the matter of health, safety & welfare would be the best way to go. Councilwoman Rivere asked if we're possibly waiving some fees? Administrator Torres stated some fees could possibly be adjusted. Councilwoman Rivere stated some people are in a frenzy, particularly in the senior communities. We didn't have any services for over a week, they were completely without phone service and no communication. Council President Bressi stated it wasn't just the seniors but the whole town. All the carriers were down. He announced you have the right to apply today for a permit but need to go through the Zoning Board. If there are any problems with the Zoning Officer, it should then be addressed to Administrator Torres.

2. COUNCIL PRESIDENT BRESSI -

A. Waiver of Permit Fees for repairs necessary due to damage from Hurricane Sandy – The Governor passed this but Jackson does not have to pass it as we already have it in our ordinances. This process will be checked and if it was storm damage, those permit fees will be waived. Councilman Martin asked about tree permits. Council President Bressi stated once confirmed it was from the storm those fees will be waived as well. Administrator Torres stated we encourage residents to push the debris to the curb and call Public Works. Earlier today the Council approved shared services with the County and that is to expedite the removal of the debris from the storm. Council President Bressi mentioned the compost site is still open 7 days a week and we are allowing contractors in there as well. It will be a long hard clean up and we're working on it. Councilman Martin asked how is this affecting leaf pick up? Council President Bressi mentioned if leaves and branches were mixed in, we'd do it at the same time. Councilman Martin suggested having a leaf pick up plan. Council President Bressi stated when we're done with the debris pickup, then we'll put out a leaf schedule pick up. Administrator Torres stated we made an amendment to our forestry plan if we have to support our DPW staff, we have identified outside vendors to assist us for the leaf pick up as well. Councilwoman Rivere hopes the Council will receive a full report on the storm. Council President Bressi stated since it was 2 separate storms, there will be 2 separate reports.

3. TOWNSHIP CLERK EDEN -

A. Schedule Township Council Meetings for 2013 – provided Council with tentative meeting dates for 2013. Council President Bressi saw an issue in November. Township Clerk Eden agreed, conflict with League conference. She suggested if the League is held that week, then Council might consider having one meeting in the month of November, she recommended November 19th. Council agreed it would be held on November 19th. Once the ordinance is approved, the Reorganization would be scheduled for either January 1st or within the first 7 days of the new year. Council agreed to January 1st at 12:00 p.m. Ms. Eden will publish accordingly.

PUBLIC COMMENT -ANY TOPIC

PATRICIA WOOD – DPW/RECYCLING COORDINATOR – Clarified Public Works is doing its regular leaf pick up and brush pick up will take up to 6 weeks for collection. We are going district by district. If a resident hires a private contractor, the contractor entering the compost site must present an invoice showing billing of a Jackson resident and we will allow their commercial truck onto the site. We are asking the Webmaster to send out an email and get the word out quickly to our residents. It was also listed on the recycling website. Administrator Torres stated it would run on cable as well.

RAY SCHLECKSER – 35 BOXWOOD (President, Maple Glenn Mobile Home Park Association) – Addressed a generator that was never turned on by the landlord. They were promised by the landlord if a storm came in, there would be a generator hooked up to the clubhouse to give residents power because they are a refuge center for all the mobile home parks. He called MGM and received no answer. There are also 2 homes with trees on them. There was a 77 year-old woman on her roof cutting branches off. MGM says they don't know when they will come to remove the trees. There was a house that lost its roof and MGM placed a tarp on it. A brick wall fell and still remains in a driveway, underground oil tanks still remain and there's an abandoned vehicle in the parking lot where feral cats reside for 13 years. I wanted to bring these issues before Council. Most of these items were to be fixed last year when you renewed their license.

Councilman Martin stated we would take notice of the violations. By law, I'm not sure if we can compel them to use the generator. Attorney Kelly stated it's a health, safety and welfare issue if there is no water. The park will be coming up for renewal; it's important to be present at that renewal hearing. Mr. Schleckser stated Ms. Greenberg says she can't talk to us, as they are suing the Township. Attorney Kelly stated just because there's a pending suit, it doesn't preclude the park manager from providing information to the people within the park. Because you reside there, you are entitled to the information. Councilman Martin stated we have provisions in our ordinance and if they violate the ordinance willfully, they are to be fined. You need to bring that to the Rent Leveling Board to keep them updated.

DORIS ROBERTS – 25 BOXWOOD (Maple Glenn Mobile Home Park) –When they got their license back, they were required to do certain things. They spoke with the Council on good faith. Once their license was received, they stopped all work on the park. Councilman Martin stated when they come up in February, we'll hold it up until everything is done.

TIMS HALASNIK - 5 PERSIMMON DRIVE –You don't need a permit to have no trespassing signs and there are no regulations. Someone in our development has put signs across his backyard and yet he's allowed to put up these signs. I spoke with the Zoning Officer and he stated there is no ordinance for those signs. The only regulation there is a 5-ft setback. I understand the need for signs but we are in a residential area with everyone's fenced in. Administrator Torres will have Code Enforcement go out there.

FRANK BAL – 31 MUIRFIELD ROAD – Was displeased with the generator discussion as the zoning is not changing. Council President Bressi stated he did not say its not changing; we are looking at it. It must go through the variance process. Mr. Bal stated the information from his association stated it's considered an accessory use and a zoning permit, in addition to the other necessary permits, are required. Council President Bressi reiterated that the Zoning Officer has corrected his statements. The decision is up to Zoning Board. Council President Bressi stated a generator is allowed in the R1 & R3 zones, which is quite different from the senior communities.

RONALD SCHWARTZBERG -10 COG HILL COURT - I obtained a natural gas generator application which is 16 pages with \$900 in fees. Council President Bressi stated that application is for any generator and the fee is \$900 with \$637 for escrow, which is posted but the majority won't be used. Mr. Schwartzberg feels their application requests are impossible. He feels the generator works on the same principal as a central air unit. Council President Bressi stated the professionals have a lot of questions and there are differences between a central air unit and a generator.

JOANN PINKHAM -1 CHRIS ANN COURT – Asked what the Township will do come November 27th if remediation is not completed on Frank Applegate? Attorney Kelly stated it's in litigation and the DEP is the primary enforcing entity. He is not in default yet. Ms. Pinkham feels since Attorney Kelly also signed the Court Order, Jackson Township is now committed to be able to enforce him being out of compliance. Since you represent Jackson Township, how will the Township move forward to impose those fines? Council President Bressi stated if its not done, Code Enforcement would go out. Ms. Pinkham feels Code Enforcement was only to supervise the remediation efforts.

Administrator Torres stated we would enter into default and that will trigger the \$1,000/day fine. Ms. Pinkham inquired who would be assigned to that? Administrator Torres stated on the 27th we will send out our Code Enforcer and he will contact the DEP to let them know we will start to issue the fines. Ms. Pinkham hopes that Jackson Township would have a back up plan in place to hold this individual accountable to ensure this will be taken care of. She feels that Hard Maple Realty is responsible for solid waste illegal dumping 8 years ago on East Commodore Boulevard. As a repeat offender, my feeling is he needs to be imposed these fines. With 3 Court Orders he's yet to be held responsible. I don't understand what the lack of effort is on the Township's part.

Council President Bressi asked Mr. Kelly what else Council can we do? I know this is the process and some people take advantage of it. Ms. Pinkham stated he is currently going before the Zoning Board asking to build 9 homes on this lot that has solid waste underneath. Council President Bressi stated by law, he cannot be denied from putting the application in. It's up to the Board to approve or disapprove. If you try to stop him, he'll go to Court and win; you need to continue to go to the Zoning Board meetings. Ms. Pinkham stated when he has the gall to present his application on December 5th, I can present copies of his fines to the Board. Council President Bressi asked Administrator Torres to take care of it.

MARK BAGNATO – 8 SOUTH FORK DRIVE –The dump is huge, its 100 ft in diameter and 50 ft deep. It's only 100 feet from the Metedeconk, which is a Class III Stream. He has done this before and can you seize the land? Attorney Kelly stated we couldn't seize the land. In this instance, the Township can impose the fines, our main concern is getting the material removed. Yes, I signed the Court Order, as Jackson Township wanted to make sure they are protected. Jackson Township doesn't have the jurisdiction to tell them where to move it. We can certainly impose fines. After the 27th, it's the DEP that's working with them to make sure it's disposed of properly.

RYAN ARCHER – 486 FRANK APPELEGATE ROAD – Asked Attorney Kelly after the 26th, will those fines continue until the completion date? Attorney Kelly stated the Court Order fines would continue subject to the Court's review. The DEP & Court perspective is to clean up the entire issue. If we get to the point where Jackson is cleaned up, it won't be over until he performs in other areas. Mr. Archer asked if Jackson could penalize this man? If the Code Enforcer issues a citation, it still goes through the Court but does it hold water? Attorney Kelly stated the end goal is to get the site clean. Mr. Ryan stated he has yet to make any date; October 28th was the Lakewood date and he's still there now. Why wasn't he penalized from the first Court Order date? The Judge seems too compassionate with this man and keeps allowing him more time. We want this gone and want it cleaned up. We hoped when the Township signed up on it that it would change the path of this outcome.

Attorney Kelly stated the Court process is often slower than we desire. Although you may not be concerned about what is going on in another town, it is all still part of the same issue. The Township's involvement doesn't mean an expeditious outcome. Mr. Archer feels this lot is designated to be an open space lot and the future owner of this lot is unknown. Can Jackson Township guarantee that we won't absorb this lot in the future? Attorney Kelly stated he hasn't seen the plans and the residents need to go to the Zoning Board to voice their concerns. Mr. Archer asked if Judge Wellerson would be notified of what is occurring on the 27th? Council President Bressi stated summonses will be issued and we need to follow the process to get it to the Courts.

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

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

8:50 P.M.

RESPECTFULLY SUBMITTED,

COUNCIL PRESIDENT BRESSI

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

AME/df