

ON MONDAY, MAY 9, 2005, AT 6:30 P.M., THE JACKSON TOWNSHIP COMMITTEE HELD IT'S MEETING IN THE MUNICIPAL BUILDING

ROLL CALL:

**COMMITTEEMAN GIBLIN
COMMITTEEMAN REILLY
COMMITTEEMAN SEDA
DEPUTY MAYOR KAFTON
MAYOR BRODERICK**

**ATTORNEY STARKEY
ADMINISTRATOR SALERNO
TOWNSHIP CLERK EDEN**

ALSO IN ATTENDANCE ROBERT RYLEY

RESOLUTION 225R-05

TITLE: RESOLUTION FOR EXECUTIVE SESSION TO AUTHORIZE TOWNSHIP COMMITTEE TO ENTER INTO CLOSED DISCUSSIONS CONCERNING MATTERS INVOLVING PERSONNEL, LITIGATION AND OPEN SPACE LAND ACQUISITION

MOTION TO APPROVE BY: KAFTON

MOTION SECONDED BY: SEDA

YES: GIBLIN, REILLY, SEDA, KAFTON & GIBLIN

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 Mayor and Committee 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
 - b) Litigation
 - c) Potential Land Acquisition
3. It is anticipated that the subject matter discussed may be made public upon its conclusion or final disposition.

DATED: 5/9/05

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

ON MONDAY, MAY 9, 2005 THE JACKSON TOWNSHIP COMMITTEE HELD IT'S MEETING, COMMENCING AT 7:30 P.M. IN THE MAIN MEETING ROOM OF THE MUNICIPAL BUILDING. SAID MEETING WAS OPENED WITH THE PLEDGE OF ALLEGIANCE.

ROLL CALL:

**COMMITTEEMAN GIBLIN
COMMITTEEMAN REILLY
COMMITTEEMAN SEDA
DEPUTY MAYOR KAFTON
MAYOR BRODERICK**

**ATTORNEY STARKEY
ADMINISTRATOR SALERNO
TOWNSHIP CLERK EDEN**

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 Committee has been advertised in the manner prescribed by law. This statement shall be entered into the Minutes of this meeting.

CERTIFICATES – TEACHERS OF THE YEAR

MAYOR BRODERICK: He presented certificates to the following teachers:

Jennifer Brenner	Crawford-Rodriguez Elementary School
Elayne Roberts	Elms Elementary School
Kathleen McKiernan	Holman Elementary School
Nancy Campitelli	Johnson Elementary School
Linda Fashauer	Rosenauer Elementary School
Michael Genovese	Switlik Elementary School
Laurie Keats	Goetz Middle School
Jeriann Donella-Parlow	McAuliffe Middle School
Michael J. Macagnone	Jackson Memorial High School

Mayor Broderick congratulated them for "being who they are and doing what they do on a day to day basis".

PROCLAMATIONS

- NATIONAL POLICE WEEK – WEEK OF MAY 15TH

MAYOR BRODERICK: He presented a proclamation to Captain Dunton on behalf of the Police Department. The proclamation declared May 9th – May 15th as National Police Week and May 15th as being Police Memorial Day in Jackson Township.

- 101 DAYS OF SAFE SUMMER COMMENCING MAY 19, 2005

MAYOR BRODERICK: He read from a proclamation declaring May 23, 2005 through June 6, 2005 as 101 Days of Safe Summer. The two key themes being "Click it or Ticket" and "Drink Alcohol and Drive, You Lose".

COMMITTEE COMMENTS

COMMITTEEMAN GIBLIN: He congratulated all the teachers and stated that one of the recipients tonight was his third grade teacher. This shows what a great foundation we have in Jackson Township that one of his teachers is still educating our children. He went on to say that he was pleased to receive the staffing report for our Police Department, which was prepared by Chief William Krauss of SOS Law Enforcement Resources. He has reviewed the report and recommendations and feels there is good news here. In reading the report it clearly demonstrates that this is an honest and objective evaluation of our needs and any suggestion to the contrary is unfounded. The report makes various recommendations and one key recommendation is bringing our officer level up to 94 sworn police officers as expeditiously as possible. At the same time the analysis recognizes that we must balance our priorities with the available resources. He believes this report should be made available to the public, however, prior to doing so he suggests they ask the Township Attorney to review it for any sensitive material (personnel information, police operations and strategies) and redact as necessary. He asked the Committee to think about this so they can give direction to the Administrator.

COMMITTEEMAN REILLY: He too congratulated all the teachers of the year, they do a great job for our children and they deserve their respect. He then addressed Resolution 235R-05 that is on the agenda tonight for the hiring of an Administrative Secretary. He explained that it seems again that Mayor Broderick and Administrator Salerno have a funny idea about what expressing equal respect to all Committeemen means. He explained that there was no interview of applicants, no information regarding

other applicants was provided and there was no notice to him that the position was going to be filled. The individual being hired is from the former town where Mr. Salerno comes from (Hamilton Township) and the annual salary is listed at \$40,000, but only \$31,399 was budgeted for in the 2005 budget. The resolution lists this position as unclassified, however, on the New Jersey Department of Personnel website it lists the position as a classified title. He believes some “funny business” is going on here and this needs some clarification and for these reasons he attends to vote “no” on this resolution. He then went on to say that he also received a copy of the staffing report for the Police Department that Mr. Giblin spoke about before and he couldn’t disagree with him more. He finds it to be very generic and there are many problems with it. These recommendations could have been written by our Public Safety Director or our Captain of Operations. They spent \$4,000 so a friend of Mayor Broderick and Administrator Salerno could tell them what they wanted to hear. The author of this report didn’t even get two paragraphs into his executive summary before he gets it wrong. There were no new Captains advanced, which is an issue he has been advocating for and the language was vague and inconsistent. This leaves us in the same position with the police that we began in, but \$4,000 in the hole.

COMMITTEEMAN SEDA: He stated he is going to keep his comments brief tonight because he is not feeling well. He congratulated the teachers and said our Police Department is doing an awesome job. He too has an issue with the staffing report of the Police Department. This report states that we are a Commission form of government and he referred to the Township Administrator as the Township Manager. In doing a \$4,000 report you would think this person who take the time to get the correct form of government and if he didn’t get that right what else did he not get right. This report was either rushed or they didn’t really care. He hopes this Committee takes a good look at this report and doesn’t just praise the \$4,000 spend.

DEPUTY MAYOR KAFTON: He congratulated all the teachers being recognized. He stated that since he is a product of the Jackson school system he believes the Jackson teachers are a cut above all the rest. He explained that he had the honor of going out to Jackson Township Day at the Blue Claws Stadium and the Blue Claws won. He then asked to put something on the Discussion Agenda this evening. He would like to talk about putting an ordinance on for the next meeting prohibiting sex offenders from living within 2,500 feet of any school, park, playground or daycare center in Jackson Township. He explained during the discussion agenda he would pass out an ordinance from one of the other towns for the Committee to review.

MAYOR BRODERICK: It is nice to be back, he had the pleasure of escorting the Jackson High School Band to Florida. They entertained the people in Magic Kingdom and it was an extraordinary week and he thanked the Board of Education and the chaperones. He stated that he too attended Jackson Day at the Blue Claws game and it was a pleasure. He congratulated the teachers and the Police Department on their awards this evening. He addressed Committeeman Reilly and stated he got the information wrong again like he always does. When he was liaison to the Police Department he made no recommendation, but he stands here tonight and becomes an author of a new Police Department. He went on to say they received two grants and a reimbursement from the Green Acres Funding. Green Acres has approved the reimbursement of \$1.2 Million Dollars owed to Jackson Township on behalf of our open space land acquisition on Jackson Mills Road. The first grant is for \$100,000 for Johnson Park to resurface the tennis courts, construct two new basketball courts and install a playground near the tennis courts. There is also a \$10,000 grant for recreational necessities for the disabled.

BILLS AND CLAIMS

MOTION TO APPROVE BILLS AND CLAIMS BY: KAFTON

MOTION SECONDED BY: GIBLIN

YES: GIBLIN, REILLY, SEDA, KAFTON & BRODERICK

NO: REILLY (CME & JCA) & SEDA (CME & JCA)

CHECK#	VENDOR	AMOUNT
068737	ACTION OFFICE SUPPLIES INC.	127.86
068738	ARCH WIRELESS	19.38
068739	ASBURY PARK PRESS, INC.	180.56
068740	CABLEVISION	59.95
068741	CANYON SPRING WATER	66.00
068742	CEDE & COMPANY	169,462.50
068743	C.H. AUTOS	50.00
068744	ROBERT CLARKE	441.00
068745	CME ASSOCIATES	7,524.25
068746	COHENS MODERN PRINT SVCE. INC.	111.00
068747	COMPLETE SECURITY SYSTEMS INC.	155.00
068748	JANICE CONNOR, PETTY CASH	88.76
068749	COUNTY LINE HARDWARE	17.90
068750	COUNTY OF OCEAN	4,454,329.17
068751	COUNTRY SUDSER CAR WASH	236.00
068752	CPR TECHNOLOGY	92.73
068753	CREATIVE HOBBIES	48.52
068754	DEANGELO BROS. INC., DBA ALENZA	187.50
068755	DELTA DENTAL PLAN OF N.J. INC.	20,014.37
068756	DELTA PRODUCTS, INC.	568.31
068757	DIRECTV, INC.	433.94
068758	DIVISION OF STATE POLICE – SBI	90.00
068759	ANN MARIE EDEN	192.44
068760	FELICITY V. EPSTEIN	116.00
068761	ETW CORPORATION	874.98
068762	FIRST WASHINGTON STATE BANK	6,505.35
068763	GANN LAW BOOKS, INC.	279.00
068764	GENESIS SERVICE CO.	232.80
068765	HENRY GOSSARD dba/ H & D FIRE	130.00
068766	WILLIAM HART & D.L. MCGRAW	936.47
068767	EDWARD A. HLAVACH, C.P.A.	950.00
068768	HOLBROOK LITTLE LEAGUE	8,494.65
068769	HUNTER JERSEY PETERBUILT	457.50
068770	INDUSTRIAL WELDING SUPPLY	188.35
068771	INTERNATIONAL SALT COMPANY	3,039.51
068772	JACKSON TWP. BOARD OF ED.	4,273,269.00
068773	JACKSON TIMES	140.00
068774	HAROLD JAGOO	25.00
068775	JCA ASSOCIATES, INC.	5,066.20
068776	JOHNSON & TOWERS INC.	1,347.50
068777	JOHNNY ON THE SPOT	405.00
068778	K. HOVNIANIAN	226.81
068779	K. HOVNIANIAN AT JACKSON, LLC.	68.00
068780	LAKWOOD AUTO SUPPLY INC.	365.02
068781	LEE BATTERY SERVICE, INC.	228.72
068782	LESCO, INC.	163.35
068783	L.J. MAKRANCY & SONS	24,496.50
068784	ALFONSO & JANET LONGO	1,101.79
068785	MAGNATAG	76.96
068786	MAHER APPRAISALS	8,000.00
086787	MARTURANO RECREATION CO., INC.	300.00
068788	MARK PROPERTIES	1,035.64
068789	MASTERMAN'S	193.48
068790	MAUI X-STREAM, INC.	799.00
068791	METROPOLITAN LIFE INSURANCE CO.	14,001.41
068792	NATIONAL PARTS SUPPLY CO.	148.34
068793	NATIONAL A & E SUPPLY CO. INC.	40.00
068794	NEW JERSEY FIRE EQUIPMENT CO.	136.62
068795	NEXTEL COMMUNICATIONS	3,684.06
068796	NEW JERSEY NATURL GAS	220.39
068797	OCEAN COUNTY BOARD OF HEALTH	5,455.00

068798	OCEAN COUNTY NEWSPAPERS, INC.	VOID	.00
068799	OCEAN COUNTY NEWSPAPERS, INC.		378.04
068800	OFFICE NEEDS		367.88
068801	ORGANIZATION FOR IMPROVED		64.95
068802	PAPER MART INC.		606.50
068803	PARKER, MCCAY & CRISCUOLO, P.C.		146.29
068804	PHYSICIANS' DESK REFERENCE INC		69.90
068805	PORT AUTOMATIC SPRINKLER CORP		475.00
068806	PROFESSIONAL ABSTRACT & ASSUR.		130.65
068807	QUINLAN PUBLISHING COMPANY, INC.		269.77
068808	QUILL CORPORATION		368.89
068809	RAGAN DESIGN GROUP		720.00
068810	RARITAN VALLEY COM. COLLEGE		60.00
068811	RITTENHOUSE KERR FORD INC.		429.13
068812	RUBBERCYCLE		225.25
068813	RUTGERS, THE STATE UNIVERSITY		933.00
068814	RWV LAND/LIVESTOCK SO INC.		2,290.91
068815	ANDREW SALERNO – PETTY CASH		103.60
068816	JOSEPH SBANO		97.20
068817	SEELY EQUIPMENT & SUPPLY		587.50
068818	PATRICK SHEEHAN, ESQUIRE		519.15
068819	SPRINT		1,197.25
068820	NJSHBP		229,243.23
068821	STRAUSS AND ASSOCIATES		3,858.90
068822	SUPPLY SAVER		74.70
068823	TAX COLL. & TREAS. ASSN. OF N.J.		260.00
068824	TRENTON BRAKES, INCORPORATED		135.00
068825	TREASURER, STATE OF NEW JERSEY		8.14
068826	TREASURER, STATE OF NEW JERSEY		125.00
068827	TRICO		452.55
068828	TROPICANA CASINO & RESORT		282.00
068829	MICHAEL CEPPALUNI dba/UNITED		190.00
068830	U.S. HOME CORPORATION		2,194.02
068831	VERIZON		1,376.09
068832	WASTE MANAGEMENT OF N.J. INC.		89,500.00
068833	WESTLAKE VILLAGE LLC		70.50

CHECK#	VENDOR	AMOUNT
002494 – 002519	DEVELOPERS	62,881.41
060377 – 060379	GENERAL TRUST	7,238.25
001120	INDUSTRIAL COMMISSION	5,321.47
060890 – 060897	PARKS & REC	8,036.38
002085	SUBDIVISION	12,682.40
<u>CAPITAL</u>		
060318	FREDERICK GRIFFIN ENGINEERING	18,964.29
060319	VOGEL CONSULTING GROUP	525.00
	TOTAL	19,489.29

ORDINANCES, SECOND READING:

24-05

TITLE: AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON ESTABLISHING RULES, REGULATIONS AND SCHEDULING FOR THE SKATEBOARDING/IN-LINE SKATING FACILITY

PUBLIC HEARING OPENED: NO ONE CAME FORWARD.

**MOTION TO CLOSE PUBLIC HEARING BY: KAFTON
MOTION SECONDED BY:SEDA
YES: GIBLIN, REILLY, SEDA, KAFTON & BRODERICK**

**MOTION TO APPROVE ORDINANCE 24-05 ON SECOND READING,
ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED
NEWSPAPER AS REQUIRED BY LAW BY: KAFTON
MOTION SECONDED BY: SEDA
YES: GIBLIN, REILLY, SEDA, KAFTON &**

ORDINANCE 24-05

WHEREAS, the Township Committee of the Township of Jackson desires to establish an ordinance establishing rules, regulations and scheduling for the skateboarding/in-line skating facility;

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

1. There is hereby created a new Article III in Chapter 82 of the Township Code, which shall be entitled "Rules, Regulations and Scheduling for the Skateboarding/In-Line Skating Facility" and which shall read as follows:

ARTICLE III
**Rules, Regulations and Scheduling for the
 Skateboarding/In-Line Skating Facility**

- 82-28.** Purpose.
The purpose of the within ordinance is to establish rules, regulations and scheduling for the Township's skateboarding/in-line skating facility.
- 82-29.** Safety Equipment.
It shall be unlawful for any person to use the skateboard/in-line skating facility without the wearing of proper safety equipment, including personal helmets, elbow and kneepads.
- 82-30.** Scheduled Use.
The use of the skateboard/in-line skating facility will be on a schedule basis for skateboard/in-line skating established by the Recreation Director.
- 82-31.** Prohibitions.
Bicycles, razor boards and motorized or non-motorized scooters are prohibited inside the facility and shall remain outside the fenced-in area. Bicycles used for transportation are required to be left outside of the skating area and parked in the designated area. There will be no loitering.
- 82-32.** Signage.
The Recreation Director will post signs containing Rules, Regulations and Scheduling of the facility outside the fenced-in area for public review.
- 82-34.** Penalties.
Any person violating the provisions of this ordinance may be subject to a fine not to exceed Three Hundred Dollars (\$300.00) and/or community service up to thirty (30) days.

2. This ordinance shall be in full force and effect from and after the date of its adoption and any publication as required by law.
3. This ordinance shall supersede any prior inconsistent ordinances.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of Jackson, in the County of Ocean, State of New Jersey, held on April 25, 2005, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 9th day of May, 2005, at 7:30 P.M. or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning this Ordinance.

Prior to the second reading, a copy of this Ordinance shall be posted on the Bulletin Board in the Municipal Building and copies shall be made available at the Township Clerk’s Office in said Municipal Building to members of the general public who shall request such copies.

DATED: 5/9/05

**ANN MARIE EDEN
TOWNSHIP CLERK**

ORDINANCE FIRST READING: NONE AT THIS TIME

PUBLIC HEARING OPENED, RESOLUTIONS ONLY: NO ONE CAME FORWARD.

**MOTION TO CLOSE PUBLIC HEARING, RESOLUTIONS ONLY BY: KAFTON
MOTION SECONDED BY: GIBLIN
YES: GIBLIN, REILLY, SEDA, KAFTON & BRODERICK**

RESOLUTIONS ONLY: NONE AT THIS TIME

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

**RESOLUTION 226R-05
TITLE: AUTHORIZE TAX OVERPAYMENT REFUNDS**

**MOTION TO APPROVE BY: GIBLIN
MOTION SECONDED BY: KAFTON
YES: GIBLIN, REILLY, SEDA, KAFTON & BRODERICK**

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 Committee to have these overpayments returned to the respective taxpayers;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee 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 is made apart hereof.

- 2. Copies of this Resolution to the Tax Collector and respective taxpayers, and any other interested parties.

**OVERPAYMENT REFUNDS
MAY 9, 2005
TOWNSHIP OF JACKSON**

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>YEAR-QTR</u>	<u>AMOUNT</u>
40	17.03	U.S. HOME CORP	2005 – 1 ST	\$ 297.07
40	17.40	U.S. HOME CORP	2005 – 1 ST	1,896.95
73	8	MARK PROPERTIES, LLC	2004 – 1 ST 2004 – 3 RD	517.82 517.82
75.16	16	ALFONSO & JANET LONGO	2005 – 1 ST	1,101.79
81	1	WESTLAKE, LLC	2005 – 1 ST	70.50
111.10	31	K. HOVANIAN @ JACKSON, LLC	2004 - 4 TH	226.81
126.14	26	WILLIAM J. HART & DEBORAH L. MC GRAW	2005 – 1 ST	936.47
145.02	1	PROFESSIONAL ABSTRACT & ASSURANCE CORP	2004 – 3 RD	130.65

DATED: 5/9/05

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

RESOLUTION 227R-05

TITLE: APPROVE TOWNSHIP COMMITTEE MEETING MINUTES

MOTION TO APPROVE BY: GIBLIN

MOTION SECONDED BY: KAFTON

YES: GIBLIN, REILLY, SEDA, KAFTON & BRODERICK

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Jackson, County of Ocean, that:

- a. The following Minutes are hereby approved by the Jackson Township Committee:

APRIL 11, 2005

- b. Copies of this resolution to any interested parties.

DATED: 5/9/05

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

RESOLUTION 228R-05

TITLE: AUTHORIZE CONTRACT WITH INTERNATIONAL FIREWORKS DISPLAY TO BE HELD AT JOHNSON PARK

**MOTION TO APPROVE BY: GIBLIN
MOTION SECONDED BY: KAFTON
YES: GIBLIN, REILLY, SEDA, KAFTON & BRODERICK**

WHEREAS, there exists a need for a professional pyrotechnic service for the fireworks display to be held at Johnson Park on July 2nd, 2005 with a rain date of July 9th, 2005; and

WHEREAS, the Township Committee desires to appoint International Fireworks Mfg. Co. as the professional pyrotechnics exhibitor for the fireworks display; and

WHEREAS, the fireworks display shall be in compliance with all applicable laws, rules and regulations, and in accordance with the requirements of the Municipal Excess Liability Joint Insurance Fund; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this contract.

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

1. That the Township Committee hereby authorizes a contract in the amount of \$10,000.00 with International Fireworks Mfg. Co. for a fireworks display to be held on July 2nd, 2005 (rain date of July 9th, 2005) providing all MEL fireworks requirements have been met.
2. That upon the adoption of this resolution, the Clerk is directed to forward a certified copy to International Fireworks Mfg. Co., PO Box 6, Sycamore Rd. Douglassville, PA 19518.

A copy of this resolution shall be forwarded to the Municipal Administrator, CFO, Public Safety Director, Purchasing Agent and Recreation Department.

DATED: 5/9/05 **ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK**

**RESOLUTION 229R-05
TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE COMMENCEMENT OF DRAW DOWN PROCEEDINGS AGAINST THE PERFORMANCE BOND POSTED BY C.J. CONTRACTORS FOR JORDAN ESTATES A/K/A BLOCK 140.01, LOT 6.01, 6.07, 6.08, 6.09, 6.10 & 6.11.**

**MOTION TO APPROVE BY: GIBLIN
MOTION SECONDED BY: KAFTON
YES: GIBLIN, REILLY, SEDA, KAFTON & BRODERICK**

WHEREAS, a Performance Bond has been posted with the Township to secure proper construction of the development project in Jackson Township known as Jordan Estates; and

WHEREAS, the Township Engineer has reported that, despite repeated inspections and punch lists, the developer has failed to properly complete the construction of Jordan Estates; and

WHEREAS, Ernest J. Peters, Jr., PE, CME Associates, Township Engineer has recommended that the Township commence draw down proceedings in a letter dated April 6, 2005, against the Performance Bond for Jordan Estates; and

WHEREAS, the Township Committee desires to act upon the recommendation of the Township Engineer;

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

1. The Township Engineer and Township Attorney are hereby authorized to commence draw down proceedings against the performance posted for the development project known as Jordan Estates.

2. That upon the adoption of this Resolution, the Clerk is authorized and directed to forward a certified copy of it to the Developer, Township Engineer, Township Attorney, Administration and the Chief Financial Officer.

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

DATED: 5/9/05

RESOLUTION 230R-05

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO US HOME CORPORATION OF THE CASH BOND ISSUED FOR 160 BUTTERFLY ROAD A/K/A BLOCK 82.01, LOT 30.02

MOTION TO APPROVE BY: GIBLIN

MOTION SECONDED BY: KAFTON

YES: GIBLIN, REILLY, SEDA, KAFTON & BRODERICK

WHEREAS, US Home Corporation has requested the Release of a Cash Bond for winter conditions in the amount of \$1,500.00 pertaining to 160 Butterfly Road, a/k/a Block82.01, Lot 30.02, Jackson Township; and

WHEREAS, Richard A. Nusser, P.E., Township Engineer, CME Associates, has reviewed and approved the release of said cash bond in a letter report dated April 21, 2005, which letter report is made a part hereof; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Jackson, County of Ocean and State of New Jersey, that the Cash Bond for winter conditions in the amount of \$1,500.00 heretofore posted with the Township may and hereby is released to US Home Corporation.

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: 5/9/05

RESOLUTION 231R-05

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING REDUCTION TO THE PERFORMANCE GUARANTEES POSTED BY PUNTONIA ASSOCIATES FOR PARKVIEW ESTATES II LOCATED ON BLOCK 7, LOTS 31, 32 & 33.01

MOTION TO APPROVE BY: GIBLIN

MOTION SECONDED BY: KAFTON

YES: GIBLIN, REILLY, SEDA, KAFTON & BRODERICK

WHEREAS, Puntonia Associates has requested a Reduction of the Performance Guarantee posted for Parkview Estates II located on Block 7, Lots 31, 32 & 33.01, Jackson Township; and

WHEREAS, the following Performance Guarantees are currently in place:

1. Performance Bond in the form of Bonds #S05788 in the amount of \$457,200.00 and #S05603 in the amount of \$26,100.00 issued by First Indemnity of America
2. Cash Guarantees in the amount of \$50,800.00 and \$2,900.00.

WHEREAS, Ernest J. Peters, P.E., Township Engineer, CME Associates, has reviewed and approved the reduction of the Performance Guarantee in a letter report dated April 20, 2005 in the following amount:

1. Reduction of the Performance Bond to not less than \$145,088.98
2. Reduction of the Cash Guarantee to not less than \$16,121.00

WHEREAS, the Township Committee of the Township of Jackson has considered the application and the report of the Township’s Engineer;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Jackson, County of Ocean and State of New Jersey, that the Performance Bond is hereby reduced from a total of \$483,300.00 to not less than \$145,088.98 and the Cash Guarantee from a total of \$53,700.00 to not less than \$16,121.00. 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: 5/9/05

**RESOLUTION 232R-05
TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY,
NEW JERSEY AUTHORIZING REDUCTION TO THE PERFORMANCE
GUARANTEES POSTED BY CONIFER REALTY FOR WILLOW POINT AT
VISTA CENTER LOCATED ON BLOCK 147.02, LOTS 46 THROUGH 58**

**MOTION TO APPROVE BY: GIBLIN
MOTION SECONDED BY: KAFTON
YES: GIBLIN, REILLY, SEDA, KAFTON & BRODERICK**

WHEREAS, Conifer Realty has requested a Reduction of the Performance Guarantee posted for Willow Point at Vista Center located on Block 147.02, Lots 46 through 58, Jackson Township; and

WHEREAS, the following Performance Guarantees are currently in place:

1. Performance Bond in the form of Bond # BSA 0510394-A in the amount of \$1,172,138.31 issued by Berkley Regional Insurance Company
2. Cash Guarantee in the amount of \$130,237.59.

WHEREAS, Ernest J. Peters, P.E., Township Engineer, CME Associates, has reviewed and approved the reduction of the Performance Guarantee in a letter report dated April 22, 2005 in the following amount:

1. Reduction of the Performance Bond to not less than \$359,971.83
2. Reduction of the Cash Guarantee to not less than \$39,996.87

WHEREAS, the Township Committee of the Township of Jackson has considered the application and the report of the Township’s Engineer;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Jackson, County of Ocean and State of New Jersey, that the Performance Bond is hereby reduced from \$1,172,138.31 to not less than \$359,971.83 and the Cash Guarantee from \$130,237.59 to not less than \$39,996.87. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

DATED: 5/9/05
ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

RESOLUTION 233R-05

TITLE: RESOLUTION AUTHORIZING DANIEL BURKE, P.E., TOWNSHIP ENGINEER, TO SOLICIT BIDS FOR THE IMPROVEMENTS OF VARIOUS ROADWAYS WITHIN THE TOWNSHIP WHICH WILL BE KNOWN AS THE 2005 SPRING/SUMMER PAVING PROJECT

MOTION TO APPROVE BY: GIBLIN
MOTION SECONDED BY: KAFTON
YES: GIBLIN, REILLY, SEDA, KAFTON & BRODERICK

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

WHEREAS, the Township Committee desires to have the Township Engineer identify those roads most in need of improvements and to take action on the same; and

WHEREAS, the Township Committee 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 Mayor and Committee 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 identify public streets within the Township in need of improvement. Mr. Burke is authorized and directed, in conjunction with the chief Financial Officer, the Purchasing agent and the Municipal Clerk, to advertise and solicit bids for the improvement of all such public 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.

DATED: 5/9/05
ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

RESOLUTION 234R-05

TITLE: AMEND RESOLUTION NO. 511R-04 AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF JACKSON AND RAGAN DESIGN GROUP TO CONTINUE WITH THE REVISIONS TO THE REVISED HOUSING ELEMENT AND FAIR SHARE PLAN AS IT RELATES TO COAH (COUNCIL ON AFFORDABLE HOUSING) COMPLIANCE

MOTION TO APPROVE BY: GIBLIN
MOTION SECONDED BY: KAFTON
YES: GIBLIN, REILLY, SEDA, KAFTON & BRODERICK

WHEREAS, the Township previously awarded a Professional Services Contract to Ragan Design Group to analyze current RCA agreements between the Township of Jackson and the City of Trenton and amend said agreements to reflect the required revised housing element and fair share plan in compliance with COAH (Council on Affordable Housing) regulations; and

WHEREAS a need exists to amend the original agreement based on the attached letter dated March 21, 2005; and

WHEREAS, the Township Committee hereby amends Resolution 511R-04 to reflect an additional appropriation of \$10,000.00 for professional services related to the revised housing element and fair share plan compliance with regard to COAH (Council on Affordable Housing); and

WHEREAS, the Chief Financial Officer has certified that sufficient funding exists for this purpose in the General Trust Fund under Account #G-12-56-851-805; and

WHEREAS, the Local Public contracts Law (N.J.S.A. 40A:11-1 et seq.) requires a notice of this resolution authorizing an amendment to the original contract for "Professional Services" without competitive bids must be publicly advertised; and

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

1. The original agreement pursuant to Resolution No. 511R-04 is hereby amended to reflect an additional appropriation of \$10,000.00
2. The Mayor and Township Clerk are hereby authorized to execute and deliver a contract to said appointee.
3. A notice of this amendment shall be advertised as required by law.
4. That upon adoption of this resolution, the Clerk is authorized and directed to forward a certified copy of it to the Administrator, Chief Financial Officer and Ragan Design Group.

DATED: 5/9/05 **ANN MARIE EDEN, R.M.C.**
TOWNSHIP CLERK

RESOLUTION 235R-05
TITLE: AUTHORIZE THE APPOINTMENT OF AN ADMINISTRATIVE SECRETARY IN THE OFFICE OF THE TOWNSHIP ADMINISTRATOR

MOTION TO APPROVE BY: GIBLIN
MOTION SECONDED BY: KAFTON
YES: GIBLIN, KAFTON & BRODERICK
NO: REILLY & SEDA

DEPUTY MAYOR KAFTON: He explained that this was on the agenda that they received last week. He asked Mr. Reilly if he called Mr. Salerno regarding this individual? He stated that he had the time to research this with the Department of Personnel and write down all his concerns, but not to contact Mr. Salerno. They are all elected officials and if he sees something he is concerned with instead of playing politics he should talk to Mr. Salerno. When it came into the backroom and the questioning of the hiring Mr. Reilly didn't ask for the resumes of the 15 people that were hired through Recreation.

COMMITTEEMAN REILLY: He stated he has expressed his concern about this position and Mr. Salerno is well aware of it. This is a position that Mr. Salerno wants and he should reach out to him and explain it to him. They are hiring an individual from the town where Mr. Salerno came from and telling him he is playing politics. He explained that he already had the applications of the individuals that were hired through Recreation. They are trying to hide something from the public and from him.

COMMITTEEMAN SEDA: He explained that he did see the Administrator this week and he did ask him about this. He requested a resume and references in writing and he only received a resume. He was told he would be really happy with this person. This position was budgeted at \$32,000 and this individual is making \$40,000. They can't restructure the force they have and try to make it better, but instead they have to hire new people.

DEPUTY MAYOR KAFTON: He commended Mr. Seda for going to the source to get the information because that is exactly what they are supposed to do.

MAYOR BRODERICK: He explained that when he saw it he questioned Mr. Salerno about it along with other personnel issues. His questions were answered and when the public sees in the future what is going to go on in that Administration office they will agree that this was a needed addition.

ADMINISTRATOR SALERNO: He stated that Committeeman Seda did come in to see him and they went over it and he did write him a memo asking for this person's resume and references. The resume itself tells you where the person worked and Mr. Seda could have called and checked the references on the resume. He explained that New Jersey State statutes authorizes and entitles the Chief Officer of the Township to have a confidential unclassified aide. Before he did this he contacted the Township Attorney to find out if this was an appointment of proper classification. He did his research and said he was entitled to an unclassified position. In the Department of Personnel there is a Classified Administrative Secretary and an Unclassified Administrative Secretary. There is an entitlement for the Chief Officer to have a confidential assistant and there was a budget approved that included approximately \$31,000 for that position. That position is starting tomorrow and will be employed for 7 ¾ months of this year and therefore the amount that was budgeted is in excess for this year. He explained that when you talk about a confidential unclassified assistant by definition works for the officer in a confidential capacity. Since the person is going to work for him and he is satisfied with who he is bringing to the table there really shouldn't be any more discussion. He is bringing this to the Committee as all appointments are brought to the Committee. It is brought to the Mayor who sets the agenda and then it is placed on the agenda and it is delivered to the Committee in advance of this meeting. It was on there and there was no attempt to hide anything. This person worked for him before and he knows what he is getting.

COMMITTEEMAN SEDA: He explained that Mr. Salerno stated this person was budgeted for. Mr. Salerno sets the budget and brought in his own person. The person is going to work just for him and not the rest of the town, therefore, the taxpayers have just hired someone to take care of his needs. He stated that he creates the budget, hires the person and tells no one. In his conversation with him last week he hadn't spoke to the Mayor yet. He explained that he came in and saw the desk and that is how he found out. Mr. Seda stated that nobody is saying he is not entitled to the individual. He explained that Mr. Salerno always states he is not political and is here to do a professional job. As a professional doing his job this entire Committee should have been notified and not just a select few.

COMMITTEEMAN REILLY: He stated that typically they discuss positions like this in closed session before it gets on the open public agenda and it is usually the meeting prior. He addressed Mr. Salerno and congratulated him on getting a buddy to come in and take the position.

MAYOR BRODERICK: He stated that if anybody took the time to talk to Mr. Salerno about the Administrative offices and what is going to be done there in the future everyone would see the need for this person. When he questioned Mr. Salerno during the agenda meeting he ascertained that information and supports his decision.

COMMITTEEMAN GIBLIN: He addressed Mr. Salerno and stated when they were going through the budget process he asked him what the new positions were. Everybody knew a couple of months ago that he was going to hire an Administrative Assistant. He

stated that Mr. Reilly and Mr. Seda didn't put that position in one of the political cuts that they made. He told Mr. Salerno to put the applications for the Recreation personnel that were hired in a secure place. He would like to challenge Mr. Reilly because he said he had the applications of those individuals to make sure he didn't perjure himself. He would like a copy of all the applications Mr. Reilly received because if he did receive them he would like to find out why he didn't receive them and if he didn't receive them he would like to know why he made that statement.

MAYOR BRODERICK: He stated he would also like to see them because he didn't receive them either. He understands Mr. Seda also received them so they are the only two that did. Mr. Seda stated that Mayor Broderick voted on something he didn't even read. Mayor Broderick responded that he browsed through the applications prior to the meeting and accepted the recommendation from our Recreation Director.

WHEREAS, a need exists in the Office of the Administrator for the appointment of an Administrative Secretary on a full time basis; and

WHEREAS, it is the desire of the Mayor and Township Committee to fill said position.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, THAT:

1. The following is hereby appointed as a confidential/full time Administrative Secretary in the Office of the Administrator, in the unclassified service:

LISA BICKELL

2. Said appointment shall be effective May 10, 2005 at a salary of \$40,000 per annum.

3. Copies of this Resolution to Appointee, Municipal Administrator, Chief Financial Officer, Director of Personnel, and any other interested parties.

DATED: 5/9/05

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

**RESOLUTION 236R-05
TITLE: APPROVE APPOINTMENT OF SUMMER RECREATION
PERSONNEL**

**MOTION TO APPROVE BY: GIBLIN
MOTION SECONDED BY: KAFTON
YES: GIBLIN, REILLY, SEDA, KAFTON & BRODERICK**

WHEREAS, a need exists in the Recreation Department for the appointment of various personnel for the Summer Recreation Program; and

WHEREAS, the Director of Recreation and Municipal Administrator have made recommendations for the appointment of individuals to fill said positions.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, THAT:

1. The following is hereby appointed as **HEAD LEADER** at the salary prescribed below:

EMILY TRIANO-DAVIS	12.00/HR.
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2. The following are hereby appointed as **LEADERS** at the salary prescribed below:

JEANETTE TABONE	8.65/HR.
BROOKE WILSON	8.00/HR.
RICH CORBETT	6.95/HR.
CRYSTAL SCHULTZ	6.90/HR.
ELIZABETH RUPPEL	6.65/HR.
SABRINA BRADY	6.65/HR.
DANIELLE PIZZAIA	6.65/HR.
LAUREN HALFINGER	6.65/HR.
ASHLEY SPALOSS	6.65/HR.
NORA HUSSEY	6.65/HR.
SARAH DE MICCO	6.40/HR.
RACHAEL SMITH	6.40/HR.
VALERIE STEPHENS	6.40/HR.
CARA O'CONNOR	6.40/HR.
JESSICA UMHOEFER	6.40/HR.
SARA WHITMORE	6.40/HR.
MEGAN WAGNER	6.40/HR.
ERIC SACHS	6.40/HR.
NICOLE BARRINGTON	6.40/HR.
JACKIE BRODEUR	6.40/HR.
JOSEPH PIENKOWSKI	6.40/HR.
TRAVIS THIGPEN	6.40/HR.

3. The following are hereby appointed as **COUNSELORS** at the salary prescribed below:

CHRIS BROWN	5.75/HR.
DAVID GEETER	5.50/HR.
AMANDA RUPPEL	5.50/HR.
DANIELLE PACELLI	5.50/HR.
SAMANTHA SOLIS	5.50/HR.
DANIELLE CATRI	5.50/HR.
MELISSA GAMBINO	5.50/HR.
KRISTIN GOSSE	5.50/HR.
ALYSSA BOTT	5.50/HR.
JAMES PETERSON	5.50/HR.
SYDNEY DE BOLT	5.50/HR.
ANNALICIA GEETER	5.25/HR.
ALEXANDRIA GEETER	5.25/HR.
ALEXI FISK	5.25/HR.
KIRSTEN FOGARTY	5.25/HR.
JACQUE BRADY	5.25/HR.
LINDSAY GOHL	5.25/HR.
ERIN O'CONNOR	5.25/HR.
ALEXANDRA BARRINGTON	5.25/HR.
KRISTINA FAHNHOLZ	5.25/HR.
JULIA TRIANO-DAVIS	5.25/HR.
STEPHANIE MACNEIL	5.25/HR.
JEANNETTE COOK	5.25/HR.
DELORES DELUCA	5.25/HR.
JOSEPH SCHOTT	5.25/HR.
DANIELLE SICURANZA	5.25/HR.
CONNOR WEGNER	5.25/HR.

PAUL TORO	5.25/HR.
MICHAEL KLETKE	5.25/HR.
CHELSEA DELISA	5.25/HR.
KIMBERLY RIZZOLO	5.25/HR.
RACHEL SPITZ	5.25/HR.
LAUREN BRADY	5.25/HR.
CHARLES ROTUNNO	5.25/HR.
TERESA ANN DEVITO	5.25/HR.
CHELSEA BAUMANN	5.25/HR.
CHRIS SPALL	5.25/HR.
JACLYN GRISANTI	5.25/HR.
MARK KOGEL	5.25/HR.

4. The following are hereby appointed as **ALTERNATE COUNSELORS** at the salary prescribed below:

LAUREN ADAMS	6.40/HR.
SHARIF MAMOUN	6.40/HR.
BOJI VELEZ	5.50/HR.
SCOTT THOMAS PETERS	5.25/HR.
ROBERT WEIR	5.25/HR.
JOSEPH FEASTER	5.25/HR.
JOSEPH MARCHITELLI	5.25/HR.

5. Said appointments are effective immediately on a seasonal part-time basis.

6. Copies of this Resolution to Appointees, Municipal Administrator, Chief Financial Officer, Director of Recreation, Director of Personnel, and any other interested parties.

DATED: 5/9/05 **ANN MARIE EDEN, R.M.C.**
TOWNSHIP CLERK

RESOLUTION 237R-05
TITLE: APPROVE CHIEF FINANCIAL OFFICER’S MONTHLY
TREASURERS REPORT FOR FEBRUARY 2005

MOTION TO APPROVE BY: GIBLIN
MOTION SECONDED BY: KAFTON
YES: GIBLIN, REILLY, SEDA, KAFTON & BRODERICK

WHEREAS, the Chief Financial Officer has submitted a monthly report; and

WHEREAS, the Township Clerk has submitted this report to the Township Committee for their approval;

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

1. The CHIEF FINANCIAL OFFICER’S Report for the month of FEBRUARY, 2005 is hereby approved.
2. Copies of this Resolution to Treasurer, Administrator, Township Attorney, and any other interested parties.

DATED: 5/9/05 **ANN MARIE EDEN, R.M.C.**
TOWNSHIP CLERK

RESOLUTION 238R-05

TITLE: APPROVE APPOINTMENT OF RECREATION PERSONNEL – GIRL’S SOFTBALL JUNIOR UMPIRES

MOTION TO APPROVE BY: GIBLIN

MOTION SECONDED BY: KAFTON

YES: GIBLIN, REILLY, SEDA, KAFTON & BRODERICK

WHEREAS, a need exists in the Recreation Department for the appointment of Girl’s Softball Junior Umpires; and

WHEREAS, it is the desire of the Mayor & Township to fill said positions.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, THAT:

- 1. The following are hereby appointed to the position of Junior Umpire at the salary prescribed below:

SAMANTHA SOLIS	\$15/GAME
KRISTINA FAHNHOLZ	\$15/GAME

- 2. Said appointments are effective immediately on a seasonal part-time basis.
- 3. Copies of this Resolution to Appointees, Municipal Administrator, Chief Financial Officer, Director of Recreation, Director of Personnel, and any other interested parties.

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

DATED: 5/9/05

RESOLUTION 239R-05

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 CY 2005 CLEAN COMMUNITIES GRANT

MOTION TO APPROVE BY: GIBLIN

MOTION SECONDED BY: KAFTON

YES: GIBLIN, REILLY, SEDA, KAFTON & BRODERICK

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

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

WHEREAS, the Township of Jackson has been provided additional funds from the State of New Jersey Clean Community Account Fund in the amount of \$41429.69.

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

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

1. That the Mayor and Township Committee do hereby request and amendment to the 2005 Budget to provide the insertion of a special item of revenue in the amount of \$41429.69 by the Director of the division of Local Government Services, which is now available as a revenue from:

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

State of New Jersey Clean Community Grant Fund

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

General Appropriations: (operations excluded from CAP)
State of New Jersey Clean Community Grant Fund

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

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

DATED: 5/9/05

RESOLUTION 240R-05

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 HANDICAPPED COMMISSION GRANT (ROID)

MOTION TO APPROVE BY: GIBLIN

MOTION SECONDED BY: KAFTON

YES: GIBLIN, REILLY, SEDA, KAFTON & BRODERICK

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

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

WHEREAS, the Township of Jackson has been provided additional funds from the State of New Jersey Recreation for individuals with Disabilities (ROID) in the amount of \$10,000.00

WHEREAS, the Mayor and Township Committee 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 the Township Committee of the Township of Jackson, County of Ocean, State of New Jersey, as follows:

1. That the Mayor and Township Committee do hereby request and amendment to the 2005 Budget to provide the insertion of a special item of revenue in the amount of \$10,000.00 by the Director of the Division of Local Government Services, which is now available as a revenue from:

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

State of New Jersey Recreation for Individuals with Disabilities (ROID) Grant

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

General Appropriations: (operations excluded from CAP)
State of New Jersey Recreation for Individuals with Disabilities (ROID) Grant

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

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

DATED: 5/9/05

RESOLUTION 241R-05

TITLE: AUTHORIZE THE AMENDMENT TO THE 2005 BUDGET TO ALLOW FOR THE CHANGE IN TEXT OR TITLE PURSUANT TO N.J.S.A. 40A:4-85 (MATCHING GRANT – DEPARTMENT OF COMMUNITY AFFAIRS, DIVISION OF COMMUNITY RESOURCES) 2005 RECREATION FOR INDIVIDUALS WITH DISABILITIES GRANT (ROID)

COMMITTEEMAN REILLY: He stated on the back-up there is an agreement data sheet and our Chief Financial Officer is still listed as Phil Del Turco. He wasn't sure if they ever notified the State.

MAYOR BRODERICK: He explained that they have been notifying the State for four years now and they still won't change it.

COMMITTEEMAN GIBLIN: He asked Administrator Salerno to see if he can contact someone to get that changed.

MOTION TO APPROVE BY: GIBLIN

MOTION SECONDED BY: KAFTON

YES: GIBLIN, REILLY, SEDA, KAFTON & BRODERICK

WHEREAS, N.J.S.A. 40A: 4-85 provides that the Director of the Division of Local Government Services may, at the request of the governing body make such correction of the title, text or amount of any appropriation appearing in the budgets as may be necessary to make said item of appropriation available for the purpose required for the needs of any such municipality; and

WHEREAS, N.J.S.A. 40A: 4-85 further provides that the Director may approve the change in title, text or amount of any appropriation; and

WHEREAS, the Township of Jackson has been approved for additional funds from the Department of Community Affairs Division of Community Resources which requires a cash match of \$2,000.00 and

WHEREAS, the Mayor and Township Committee of the Township of Jackson, desires to amend their 2005 budget to reflect a change in title, text and amount.

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

1. That the Mayor and Township Committee do hereby request the Director of the Division of Local Government Services, to make the following corrections in the 2005 Budget:

FROM: General Appropriations: (Operations excluded from CAP)
 Matching Grants (\$20,500.00 to \$18,500.00) \$2,000.00

TO: NJ Department of Community Affairs
 Division of Community Resources
 2005 Recreation for Individuals with Disabilities (ROID) Grant
 Matching Grant Portion - \$2,000.00

2. That the foregoing correction is the opinion of the Mayor and Township Committee, warranted and authorized by the statute above referred to, and is necessary of the reasons of the additional funds from the Department of Community Affairs, which is required to match the Grant.
3. That two certified copies of the resolution shall be forwarded to the Director of the Division of Local Government Services, the Township Auditor, the Chief Financial Officer.

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

DATED: 5/9/05

DISCUSSION AGENDA:

RE: POLICE STAFFING REPORT

COMMITTEEMAN GIBLIN: He recommended that they give Attorney Starkey a copy of the police staffing report so he can review and redact if necessary?

CONCLUSION: Attorney Starkey will review it.

RE: SEX OFFENDER ORDINANCE

DEPUTY MAYOR KAFTON: He explained that this ordinance is from Hamilton and the way he got it was because he was listening to the radio and they were talking about this subject. There are two towns in the State that are considering it or have passed it. He heard one of them was Hamilton so he asked the Administrator, who worked in Hamilton, to get a copy of it. This is something they should consider in Jackson Township. The ordinance prohibits anyone convicted of a crime against a minor as listed in NJSA: 2C7-2 and is required to register with the proper authorities should not be allowed to live within 2,500 feet of a school, park, playground or daycare center. He gave the Township Committee copies of the ordinance from this town for their review before the next town meeting. He stated he will ask the Township Attorney to do some research on it because it may be something that may cause a lawsuit down the road. As elected officials it is their job to protect the residents and make it a safe place to live. Committeeman Seda asked how the Police Department track these individuals down and monitor them? Although, this is a great idea how do they track them if they don't register? He said this may be something that our Police Department can look into. Mayor Broderick explained they are already tracked because they have to register with the Police Department upon release. He asked Attorney Starkey to go online because he believes Miami has a sex offender ordinance that seems to be more in-depth. He believes Hamilton is also coordinating with Miami as well. He spoke to someone from Miami who he worked with and who is now on the Dade County Police Department and said Miami's ordinance is well structured. Attorney Starkey explained that the registration of

sex offenders is governed by State statute. If they don't register they face penalties. Most often they are on probation and the probation officer will check the notification procedures. The State has the most effective means of requiring registration. Committeeman Seda asked if legally as a department if they could get a list of offenders that have moved into the area? Attorney Starkey said the Jackson Police already have that because they are provided with that from the State. Committeeman Reilly asked Mr. Kafton if Hamilton has had any lawsuits filed? He believes it is a great idea. Deputy Mayor Kafton doesn't believe they have had any lawsuits filed against them. Administrator Salerno explained that this ordinance was just introduced and is looking for adoption at their next meeting. Mayor Kafton stated that he heard on the radio that the Civil Liberties Union is going to challenge it upon its adoption.

CONCLUSION: Mayor Broderick explained they would put this on the next discussion agenda with any updates from the attorney.

RE: JACKSON BRANCH OF THE OCEAN COUNTY LIBRARY

COMMITTEEMAN REILLY: He spoke about a letter received by the Township dated May 2nd from the Friends of the Jackson Library who received many complaints regarding the absence of a sign for the Jackson Branch of the Ocean County Library.

MAYOR BRODERICK: He explained that he has already asked Mr. Salerno to contact the library. They are not opposed to putting up a sign and if the County provides the sign it will be less costly to them since it is a County Branch. He would like the sign to be aesthetically pleasing. Committeeman Reilly stated he would support that.

PUBLIC HEARING, ANY TOPIC:

SHARI WILLIAMS, COLUMBINE DRIVE: She began by saying that she would like to talk about the position of Administrative Secretary. (inaudible – microphone not on).

Administrator Salerno explained that there is a provision in the law that allows the appointment of one confidential assistant for each Chief Officer. He explained that this person worked for him before and he is very satisfied with this person and he believes this is the most qualified person out there to work for him. Mrs. Williams went on to speak about the sex offender ordinance and asked if a sex offender already lives by a school, daycare, etc. will it be the township's job to relocate them? Mayor Broderick explained that in Hamilton anybody who already lives by a school, daycare, etc. would be grandfathered and can live there. Ms. Williams went on to speak about how the Recreational personnel should be fingerprinted (inaudible). Mayor Broderick stated that the Police Department is limited to local checks that they can do for any outstanding warrants for surrounding communities. Administrator Salerno explained that the Joint Insurance Fund that the township belongs to is working on a contract for all of its members for the purpose of addressing seasonal hires. They are trying to get the company that does the commercial drivers license drug testing to see if they can add that in there.

ROB PAGUT, ELY HARMONY/CHANDLER ROAD: He explained he is here to follow up on the last meeting regarding Block 141, Lot 17.02 (Ashley Plaza). His neighborhood would like to know if anything was looked at on the Master Plan/rezoning that was asked about at the last meeting? He later explained that they basically want to know how this went from R-1 to R-3 to Commercial and why it keeps changing? Deputy Mayor Kafton explained at the last meeting they had quite a few residents from that area around Ashley Plaza (Chandler Rd) that came out to address their concerns about this commercial zone. As far as the Committee discussing it, he went to look at the application to see its location and surroundings, etc. There is a meeting on June 1st and he will be there. At this point the Township Committee cannot take any action on that without jeopardizing any possible lawsuits down the road as he expressed at the last meeting. They understand their concerns and had told them they should attend the June Zoning Board meeting to express their concerns to the Zoning Board. That is probably the most important thing at this time as it comes to that application. He personally would recommend as a Township Committee that they do not take any action at this time because of a possible lawsuit down the road. Committeeman Seda stated he doesn't

believe that was the intent of the question. They understand at this juncture there is really nothing this Committee can do regarding zoning. However, it was clearly discussed that they wanted to see the Master Plan be revisited so future problems don't pop up like this. He explained that he and Deputy Mayor Kafton got in a heated debate about it because he felt it should be looked at. He thinks Ragan Design should look into the Master Plan and look back to see what happened when this zoning was done. They should find out who was on the Committee at the time, why did the zone change and why. They want answers to questions they can't get, so how do we give them those answers? He then stated he will take Mr. Pagut's number and will have that question answered. Deputy Mayor Kafton stated that anybody on the Township Committee can look at the Master Plan at anytime and make recommendations. He is not going to touch this particular application while it is going before the Zoning Board. Committeeman Reilly explained he was at the meeting and the discussion to revisit the Master Plan was not specific to this application, but they still need to answer this gentlemen's question of how did this come to be. He explained that Mr. Kafton is right it is before the board and they can't touch that specific application, but they can look at the entire Master Plan. He then explained that today he spoke to Dick Megill about this zone being changed. He didn't want to give firm dates because this was off of the top of his head and he really wasn't sure. He thought it was changed in 1999 or 2000 and changed again in 2001 or 2002 from an R designation to what it is now. He deferred this to the rest of the Committee and to Mr. Seda to check on that with Regan Design and verify it. Administrator Salerno stated that this was discussed at the last meeting and what actually happened with the latest zoning changes was that the majority of it was rezoned back to residential. The change that brought it to commercial was done in 1999 or 2000. The most recent one changed it back. The rationale behind that was it was a different planner that thought that area was correct for that Highway Commercial zone. He told Mr. Pagut he can come into his office and can point him in the right direction as to when it was done and what the rationale behind the changes were at that time. Committeeman Reilly added that when they reduced it back it wasn't completely reduced back and it was just a reduction in the light commercial. It was reduced from what had been proposed, but it still exists as what they see with Ashley Plaza. Deputy Mayor Kafton reiterated the importance to the residents of going out to the June Zoning Board meeting to express their concerns.

TIM WILLIAMS, 821 PATTERSON ROAD/ROBERT KINDER, 53 REDWOOD PLACE: Mr. Williams asked why bikes aren't allowed in the Jackson skateboard facility? Administrator Salerno explained that the facility is inspected on a yearly basis by their insurance carrier (JIF) and that is where it came from because it is a safety issue. The ramps aren't really designed for people to ride their bikes on them. There is also the issue of when the bikes go on and when the skateboards go on. Committeeman Giblin stated that maybe they should look at this for the Butterfly Road or Johnson Park redo. They won't be able to ride immediately, but it is something they can look at. They need an area where they can put some sand and ramps to ride. Deputy Mayor Kafton explained that he believes that Ragan Design is trying to come up with an idea. He will call them and see if they can incorporate that into the future plans of connecting the Butterfly Road project with the Johnson Park expansion. Mr. Williams explained that in most of the skate parks they allow bikes, skateboards and inline skates to go at the same time and it works out good. Administrator Salerno stated he is aware of that and as the Committee indicated they will be looking at an area and he will meet with the Recreation people, address it with the JIF people and maybe there is a solution to this. Mayor Broderick stated that he is in Sayreville a lot so he will stop in the Mayor's office and get some designs for what they did over by the lake. Deputy Mayor Kafton thinks it is a good idea and maybe they can have a couple of the kids leave their name at Town Hall so they can have some input how it is designed.

DAN GROSS, 18 POINTE CIRCLE: He knows there was some dialogue before about statutes. The Township has an attorney when there is a question about statute, but he didn't see anybody consult with the attorney. Attorney Starkey stated that sometimes he has to jump in. Mr. Gross spoke about the sex offender's ordinance and said if that is a viable option maybe they can look at drug dealers and keep them away too. Attorney Starkey explained that drug dealers are not required to register so it is much harder to

track them down. The State has put in enhanced penalties for dealing in school zones. He then thanked Deputy Mayor Kafton filling in for Mayor Broderick at the Zoning Board meeting and for speaking up and encouraging the Zoning Board to allow the public to voice their opinions. He believes that they heard a lot of good information and the audience appreciated his involvement. Deputy Mayor Kafton thanked Mr. Gross for speaking on the public's behalf. Mr. Gross went on to say that a question was raised that night that was going to come back to the Committee regarding New Prospect Road. He explained that is a very busy road now and the speed limit is 45mph. County Line is a bigger road and the speed limit is 40mph. Mayor Broderick stated that Sergeant Kovak has started the first step in trying to reduce the speed on New Prospect because it doesn't make any sense. They are doing a study now and Mr. Lottrecchio (Ocean County Engineer) said if they come in with that study they would reduce it. Mr. Gross asked what is going on with the Cablevision contract? Attorney Starkey explained they are in front of the BPU and their proposal was deemed unacceptable by the governing body. One reason was because of senior citizen discount and another related to give backs the governing body wanted for the new high school. There was no agreement reached and the next step was to petition the BPU to enter the negotiations. He believes that has happened and the BPU acts as a liaison. If it can't be resolved in the BPU an order will be issued of what the contract will be. Mr. Gross stated that he knows the Township and the Board of Education are meeting to talk about the defeated budget. Some of the concerns he has is some of the Board Members were saying they will have to cut programs, etc. They talked about cutting a lot of things except costs. He wants to make sure the children get what they need over wages and salaries. Committeeman Giblin explained that he and Committeeman Seda are meeting tomorrow with the consultant they hired and he will make it clear that under no circumstances should the children suffer. The cuts should be in areas that won't effect the children or programs.

MR. DESTEFANO, 639 MARIA STREET: He explained that he spoke at the March 28th meeting about the trailer parks (Shady Oaks and Luxury) that he lives between. At their request Mr. Salerno was supposed to get back to him, but obviously he is not very good at returning calls. He showed pictures of the trailer parks and children riding their bikes through raw sewage, trailers with no doors or windows, etc. He explained that Committeeman Seda is the only one that came out while Mayor Broderick and Deputy Mayor Kafton haven't been out there in years. He can't even sell his home to get away from it. He stated that Mr. Terhune came and said that he knew he was moving next to a mobile home park, but in any other town you could move next to a mobile home park because there are suppose to be laws. Mr. Terhune knew when he bought a 40 or 50 year old mobile park that someday he would have to replace trailers. He has replaced a 40 year old trailer with a 20 year one. Mr. Starkey stated at the last meeting that nobody lived in a chicken coop, he showed the picture of the chicken coop they call a duplex. Committeeman Seda explained that he has been out there on more then one occasion and is in the process of looking into how they can deal with the problems he has and his surrounding neighbors have and that is going to take more then a week. He is doing everything he can in this governing body to make sure they stick together to solve this. Mr. Destefano stated that both his kids went all through Jackson school, he has lived in Ocean County his whole life and there aren't any other parks like this. He explained that a person that lives in the mobile home park told the newspapers "It is the biggest eyesore in the County. Why can't Terhune put in new trailers? Mr. Terhune tells you they are new trailers and Mayor Broderick believes they are new trailers." Mr. Destefano explained he watched them bring in these trailers with no windows, etc. and he called Mr. Megill and told him these trailers were coming in. They should send out Code Enforcement and give him a 30 day timeframe to get all those trailers he dragged in out. He asked if the park has a license? Committeeman Seda stated he doesn't believe it does. Mr. Destefano stated that there are children in this park that go to school. There is a trailer out by Rte. 571 that is going to cause someone to die. He stated they just received \$1.2 Million Dollars and they should relocate these people. He doesn't want to use that money, but they are trying to tell him the Township doesn't have money. He gave them a list of 20 trailers over the summer that they let Mr. Terhune re-rent without a CO. There are three kids a husband and wife in a one bedroom trailer and asked how that works? Attorney Starkey explained that there is litigation pending on this park and just since the last meeting there has been summonses issued on Shady Oak. Code Enforcement have

also been to Luxury and believes there are or will be summonses given there too. There has been action taken by the Township and litigation pending as a result of that.

MRS. DESTEFANO, 109 DOUGLAS DRIVE: She explained that she lives in a mobile home park and it doesn't look like that. At one of the meetings she attended she noticed many mobile home parks applying for licenses, but she didn't notice Shady Oaks or Luxury and asked why? Attorney Starkey stated that there may not be full applications in and inspections completed to have the license issued, but he will check into it. The list she was looking at was approved licenses issued by the governing body. Mrs. Destefano stated that she doesn't believe they are doing the right thing. She may be prejudice because he is her son, but it is not fair to his family and surrounding families.

NICHOLAS ANTONOFF, 342 MURRAY DRIVE: He asked if the school budget review has taken place yet? Committeeman Giblin explained that partial progress has been made. The first step is our meeting with the consultant and some of the Board of Education. Mr. Antonoff explained that it is amazing that they are earnestly debating hiking amounts in the township budget \$3.2 Million, which is running things for 50,000 people. The School Board is spending \$120 Million plus taking care of 10,000 students. Everyone is familiar with the normal procedure of preparing budgets especially school budgets and they are always padded. For this year the budget is using an estimated student enrollment of 10,050 students and that is up 387 from the enrollment last year. From year to year in increments this has been decreasing and they are now running with 200 students a year and down from there. He explained that the board stated that any money that is budgeted and unspent will go to surplus. This budget has a pad built in of \$3.013 Million Dollars for the 250 students that they expect not to show. Another item that needs to be cut is the plan to spend \$1.29 Million Dollars to have an early start at Liberty High School. They plan to move ½ the freshmen (350 students) there in February instead of next September. These students are in class already so they are being transferred in the middle of their first year of high school while we are spending duplicate amounts (teachers, nurses, etc.). He explained that another \$4.6 Million Dollars from last years budget was approved at \$115 Million and were using a project enrollment of 9,990. They actually got 9,603 and the result was that \$4.6 Million was converted to surplus. They totally ignored if you keep the school rate at \$2.02 for \$100,000 evaluation they will collect an additional \$2.44 Million Dollars because the difference in total assessed evaluation from year to year. He explained that in the School Budget the assessed evaluation figure used does not agree with what they used in the Township budget. He sees that \$9.995 Million Dollars that can be cut with no effect on school performance. If you keep the rate at the \$2.02 figure the tax levy will be \$53.87 Million Dollars and if you take from there \$60 Million Dollars they are asking for and you take out the suggested adjustments you get to that figure. Committeeman Reilly asked for copies for the Committee.

GILBERT GUTTENTAG, DEXTER LANE: He explained that he too wanted to talk about the School Board Budget. One of the problems here is that nobody sitting here understands the school budget. He can say that because he went to the University of Virginia Darton Graduate School in Finance and he has been looking at the budget for four weeks and can't figure it out. He believes it is quite deliberate. The entire education system in this State is defined by a methodology to obscure what is really going on with the money. He would like to bring some clarifications to them so they understand why people are getting upset. It's expedient politically to act quickly to satisfy what people think is the "right thing for the children", but he is not talking about effecting the children, but sensible budgetary requirements. The School Boards approach to managing the Jackson education system is predicated on the belief the board speaks on behalf of the children. This was said recently in a letter by Mr. Gross who spoke tonight. They feel that way because the children have no vote in the process. The people who elect the school board are from the township and the people who vote for the Committee are from the township and they are not here to give the children a bad education. This is the education community trying to put everybody on the defensive and there is nothing to be defensive about if we provide good education. The board further believes they know

what constitutes good education for the children. They always use the word “children” and not “students” and that is orchestrated to evoke a feeling among the people that we are doing something to the children. They express disdain for the Federal and State mandated core curriculum criteria expressed in two ways. One is they tell you that SAT scores don’t count and they hold in disdain the “No Child Should Be Left Behind Act” which are the measurements the government finally put in place to try and stop the decent of education in the United States since 1950. Since 1950 the number of students in the United States have doubled and the number of teachers have tripled while the scores in the SATs and all tests have gone down. If you take those numbers and look at it the problem is both educational and financial. The core curriculum is what the State measures all the schools against is not the total cost of education. He spoke to Mr. Giblin at the last election and asked him what he thinks we pay per student. He replied about \$8,000 and he told him he was wrong because it is over \$12,000. He explained that you can get the best parochial school education in the United States for under \$6,000. We have sub-par SAT scores. The education community tells you when you confront them that SATs do not count. When Freehold Township was attacked for having below average performance under “The No Child Left Behind Act” the superintendent of schools defended in the local paper by saying they have above average SAT scores and they are doing a good job. “The No Child Left Behind Act” is unfair because they have a certain problem with the ethnic population in town. Our Superintendent, Mr. Gialanella has the nerve to say SATs don’t count. Last years budget they spent \$102 Million, but the approved total budget was about \$115 Million, which leaves a deficit of about \$12 Million. That \$12 Million is stuff the school does for individual groups of people above and beyond regular education. His point is their priorities are out of whack. He believes the parents of this town have children who are as intelligent as any town around here. Yet, Mr. Gialanella is saying that we have a demographic problem that is why our kids have below national and state SAT scores. It is unbelievable that this man has the nerve to blame the failure of the school system on the parents and the students. In addition, Mr. Gross mentioned that Middletown approved a 19% increase in salaries, medical and pensions. Nobody in the United States is getting 19%. The point is they are going to ask for the same thing here and compare themselves to Middletown. They had the audacity at public meetings to say they have fewer administrators in our schools than most of the other districts in the State. What they failed to tell you the average administrator in Jackson earns in excess of \$117,000 a year, which is \$14,000 a year above the average administrator in the State. This is nothing but a ploy to pay more money for low performance. This Committee can help by saying no. It is time for these kids to get a good education for the money. He is not against a good education, but these kids aren’t getting one. In closing he stated lets get the emotion out of it and stand together politically and say we have had enough and we only pay for performance. If they give those kinds of increases during these contract negotiations we will pay the price from now on.

WILLIAM FOX, CRESCENT AVENUE: He congratulated them on the grants because that is good news. He also like the way they embraced those young people with the skateboard park and bicycles. He asked for an update on the uplands buffer ordinance. Mayor Broderick stated it has not been approved by the Pinelands and they are awaiting that information from Ragan Design and the Pinelands Group who are meeting now. He explained they would have another public hearing here as they did the first time and notices will go out. Mr. Fox asked if property owners will be notified? Attorney Starkey explained that by law they are required to put notices in the newspaper. Mr. Fox explained that most people don’t read the legal notices and as a result people whose property is being impacted by this won’t know what is going on. Is it possible the effected property owners can be notified by a letter this is happening and how this ordinance will effect them? Attorney Starkey explained that his concern is when you take on the burden of notifying effected property owners you have to make sure you get all of them. He recommends they stay with what the law requires. He knows they also posted it on the website and put it in the Ocean County Observer and the Asbury Park Press. Committeeman Giblin asked if it would be possible to put a display ad in the paper? Attorney Starkey stated that can be done. Mayor Broderick stated they can put that in the government column that has been earmarked for anyone of them to put something in. Mr. Fox stated in the past they made requests for Township, County,

Board of Education properties that would be effected by these buffers and he is not sure where that stands? Mayor Broderick explained that all that information has been provided to the Pinelands by Ragan Design Group. Mayor Broderick explained that he can get that at the Zoning Office. Mr. Fox's concern is if they are going to create a buffer that is not going to allow any development, at least some of these properties that seemed to be covered by the last addition included properties owned by the Board of Education, State Tree Farm, Justice Complex, etc. Also, included was land that was going to be given to the Board of Education for the new school. If you are going to designate all these properties for no development it seems they should know how this ordinance is going to effect them. Are they going to exempt Township property for that? Is the buffer to protect the wildlife or stop development? In regard to the rezoning ordinance what do you call somebody who takes something from someone and doesn't pay for it? The Committee is taking rights away from property owners without paying for it by the rezoning ordinance, which was recently ratified by the Committee and the Pinelands Commission. The ordinance contains the provisions for the mandatory conservation easements when people go for rezoning (sub-dividing property) which in effect doesn't allow people to use their property. He thinks it is not fair for landowners to pay all the costs for conservation benefits for everybody. Mayor Broderick stated if they went along those lines they would be going back to 1992 and 1993 where they were developing on 1/2 acre zones. Committeeman Giblin stated they had a conversation regarding this at the last meeting. What he thinks he is doing is making remarks that the Township Committee did something wrong. Mr. Fox says he applauds what they are trying to do, but they are doing it on the backs and out of the pockets of individual property owners. Committeeman Giblin thinks the Pinelands is putting the burden on the Township Committee. The Pinelands was established in the late 70s or early 80s and they put the burden on Jackson Township as part of the growth area. They didn't put the burden in the middle of the Pinelands they put it on the fringe areas. They wouldn't be having this discussion if the 3-acre zoning went into effect and it included the Pinelands area. For Mr. Fox to say that the Township Committee is doing something wrong, maybe its time to look at the Pinelands to say they have done something wrong and to rethink the idea they put into place 20 or 25 years ago and help the town out. Maybe they should come up with an alternative solution to their growth areas and spread the growth evenly and not put it on the backs of Jackson Township, Berkley Township or Little Egg Harbor. Mr. Fox agrees, but he said Committeeman Giblin spoke about "spreading it around evenly" and what is happening in Jackson is the burden is being placed on the individual property owners. The burden that is being placed on them is by the Township Committee and not the Pinelands. It is not the Pinelands saying "Jackson Township you have to adopt this ordinance it is Jackson saying they want to get some relief and this is how we want to do it." Committeeman Giblin explained that we have been debating this for the past four or five weeks and if this is approved it is going to go to litigation at some point. He believes they should see how it goes because if this goes as it is then individual property owners have the right to sue the Township and the Pinelands. They are debating this ordinance for about six meetings now and the Township Committee is of the belief that this is a decision the Township Committee has to make. They can't make everybody happy with the decisions they make, but they have to look out for the general well being of the entire town. With the affirmative votes that took place during the reading of that ordinance he feels they took into account the best interest of everybody here in Jackson. Mayor Broderick explained that at the meeting they had with the Pinelands people that owned land in town came up who liked the idea of doing what they did. Mr. Salerno just informed him that Ragan Design Group said hopefully by our next meeting they will be introducing a new 600 foot buffer ordinance which would take the meeting they would have to have with the Pinelands to some time in June.

MR. REGINA, 30 JACKSON MILLS ROAD: He spoke about the school budget and people saying something should be done. One of the first things that should be done is freeze the budget. There should be no additional expenses and reconstruct the health program that is costing \$15 Million Dollars, secretaries \$2 Million Dollars, petty cash and postage costing us \$500,000, superintendents account went up to \$140,000 in petty cash. We talk about the future of the children, the data processing account is \$68,000. Technology is one of the most important item in the country yet we reduced it and upgraded everybody else. He explained this budget is like a Christmas present. In the

budget they have after school detention \$42,000, we are paying teachers to stay after school because students are bad. There is overtime for Guidance Counselors that don't teach and have secretaries. We are just overloaded with administrative costs in this budget and it is time it stopped. We have a superintendent, two assistant superintendents, fourteen vice principals with four of them in the high school with a superintendent who is a supervisor of the four of them. He spoke about the health program and how it is made up of four parts along with family, Single, Husband and Wife. If a husband is working why should he be on our program? Jackson should have their own program and submit it to the teachers and say this is it. He stated he had a folder of all the real estate that is being sold here and that should tell them something.

RICH SETTE, 198 WHITESVILLE ROAD: He stated he was listening to what was said to Mr. Fox. Mr. Giblin said if the 3 acres had been adopted in the Pinelands area we wouldn't be looking at this, fine, 3 acres, but why is his property zoned 9 acres? Committeeman Giblin explained that the rationale is to put growth in certain areas condensing to preserve more. The Pinelands philosophy is to preserve. Mr. Sette asked how this area in Jackson became Pinelands? He stated that was a political deal from 25 years ago. He explained that deal robbed his family 25 years ago and now the latest piece of theft happened this year (600 foot buffer and 9 acre zoning). To say that something needs to be done for the well being of the town is fine as long as it doesn't come at the expense of a few people because that is not justice at all. Committeeman Giblin asked if the relief mechanism is in place? Mr. Sette replied that there is no relief mechanism. Committeeman Giblin explained that the Pinelands said they were going to come up with a compensation plan. He explained that if you have a 600-foot buffer there is always the Zoning Board. Mr. Sette explained that he has a 600 foot buffer and 9 acre zoning. He explained he was in the Pinelands Village zone (3 acres) as long as there were no sewers. Mayor Giblin asked him about his feelings on the C-1 protection for the Metedeconk? Mr. Sette explained he is not familiar with that. Deputy Mayor Kafton stated that many people spoke about the school budget and for four years in a row it has been defeated. There was a \$100 Million Dollars referendum passed and more referendums coming up. We are faced with a major issue and we are putting it on the entire township's back. Everywhere in town we are rezoning 3 acres, they begged the Pinelands to rezone, they have gone forward with the Metedeconk buffers and the Toms River buffers. The bottom line is if you have a house there is a mechanism put into place if you want to put fencing, decks, etc. up they are making sure this won't prohibit a resident from doing that. Mr. Sette explained that they have made his property worthless. Mr. Kafton explained they are trying to ease the tax burden as much as they can. He believes he is in a 9-acre zone, which is a cluster zone. That means he can build one house per 9 acres and they don't have to be built 9 acres apart. This means 3 homes can be built in one location. He explained that he is probably not effected the way he thinks. Their concern is with the environment and the future building of houses. They changed the building all over town and the builders moved over to the Whitesville area because it is in the Pinelands. In the Pinelands you can build multiple houses on an acre. They have been begging the Pinelands to change the zoning because the taxpayers can't afford these houses being put in. They are spreading the concern throughout the town and his area is a target because they need to slow down the growth. Again Mr. Sette explained that this Township Committee effected him with 9 acre zoning and a conservation easement. Mayor Broderick explained they changed the original growth areas that were in conjunction with the Pinelands authority and without their authority they could have never done it. He explained they saved 2,000 homes from being built by doing that. Mr. Sette explained the Pinelands approved the ordinance this Committee passed. He asked why his property should be devalued because of all the building that happened on the other side of town? They have really taken his land because he can't do anything with it and he is just paying the taxes on it. Mayor Broderick explained that it is still his land and asked what he wants to do with it? Deputy Mayor Kafton explained if he wants to build a path or put up a fence for horses they encourage that, but if he wants to build 20 or 30 homes that would directly effect everyone in Jackson. That part of this buffer that they want to enact will also give relief if the owner wants to do something to the land. Committeeman Seda stated that he feels it is unfair to say to Mr. Sette that they are doing this for the betterment of the town. If they got rid of all the real estate agents then they couldn't sell any homes and there wouldn't be a problem. They are not listening to Mr. Sette who is

saying he has 32 acres that he feels he can't do anything with and he is coming to them for relief. Mr. Sette stated that his understanding of a conservation easement is he can't even cut down a down tree on 32 acres. If the essence of this is that the south side of Jackson doesn't get developed and this will make the north side very happy because it will retain that rural atmosphere that people moved here for. He again stated why should the devaluation of his property make their property more valuable. He is just asking to have the value of his land back and the rights to his property. Deputy Mayor Kafton stated if he wants to put a path or a fence up he will be there right beside him fighting for him, but if he wants to put up a lot of houses he disagrees with him. They were elected to preserve the quality of life here and to slow down the amount of housing. He knows that aggravates him because he is probably looking at a lot of money for 20 to 40 homes. They are trying to protect the taxpayers from the amount of houses coming in. Mr. Sette in closing stated that if his mother and father advocated their policies 50 years ago most of them wouldn't be here now. Mr. Kafton replied if they had people 50 years ago advocating these policies they would be able to afford to live here and they wouldn't have people screaming about taxes and a lot more preserved land.

BOB RYLEY, 19 GARDINIA PLACE: He explained that most government regulations that protect something diminish someone's right to use some property in some way. The legal side is there has to be some common ground between regulation and the public objective they are trying to achieve. If the buffer diminishes the value of Mr. Sette's property too much the system says he has the right to go to court and convince the judge and jury that they took too much of his property. They are having this political debate and he told them to look at the big picture they don't just have property rights of property owners whose investments and life savings are being taken. There are some property owners in this town, perhaps Mr. Sette is one of them, who has a large size property that they have farmstead exemptions on. Farmstead exemptions are a good thing, but there are a lot of people who hoard property, perform the very minimum to secure the farmstead exemption and then when they go to sell it to build homes the township gets a two year roll back on that reduced rate. Somebody can have dozens of acres and pay \$400 - \$500 dollars over a period of years and then sell it to a developer and pay what the taxes would have been the past two years and leave. He mentioned this to show that there are two sides to every story. One of the big holders of farm exempt land is Great Adventure and they are not holding it because they want to grow tomatoes some day, but maybe expand their amusement park, which is fine.

DAN GROSS, 18 POINTE CIRCLE: He wanted to correct something he heard earlier about the Superintendent of schools saying SATs don't count. That is not what he heard, he heard the Superintendent say that SAT scores are not the only measure of success. There are other measures of success such as the band, maybe they all don't score 1600 on their SATs but the President was very impressed with their performance. Mayor Broderick stated that out of the 35 graduating seniors in the band everyone is assigned a college as of next year and some to very prestigious schools. Mr. Gross went on to talk about the discussion that is going on about building, property taxes, the Metedeconk, etc. He thinks the State or the County is looking for Jackson to pick up a big burden of protecting the Metedeconk without having commercial development here so they can get good water down stream. Maybe it is time for the government agency to start looking at that and say down stream they took advantage so they could build out and upstream they want to protect it. Maybe they could do something with the ratables and make it evenly distributed on the County level and everyone can benefit from those ratables instead of Jackson vs. Brick vs. Toms River, etc. and that might alleviate some of the tax burden for the people in Jackson and shift some of the burden back to more of those developed areas. Committeeman Giblin stated that they have a better chance of getting a budget through with a 0 increase then we do with the County splitting their share of tax revenue on a town-by-town basis.

SHARI WILLIAMS, 4 COLUMBINE DRIVE: She stated when she was listening to Mr. Destefano earlier about his problems with the mobile home parks she was moved to bring to their attention the continuing problems they are having in Fountainhead. She

explained that she spoke to Committeeman Reilly before the meeting began, but she has had problems getting in touch with Mr. Megill for several weeks. She provided Mr. Megill's office with a list of more than 20 violations in the park and only 1 summons was issued. She contacted the Township to find out if Fountainhead is still legally doing business and according to the ordinance until these violations are cleared up they are not to have their license renewed. According to the Township as long as they paid their fees for their license they are allowed to do business pending the corrections of the violations. She doesn't think it is right that they are doing business and only one violation has been addressed. They are continuing to give COs and nothing is being done about other violations in the park. There are now concerns where their water pump is because they are on a well and there is leakage in that area. There are old air conditioners in trailers with freon and this could be contaminating their water. The water is tested once a year and all they go by is the report that is sent to them, which are photocopies with no signatures or seals so they really don't know what is going on. She stated the entire park has been on sewer since last September and septic tanks have not been closed properly. She asked why Mr. Megill's office is not following up on this? Mayor Broderick explained that the septic is the County Board of Health. He asked if she contacted Mr. Salerno? Ms. Williams stated she hadn't but she asked one of the ladies in the Zoning office if she could get copies of the summons issued to Fountainhead and was told she had to speak to Mr. Megill. Mayor Broderick stated that Mr. Salerno will make sure that Mr. Megill contacts her. Attorney Starkey stated that the summons is a public record and she needs to put a Open Public Records request in and there will be a response. Ms. Williams stated that the list of violations was quite large and they have since taken video of the rotting machinery and lead base peeling paint going into the ground. Their next step would be going to the DEP, but they would like to keep it at the local level.

GILBERT GUTTENTAG, 15 DEXTER LANE: He stated at the Westlake's candidate night for the School Board a question was asked of all the candidates which was "don't you think the employees of the school system should start paying part of their medical cost like everyone else has been forced to". Three of the candidates Mr. Gross, Mr. Duscio and Mr. Porter said they felt that way. Mr. Hanlon said they should find another way to do it, but did not explain it and Ms. Fiero said "are you all ready for this I have a better idea, in the private sector every few months people get bonuses and we should think this medical stuff for the teachers as bonuses". He stated that there was the loudest moan from 30 people in that room. This gives you an indication of what we are dealing with. He addressed Mr. Kafton and explained that he and Senator Singer were instrumental on working on a project to charge Great Adventure parking fees extra monies for the schools. From what he read in the papers they won't be able to do it because it is probably illegal and now we have upset Great Adventure are largest single taxpayer and created an environment where businesses will know about this and think twice about moving to a town that is trying to get commercial rates. He explained that this should have been attacked on the spending side, which is what he spoke about before. Mayor Broderick explained that there is a unit of the Board of Education that does do co pay on the premium of hospitalization (bus drivers and custodians). Mr. Guttentag explained that the NJEA is ruling the school systems because they get paid per member. (inaudible)

RICHARD ZAUNER, 109 NO. COUNTY LINE ROAD: He began speaking about Category 1. If you look at County Line Road from Jackson Mills Lake to Bricktown at the bottom of every hill there is a catch basin that catches the water off the roads and every one of them runs into the Metedeconk. He has worked as a plumber and stuff flows down hill. He stated he lives on the lake and has lived there for 58 years and it is great that they want to preserve the water but all of the drains run into the rivers. You would have to tare up the whole concept to really purify the water. He has been effected by the Category 1 tremendously and he sees some reasoning for it, but that is another project. He then spoke about two performances of the Community Chorus where there was not one representative from the Committee. Former Mayor Rickabaugh was there, but she sponsored the performing arts. There are going to be other performances and these people put a lot of time into an activity and they were disappointed in not seeing somebody there. He stated that he worked for the Township in the school system in

many different aspects. He came up with a program a few years ago “no cost for materials” in shop and technology. He didn’t have the whole thing developed and he was told that was great, but it is not in the budget. He has worked as a bus driver, substitute teacher, janitor and he never got a full time position. He gave them credit for sitting on the Committee with everything going on. He is getting harassed on another issue that he has already gone through and he has been to court on. It seems like every time something like this comes up he gets a call from realtors or builders. He has always worked with Code Enforcers, etc and yet he still may have to hire a lawyer to cover himself and his mother. He stated that he went to Lake Enno by the damn for trout season this afternoon people can say what they want about his property, but he has never seen such filth and garbage that is in that area. He told them to walk the roads and see the stuff that is on the sides of the roads, in the lake, etc. Deputy Mayor Kafton asked Mr. Salerno to have Public Works look at that tomorrow.

BILL FOX, CRESCENT AVE: He asked if they could do a 300-foot upland buffer to the Metedeconk? Committeeman Giblin explained that Category 1 gives you 300 feet on the Metedeconk and presently it is 150. Mr. Fox asked if they could put an additional 300 feet on top of that like they are doing to the Toms River? Committeeman Giblin explained that there was a rationale that we put a 600-foot buffer on the Toms River that wasn’t in place on the Metedeconk. Mr. Fox asked why they can’t use the same rationale for the Metedeconk? Committeeman Giblin explained that first of all it is the State and second the rationale is not there where there are endangered species. Mr. Fox stated that regarding the 600-foot buffer they talked about getting relief. Mayor Broderick interrupted and stated that Mr. Fox keeps saying “you guys” and that was a study that was done and compiled by the Pinelands Taskforce Committee which was made up of the DEP scientific staff, Pinelands staff, Township of Manchester, etc. and there were over 40 people at over 12 meetings that came up with the threatened and endangered species, quality of water, etc. and it wasn’t “you guys”. Mr. Fox stated that on the Toms River Corridor Study there were no landowners and no agricultural groups. Mayor Broderick stated that what the Pinelands did invite people from the outside. There were major conservative groups, autobahn groups, many people with many credentials, but no developers wanting to build homes. Mr. Fox explained in regards to the 600-foot buffer the Toms River Corridor is recommending by definition the buffer is trying to create travel ways for snakes and other critters. He stated the Committee has stated that it is not their intention to stop people from creating decks, fences, etc., but the buffer is trying to keep a 300-foot upland area pristine of any development at all. What kind of comfort level does a landowner have when you want them to do something that is contrary to the purpose of the buffer? If you can build horse fences and paddocks how does that promote and protect the basis of the buffer? Committeeman Giblin explained that putting a 10x10 shed there is still better than a 40x20 foot house. Mr. Fox stated that the buffer wants no development, it wants a clear way so snakes and critters can travel from one node to another. Committeeman Giblin explained if someone puts a fence up they might have to keep it an inch off the ground. This is a philosophical difference they have been debating for six weeks. Mayor Broderick stated they disagree with his philosophical viewpoints and he disagrees with theirs. Mr. Fox went on to talk about Mr. Ryley’s comments on farmland assessment and stated that nobody is taking advantage of that. If they didn’t have that program people like Mr. Sette would have been forced to sell their land 20 years ago. It is not right to say that there is some kind of advantage. If you own property and meet the criteria of the program you are entitled to relief based on the value and agricultural productivity of the soil. Deputy Mayor Kafton explained that Mr. Ryley wasn’t discrediting it, he was just pointing out the difference between if you take advantage of that program over the last 20 years you would have seen an incredible amount of tax relief and what happens when you turn around and sell it to a developer.

MOTION TO CLOSE PUBLIC HEARING ON ANY TOPIC BY: GIBLIN
MOTION SECONDED BY: KAFTON
YES: GIBLIN, REILLY, SEDA, KAFTON & BRODERICK

DEPUTY MAYOR KAFTON: He explained that Mr. Guttentag is gone, but he believes they should get the money from Great Adventure.

MOTION TO ADJOURN BY: GIBLIN
MOTION SECONDED BY: SEDA
YES: GIBLIN, REILLY, SEDA & BRODERICK
10:10 PM

RESPECTFULLY SUBMITTED,

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

AME/tvc