

ON TUESDAY, AUGUST 28, 2007, AT 6:30 P.M., THE JACKSON TOWNSHIP COUNCIL HELD IT'S MEETING IN THE MUNICIPAL BUILDING

ROLL CALL

**COUNCILWOMAN INGRAM
COUNCILMAN MARTIN
COUNCILMAN STALLONE
COUNCIL VICE PRESIDENT GUDAITIS
COUNCIL PRESIDENT UPDEGRAVE**

**ATTORNEY GILMORE
TOWNSHIP CLERK EDEN**

**ALSO IN ATTENDANCE
ADMINISTRATOR DEL TURCO**

RESOLUTION 372R-07

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

MOTION TO APPROVE BY: STALLONE

MOTION SECONDED BY: MARTIN

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

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

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

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

1. The public shall be excluded from discussion concerning the hereinafter-specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - a) Personnel/Professionals:
 - b) Litigation/Potential Litigation: Update - Tree Ordinance (fees collected / Township Forester's services) – n/a removed – Update-Johnson Park/DEP
 - c) Potential Land Sale/Land Acquisition: Land Swap with J.T.M.U.A.
 - d) Contracts/Agreements: Update–Cablevision Agreement-n/a removed
3. It is anticipated that the subject matter discussed may be made public upon its conclusion or final disposition.

DATED: 08/28/07

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

ON TUESDAY, AUGUST 28, 2007 THE JACKSON TOWNSHIP COUNCIL 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

**COUNCILWOMAN INGRAM
COUNCILMAN MARTIN
COUNCILMAN STALLONE
COUNCIL VICE PRESIDENT GUDAITIS
COUNCIL PRESIDENT UPDEGRAVE**

**ATTORNEY GILMORE
TOWNSHIP CLERK EDEN**

**ALSO IN ATTENDANCE
MAYOR SEDA (7:40 PM)
ADMINISTRATOR DEL TURCO**

As Clerk of this meeting, I publicly announce that in compliance with the provisions of the "Open Public Meetings Act" adequate notice of this meeting of the Jackson Township Council has been advertised in the manner prescribed by law. This statement shall be entered into the Minutes of this meeting.

COUNCIL PRESIDENT UPDEGRAVE stated her first encounter with Mary Moore was in 1987 when she first began working for Jackson Township and other moments leading up to today when she wished Mary well in her retirement after 45 years of service. She stated:

"It is with mixed emotions that I say best wishes and much happiness to Mary Moore who is retiring after forty-five years of service to the Township of Jackson.

I began my employment with Jackson Township in August of 1987, and I remember my first encounter with Mary. She came up to me and asked, "Who are you?" I answered the question and started to feel a bit uncomfortable in the presence of this little leprechaun.

The next question was: "Where are you from?" I knew at this point I had better have the right answer because otherwise, this small in stature but strong in will woman was going to become an everlasting force in my life to be reckoned with, over again throughout the years. I informed her I was from Jackson and she seemed content with that answer and left my office.

From that point on, during my tenure as a secretary, many times this "force" to be reckoned with would come into my office, stand in front of my desk, with her hands on her hips and say: "I'm mad!!" It was during these times that I would feel a rather odd sensation run across my scalp and I'd swear I'd hear the sound, "PE-DINK." Not knowing what the "PE-DINK" sound was or why I was having an odd sensation running across my scalp, I went home and took out a mirror and looked at the back of my head. Well, there was the result of the "PE-DINK" sound blaring at me. My first gray hair.

Many times throughout the years, Mary came to me with the "I'm mad" stance with the request that I do something about what she was mad about. I assured her I would (while starting to shake and hearing "PE-DINK, PE-DINK, PE-DINK" over and over again like the opening and closing of a cash register drawer.)

Well, look at me now. Twenty years later and that "PE-DINK" sound has covered my entire head with gray hairs which I like to refer to as my "M&M's". And I'm not referring to the candy-I'm referring to Mary Moore's initials.

Needless to say, Mary has left an everlasting mark on my heart, soul and HEAD, which I will cherish until God decides to take me from this earth."

RESOLUTION
August 28, 2007

WHEREAS, it has been brought to the attention of the Jackson Township Council that Mary L. Moore, the longest serving municipal employee in the Township of Jackson is retiring after forty-five years of service; and

WHEREAS, Mary L. Moore has shown throughout her many years of service that a municipal employee plays the most important role in serving township residents; and

WHEREAS, this wonderful, caring and most of all “friend” will leave an everlasting and endearing memory in the minds and hearts of all she has touched during her lifetime and it is important that she know that the Township of Jackson will truly miss and never be the same without her; and

WHEREAS, because of her selfless and compassionate efforts towards family, friends, co-workers and anyone who has been fortunate enough to know her, we are all honored to show our greatest respect and admiration for Mary in saying best wishes and much happiness for her in her retirement years.

NOW, THEREFORE, BE IT RESOLVED, the Township Council, of the Township of Jackson, County of Ocean, State of New Jersey do hereby make the following wish for Mary: “May the road rise to meet you, may the wind be always at your back, may the sun shine warm upon your face, the rains fall soft upon your fields, and until we meet again,

“May GOD hold you in the palm of his hand.”

Ann M. Updegrave
Council President

Jason J. Gudaitis
Council Vice-President

Committeewoman Emily Ingram
Councilman Scott R. Martin
Councilman Angelo Stallone

PRESENTATIONS

COUNCILWOMAN INGRAM stated the Women of Today participated in a fund raising activity called Theater For A Cause held on August 3rd where the proceeds went to Camp Quality that Vinny Rubio is a Board member. After speaking with Mr. Rubio she learned Camp Quality is an international camp that has a New Jersey chapter located in Blirstown, New Jersey that offers a one-week program for children between the ages of 5-17 with cancer. Councilwoman Ingram then presented Diane Stanaway and several members of the Women of Today and Vincent Rubio with a Certificate of Appreciation and thanked them for all they do. Mr. Rubio then stated what a wonderful municipality Jackson was with its many non-profit organizations that offer to help in whatever way necessary and thanked The Women of Today for everything they do. Councilman Stallone stated he visited the Jackson Food Pantry, run by The Women of Today, during

their monthly distribution and was impressed with the amount of food they give to the needy residents of Jackson.

COUNCILMAN STALLONE presented David VanArsdale with a Certificate of Appreciation for the work he did in getting a \$5,000.00 grant from the State Forest Fire Service. He then introduced Greg McLaughlin of the State Forest Fire Service. Mr. McLaughlin stated he met Dave VanArsdale at the Fall Forestry Festival hosted at the Forest Resource Center on Don Connor Boulevard when Mr. VanArsdale asked how the State Forest Fire Service could help in providing more education to the residents of Jackson and apply for Community Wild Fire Grant money for a fire prevention trailer, fire educational material and other programs and stated how happy he was to have someone like Dave help him get the word out about wild fire protection and prevention. He state Jackson experienced a significant amount of development and in 1963 they had one of the worst wild fires in the State's history where 183 acres burned and seven people died and 200 homes burned up and stated wildfires repeat themselves and it's important to get the word out and be prepared. Mr. McLaughlin invited anyone looking to obtain information to drop by and pick up some educational material.

COUNCIL VICE PRESIDENT GUDAITIS presented a Certificate of Appreciation to Police Officer John Convery for his work in organizing Night Out Against Crime that brought all emergency organizations together one night to provide information, displays and interaction with the community that he felt was great for residents to understand the other side of policing and emergency response. Officer Convery thanked Mr. Sesna of NJ Lawn & Irrigation for his generosity and all emergency responders that come out every year to offer their support and stated each year it gets better and better.

PROCLAMATIONS

MAYOR MARK SEDA read a proclamation recognizing Mary Moore as Jackson Township's longest working person in the history of Jackson who started in 1962 with a starting at \$3,300.00 per year as a Clerk Typist and noted she is presently a Supervising Tax Clerk. He stated her dedication and professionalism has brought pride to the community and proclaimed September 1, 2007 as Mary Moore Day and wished her well in her retirement.

MAYOR MARK SEDA read a proclamation for National Payroll Week that was founded by the National Payroll Association for the purpose of setting aside five working days of each year as a way to honor working individuals who's tax contributions help support the American dream and to payroll professionals that process those contributions and proclaimed 09/03/07 through 09/07/07 as National Payroll Week and acknowledges and supports the public awareness with the theme " America Works Because We're Working For America".

COMMENTS BY THE TOWNSHIP COUNCIL MEMBERS:

COUNCILWOMAN INGRAM congratulated Mary Moore and everyone who received certificates and congratulated the Jackson Memorial High School Jaguar Marching Band on their first performance and to the soccer team that played last weekend. She then mentioned the full moon hike she attended and found it educational and entertaining.

COUNCILMAN MARTIN congratulated Mary Moore on her longevity noting we live in a time when people move from job to job. He stated Holman Field opened and the Gospel Festival was a success and congratulated the marching band and soccer team for putting on a successful event and added the block party at Solo Bella was great despite the hot weather.

COUNCILMAN STALLONE advised everyone to watch out for kids and buses as the children go back to school. He reminded the public about Jackson Day on September 8th where he anticipated the fireworks would be better than the Independence Day display and he noted Johnson Park now has a dog area where residents can bring their dogs to run off leash and asked anyone who was interested the Jackson Library was in need of volunteers. He thanked everyone for coming.

COUNCIL VICE PRESIDENT GUDAITIS congratulated Mary Moore on her retirement and noted the turnout on her behalf was a display of how everyone felt about her and he wished her well. He congratulated Pinelands Karate Institute on their expansion and the grand opening of their new location that he and other Council members attended and congratulated the children that participated in the soccer tournament and thanked Bella of Solo Bella for the great block party. He mentioned the police pig roast would be held October 6th and would double check the date but believed it to be correct and then thanked Police Director Matthew Kunz and Sgt. Brian Geoghegan for their hard work in applying for the Drunk Driving Enforcement Fund Grant Program where the Township would be eligible to receive \$7,770.24 toward drunk driving enforcement activities that would work toward keeping the residents of Jackson safe.

COUNCIL PRESIDENT UPDEGRAVE thanked everyone for coming and congratulated those honored and thanked everyone that gives of himself or herself for the betterment of Jackson. She spoke of the many years Mary Moore dedicated herself to her fellow residents and set an example that she herself followed. She wished everyone a safe trip home.

BILLS AND CLAIMS

MOTION TO APPROVE BILLS AND CLAIMS BY: STALLONE

MOTION SECONDED BY: MARTIN

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

ABSTAIN: INGRAM (NJ LAWN & IRRIGATION), MARTIN (JUAN BELLU & ASSOCIATES) GUDAITIS (NJ LAWN & IRRIGATION) & UPDEGRAVE (DASTI, MURPHY & MCGULKIN)

CHECK#	VENDOR	AMOUNT
74929	AUCTION OFFICE SUPPLIES INC.	724.54
74930	AMSTERDAM PRINTING & LITHO	235.59
74931	ANS CONSULTANTS INC.	1,221.50
74932	ASBURY PARK PRESS, INC.	1,987.24
74933	BAYWAY LUMBER	2,433.93
74934	JUAN BELLU & ASSOC.	2,180.00
74935	BEYER BROTHERS CORP.	868.89
74936	BRICK STARTER & ALTERNATOR, INC.	343.60
74937	CENTRAL JERSEY WASTE AND	68,627.50
74938	CITTA, HOLZAPFEL & ZABARSKY	1,527.98
74939	COHENS MODERN PRINT SVCE. INC.	81.00
74940	COMPUSA STORES LP	795.27
74941	COPY DYNAMICS	686.00
74942	CORE MECHANICAL, INC.	13,661.75
74943	COUNTY LINE HARDWARE	17.98
74944	COUNTRY SUDSER CAR WASH	284.00
74945	DASTI, MURPHY, MCGUCKI, ET ALS	1,469.36
74946	DELTA PRODUCTS, INC.	1,370.03
74947	DELL MARKETING L.P.	35.19
74948	DEL-VEL CHEMICAL	67.00
74949	DEPTCOR/BUREAU OF	38.50
74950	DIVISION OF STATE POLICE-SBI	210.00
74951	DOWNS FORD, INC.	758.13
74952	EAGLE MAINTENANCE SUPPLY INC.	3,044.70

74953	EAGLE POINT GUNS	5,937.00
74954	EDMUND GERBER, ESQ.	641.00
74955	EMERGI-CLEAN INC.	618.00
74956	EXCAVATING MATERIALS &	2,815.00
74957	FAIRLITE ELECTRIC SUPPLY CO.	380.48
74958	FALCON PRINTING & GRAPHICS, INC.	145.00
74959	FIDELITY TAX LLC	4,003.55
74960	FOUR SEASONS @ METEDECONK LAKES	7,981.48
74961	FRENCH & PARRELLO ASSOC., P.A.	4,254.43
74962	GARDEN STATE HWY PRODUCTS, INC.	176.00
74963	GENERAL CODE PUBLISHERS CORP.	1,070.52
74964	GILMORE & MONAHAN, P.A.	2,689.80
74965	GLUCK, ALLEN & GERTNER, LLC	912.50
74966	GOOD FRIEND ELECTRICAL	823.03
74967	GOTH CITY SIGN	50.00
74968	GRANTURK EQUIPMENT CO., INC.	114.45
74969	HERMAN'S TRUCKING	1,473.75
74970	THE HOME DEPOT	1,794.00
74971	HOME SYSTEMS OF NJ	295.00
74972	HUNTER JERSEY PETERBUILT	388.84
74973	IKON OFFICE SOLUTIONS	834.00
74974	INDUSTRIAL WELDING SUPPLY INC.	89.00
74975	INTERNATIONAL TRUCK OF CENTRAL	1,846.59
74976	JACKSON TWP. BOARD OF ED	5,741,024.00
74977	JACKSON TWP. MUN. UTILITIES AUTH	64.40
74978	VOID	-0-
74979	JACKSON TWP. PBA	250.00
74980	JERSEY CENTRAL POWER & LIGHT	24,297.63
74981	A-1 JDK SPECIALTIES	20.00
74982	JDM PLANNING ASSOCIATES, LLC	937.50
74983	JERSEY SHORE COUNCIL BOY	75.00
74984	JERSEY SHORE MEDICAL CENTER	430.00
74985	J.R. HENDERSON LABS, INC.	140.00
74986	MATTHEW KUNZ	133.12
74987	LAKEWOOD AUTO SUPPLY INC.	311.01
74988	LANGUAGE SERVICES ASSOCIATES	16.80
74989	LAWMEN SUPPLY CO. OF NJ, INC.	2,307.76
74990	LEE BATTERY SERVICE, INC.	1,788.42
74991	LOWE'S COMPANIES, INC.	110.16
74992	HENRY J MANCINI & ASSOC.	872.50
74993	MASTERMAN'S	63.84
74994	MERIDIAN OCCUPATIONAL HEALTH	520.00
74995	METICULOUS LANDSCAPING, INC.	5,754.22
74996	MAACM	200.00
74997	MONMOUTH TELECOM	1,426.90
74998	NFPA	697.50
74999	NJ LAWN & IRRIGATION	120.00
75000	NEW JERSEY NATURAL GAS	3,137.05
75001	NEW JERSEY PLANNING OFFICIALS	54.00
75002	NJR OME SERVICE	60.00
75003	NJLM	105.00
75004	NJ SHADE TREE FEDERATION	85.00
75005	NOREIKA GAS INC.	140.29
75006	NORMAN'S GLASS & AUTO SVCS, INC.	716.96
75007	OCEAN COUNTY BOARD OF HEALTH	8,345.00
75008	OCEAN COUNTY NEWSPAPERS, INC.	91.46
75009	OFFICE FURNITURE PLUS, INC.	529.50
75010	G. THOMAS OLSKI	10.00
75011	GREGORY PFREMMER SR.	10.00
75012	PILADELPHIA TURF CO.	376.04
75013	RED THE TAILOR, INC.	600.00
75014	REMINGTON, VERNICK & VENA ENG.	14,032.33

75015	RITTENHOUSE KERR FORD INC.	605.43
75016	RUBBERCYCLE	208.76
75017	BRIAN E. RUMPF	2,426.88
75018	RUTGERS, THE STATE UNIVERSITY	514.00
75019	JOYCE C. SANTILLO	10.00
75020	SEELY EQUIPMENT & SUPPLY	27.90
75021	SENIORS WHO CARE, INC.	349.04
75022	SHERWIN WILLIAMS COMPANY, INC.	1,830.89
75023	SHOPRITE/PERLMART, INC.	112.40
75024	JAMES STANFORD	1,500.00
75025	STEPHAN L. GREEN TRAILERS	20,060.00
75026	STEWART BUSINESS SYSTEMS	225.00
75027	T & M ASSOCIATES, INC.	805.75
75028	TREC-ADVANCED COMPUTER	6,785.00
75029	TRICO	379.69
75030	TUBE LIGHT COMPANY, INC.	201.70
75031	MICHAEL CEPPALUNI DBA/UNITED	350.00
75032	USHER PUBLISHING COMPANY, INC.	38.00
75033	V & S PRECAST CORP.	6,606.13
75034	VAN SANT EQUIPMENT	69.76
75035	VAN SANT SEWER SERVICE LLC	510.20
75036	VERIZON WIRELESS	24.00
75037	VERIZON	1,912.84
75038	WALTER R. EARLE CORPORATION	356.13
75039	W.B. MASON COMPANY	321.50
75040	WESTWOOD COMPUTER CORP.	2,509.56
75041	WHITEMARSH CORP.	1,319.58
75042	KELLY WINTHROP, LLC	160.00
75043	JACKSON TOWNSHIP P/R ACCT	692,495.54
75044	JACKSON TOWNSHIP P/R ACCT	54,453.32
75046	JACKSON TOWNSHIP P/R ACCT	4,126.72
	TOTAL	6,753,152.21

CHECK#	VENDOR	AMOUNT
060588	VOID	-0-
060712	VOID	-0-
074865	VOID	-0-
074928	NJ DIV OF FISH &	2.00
074927	NJ DIV OF FISH &	2.00

CHECK#	VENDOR	AMOUNT
60716-60723	GENERAL TRUST	315,394.59
61639-61660	PARKS REC	20,561.19
2124	SUBDIVISION	9,949.20
357	DOG	145.00
3931-3954	DEVELOPER	84,065.26

CAPITAL		
CHECK#	VENDOR	AMOUNT
60597	EARL ASPHALT COMPANY	13,034.43
60598	FRENCH & PARRELLO ASSOC., P.A.	16,238.40
60599	GILMORE & MONAHAN, P.A.	14,366.22
60600	MID-STATE ABSTRACT COMPANY	8,565.00
60601	OCEAN SOIL CONSERV. DIST. NJ	1,750.00
60602	T & M ASSOCIATES, INC.	5,039.90
60603	THOMAS ROBERTSON AND CO.	2,200.00

60604	TREASURER, STATE OF NJ	300.00
	TOTAL	61,493.95

CHECK#	VENDOR	AMOUNT
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ORDINANCES, SECOND READING:

ORDINANCE 26-07

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING ORDINANCE NO. 05-07 ESTABLISHING THE SALARIES FOR ALL OF THE VARIOUS OFFICIALS AND EMPLOYEES OF THE TOWNSHIP FOR THE YEAR 2007 AND THEREAFTER

PUBLIC HEARING OPENED - NO ONE CAME FORWARD.

MOTION TO CLOSE PUBLIC HEARING BY: MARTIN

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

MOTION TO APPROVE ORDINANCE 26-07 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED NEWSPAPER AS REQUIRED BY LAW BY: MARTIN

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

ORDINANCE 26-07

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

SECTION 1. Schedule "A" of Ordinance 05-07 is hereby amended to establish salaries for the official employees whose titles are set forth below.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are repealed.

SECTION 3. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, subdivision, clause or provision so adjudged and the remainder of this ordinance shall be deemed to be valid and effective.

MAYOR MARK A. SEDA

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Jackson, in the County of Ocean, State of New Jersey, held on August 14, 2007 and will be considered for second reading and final passage at the regular meeting of said Township Council to be held on the 28th day of August 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.

SALARY RANGE

<u>TITLE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
FULL TIME		
EMERGENCY MEDICAL TECHNICIAN	33,006	45,745
HEAVY EQUIPMENT OPERATOR	32,300	58,000
SENIOR MAINT. REPAIRER CARPENTER	32,300	49,000
PART TIME, HOURLY, SEASONAL		
EMERGENCY MEDICAL TECHNICIAN	13.00/HR.	22.00/HR.

DATED: 08/28/07

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

ORDINANCE 27-07

TITLE: BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 19-01 ADOPTED ON JUNE 11, 2001, AS AMENDED BY BOND ORDINANCE 22-07 ADOPTED ON JULY 10, 2007, PROVIDING FOR VARIOUS 2001 CAPITAL IMPROVEMENTS, IN ORDER TO EXPAND THE SCOPE OF IMPROVEMENTS TO INCLUDE THE REFURBISHMENT AND/OR ACQUISITION OF EMERGENCY MEDICAL TRANSPORT VEHICLES, AUTHORIZED IN AND BY THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, NEW JERSEY

PUBLIC HEARING OPENED - NO ONE CAME FORWARD.

**MOTION TO CLOSE PUBLIC HEARING BY: STALLONE
MOTION SECONDED BY: GUDAITIS
YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE**

**MOTION TO APPROVE ORDINANCE 27-07 ON SECOND READING,
ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED
NEWSPAPER AS REQUIRED BY LAW BY: GUDAITIS
MOTION SECONDED BY: STALLONE
YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE**

ORDINANCE 27-07

WHEREAS, the Township of Jackson, in the County of Ocean, New Jersey (the “Township”) finally adopted Bond Ordinance No. 19-01 on June 11, 2001, as amended by Bond Ordinance 22-07 adopted on July 10, 2007 (collectively the “Prior Ordinance”), providing for the various 2001 Capital Improvements; and

WHEREAS, the Township has determined that the project description set forth in the Prior Ordinance needs to be amended, without increasing the aggregate appropriation or debt authorization for said purposes.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township Of Jackson, in the County of Ocean, State of New Jersey (not less than two-thirds of all members thereof affirmatively concurring), as follows:

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

(vi) the acquisition and installation, if applicable, of various equipment and associated site improvements therewith for various Township departments, including, but not limited to, the acquisition and installation of an emergency generator, an emergency communication system and a communications tower for the Township's Emergency Management Department located in the Township Justice Complex, the acquisition and installation of a photo-copier for the Township's Police Department located in the Township Justice Complex, the acquisition and installation, if applicable, of a roll-off truck with a plow, a 30 cubic-yard compactor truck with a plow, a road side mower, a leaf vacuum machine and a transfer station compactor for the Township's Department of Public Works, the acquisition of a handicap assessable bus for the transportation of senior citizens, and the refurbishment and/or acquisition of emergency medical transport vehicles.

Section Two. The aggregate appropriation (\$4,984,101), the aggregate debt authorization (\$4,532,440), the aggregate down payment (\$451,661) (\$190,000 grant funds received from the Department of Transportation, \$35,000 grant funds received from a Community Development Block Grant, and \$226,661 from the Capital Improvement Fund), and other authorizations set forth in the Prior Ordinance remain unchanged and are hereby confirmed.

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

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

MAYOR MARK A. SEDA

NOTICE OF PENDING ORDINANCE

The referenced ordinance published herewith was introduced and passed upon first reading at a meeting of the governing body of the Township of Jackson, in the County of Ocean, New Jersey, held on August 14, 2007. It will be further considered for final passage after public hearing thereon, at a meeting of said governing body to be held in the Jackson Township Municipal Complex, 95 West Veterans Highway, Jackson, New Jersey, on August 28, 2007, at 7:30 p.m., or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same.

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

ANN MARIE EDEN
TOWNSHIP CLERK

DATED: 08/28/07

TITLE: BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 09-07 ADOPTED ON MARCH 27, 2007, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, IN ORDER TO EXPAND THE SCOPE OF IMPROVEMENTS TO INCLUDE THE ACQUISITION AND/OR REFURBISHMENT OF EMERGENCY MEDICAL TRANSPORT VEHICLES, AUTHORIZED IN AND BY THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, NEW JERSEY

PUBLIC HEARING OPENED

PAUL MAYEROWITZ-91 CYPRESS POINT LANE: He asked about Ordinances 27-07, 28-07 and 29-07 and how much money is being allocated for the vehicles. Mayor Seda stated about \$160K and believed one vehicle would be brand new and one would be refurbished.

MOTION TO CLOSE PUBLIC HEARING BY: STALLONE

MOTION SECONDED BY: MARTIN

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

MOTION TO APPROVE ORDINANCE 28-07 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED NEWSPAPER AS REQUIRED BY LAW BY: MARTIN

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

ORDINANCE 28-07

BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 09-07 ADOPTED ON MARCH 27, 2007, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, IN ORDER TO EXPAND THE SCOPE OF IMPROVEMENTS TO INCLUDE THE ACQUISITION AND/OR REFURBISHMENT OF EMERGENCY MEDICAL TRANSPORT VEHICLES, AUTHORIZED IN AND BY THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, NEW JERSEY

WHEREAS, the Township of Jackson, in the County of Ocean, New Jersey (the "Township") finally adopted Bond Ordinance No. 09-07 on March 27, 2007 (the "Prior Ordinance"), providing for various capital improvements and the acquisition of various capital equipment; and

WHEREAS, the Township has determined that the project description set forth in the Prior Ordinance needs to be amended, without increasing the aggregate appropriation or debt authorization for said purposes.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Jackson, in the County of Ocean, State of New Jersey (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

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

(iv) Acquisition of Security and Telecommunications equipment and GPS Tracking System for Various Municipal Departments, and the acquisition and/or refurbishment of emergency medical transport vehicles, with a total appropriation and estimated cost of \$170,000, estimated maximum amount of bonds or notes therefor of \$153,000, and an average period of usefulness of 5 years;

Section Two. The aggregate appropriation (\$7,895,000), the aggregate debt authorization (\$7,105,500), the aggregate down payment (\$789,500), and other authorizations set forth in the Prior Ordinance remain unchanged and are hereby confirmed.

Section Three. All ordinances or parts of ordinances in conflict or inconsistent with any of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or are inconsistent. In the event that any section, part or provision of this ordinance shall be held to be unconstitutional or invalid by any court, such holding shall

not affect the validity of this ordinance as a whole, or any part hereof other than the part so held unconstitutional or invalid.

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

MAYOR MARK A. SEDA

NOTICE OF PENDING ORDINANCE

The referenced ordinance published herewith was introduced and passed upon first reading at a meeting of the governing body of the Township of Jackson, in the County of Ocean, New Jersey, held on August 14, 2007. It will be further considered for final passage after public hearing thereon, at a meeting of said governing body to be held in the Jackson Township Municipal Complex, 95 West Veterans Highway, Jackson, New Jersey, on August 28, 2007 at 7:30 p.m., or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same.

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

ANN MARIE EDEN
TOWNSHIP CLERK

DATED: 08/28/07

ORDINANCE 29-07

TITLE: BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 35-05 ADOPTED ON SEPTEMBER 12, 2005, PROVIDING FOR VARIOUS IMPROVEMENTS, IN ORDER TO EXPAND THE SCOPE OF IMPROVEMENTS TO INCLUDE THE ACQUISITION AND/OR REFURBISHMENT OF EMERGENCY MEDICAL TRANSPORT VEHICLES, AUTHORIZED IN AND BY THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, NEW JERSEY

PUBLIC HEARING OPENED - NO ONE CAME FORWARD

MOTION TO CLOSE PUBLIC HEARING BY: MARTIN

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

MOTION TO APPROVE ORDINANCE 29-07 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED NEWSPAPER AS REQUIRED BY LAW BY: MARTIN

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

BOND ORDINANCE 29-07

BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 35-05 ADOPTED ON SEPTEMBER 12, 2005, PROVIDING FOR VARIOUS IMPROVEMENTS, IN ORDER TO EXPAND THE SCOPE OF IMPROVEMENTS TO INCLUDE THE ACQUISITION AND/OR REFURBISHMENT OF EMERGENCY MEDICAL TRANSPORT VEHICLES,

AUTHORIZED IN AND BY THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, NEW JERSEY

WHEREAS, the Township of Jackson, in the County of Ocean, New Jersey (the "Township") finally adopted Bond Ordinance No. 35-05 on September 12, 2005 (the "Prior Ordinance"), providing for various improvements; and

WHEREAS, the Township has determined that the project description set forth in the Prior Ordinance needs to be amended, without increasing the aggregate appropriation or debt authorization for said purposes.

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

Section One. Section 3(a) (i) and (ii) of the Prior Ordinance is hereby amended to read as follows:

(i) the acquisition of various equipment for Township departments, including but not limited to the following departments: Animal Control, Township Clerk, Code Enforcement, Emergency Management, Engineering, Municipal Court, Office of Golden Aging, Planning/Zoning, Police Department, Public Works, Recreation, and Tax Collector, and the acquisition and/or refurbishment of emergency medical transport vehicles, together with all purposes necessary, incidental or appurtenant thereto, with a total appropriation and estimated cost of \$347,335, estimated maximum amount of bonds or notes therefor of \$329,968 and an average period of usefulness of five (5) years;

(ii) the acquisition of various vehicles for the Emergency Management Department, the Engineering Department, the First Aid Squad, the Public Works Department and the Code Enforcement Department, and the acquisition and/or refurbishment of emergency medical transport vehicles, together with all purposes necessary, incidental or appurtenant thereto, with a total appropriation and estimated cost of \$334,000, estimated maximum amount of bonds or notes therefor of \$317,300 and an average period of usefulness of five (5) years;

Section Two. The aggregate appropriation (\$1,247,108), the aggregate debt authorization (\$1,184,752), the aggregate down payment (\$62,356), and other authorizations set forth in the Prior Ordinance remain unchanged and are hereby confirmed.

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

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

MAYOR MARK A. SEDA

NOTICE OF PENDING ORDINANCE

The referenced ordinance published herewith was introduced and passed upon first reading at a meeting of the governing body of the Township of Jackson, in the County of Ocean, New Jersey, held on August 14, 2007. It will be further considered for final passage after public hearing thereon, at a meeting of said governing body to be held in the Jackson Township Municipal Complex, 95 West Veterans Highway, Jackson, New Jersey, on August 28, 2007 at 7:30 p.m., or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same.

A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted in the Municipal Complex of the Township during the

week prior to and up to and including the date of such meeting; copies of the ordinance are available to the general public of the Township who shall request such copies, at the office of the Municipal Clerk in said Township of Jackson, in the County of Ocean, New Jersey.

DATED: 08/28/07

**ANN MARIE EDEN
TOWNSHIP CLERK**

ORDINANCE FIRST READING

ORDINANCE 30-07

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY RE-APPROPRIATING THE SUM OF \$5,000 CURRENTLY LOCATED WITHIN THE GENERAL CAPITAL FUND

**MOTION TO APPROVE ORDINANCE 30-07 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, SEPTEMBER 11, 2007 BY: GUDAITIS
MOTION SECONDED BY: INGRAM**

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

ORDINANCE 30-07

WHEREAS, there is currently within the Township of Jackson an item entitled Reserve for Public Works Equipment on the Balance Sheet in the General Capital Fund; and

WHEREAS, there is a residual balance of \$5,000.00 in this reserve; and

WHEREAS, it is the desire of this Township Council to re-appropriate the balance of said funds to aid in the acquisition and/or refurbishment of Emergency Medical Transport Vehicles.

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

SECTION 1. There is hereby re-appropriated from the General Capital Fund contained within the Reserve for Public Works Equipment the sum of \$5,000 to be reclassified in order to acquire and/or refurbish Emergency Medical Transport Vehicles.

SECTION 2. All Ordinances or parts of Ordinance, which are inconsistent with the terms of this Ordinance, be and the same are hereby repealed to the extent of their inconsistency.

SECTION 3. This Ordinance shall take effect immediately upon proper passage and publication in accordance with law.

MAYOR MARK A. SEDA

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Jackson, in the County of Ocean, State of New Jersey, held on August 28, 2007 and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 11th day of September, 2007 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.

DATED: 08/28/07

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

ORDINANCE 31-07

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING CHAPTER 51 ENTITLED "DOGS AND OTHER ANIMALS" OF THE ADMINISTRATIVE CODE OF THE TOWNSHIP OF JACKSON

**MOTION TO APPROVE ORDINANCE 31-07 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, SEPTEMBER 11, 2007 BY: INGRAM
MOTION SECONDED BY: MARTIN
YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE**

ORDINANCE 31-07

AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 51 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF JACKSON ENTITLED "DOGS AND OTHER ANIMALS", SO AS TO AMEND §51-14 AND §51-16 TO DELETE THE WORD "DOG" AND IN ITS PLACE INSERT THE WORD "ANIMAL" AND TO FURTHER AMEND CHAPTER 51 TO DELETE THE TERM "DOG WARDEN" AND REPLACE IT WITH "ANIMAL CONTROL OFFICER" WHEREVER IT APPEARS IN THE CHAPTER

SECTION 1. Section 51-14 entitled "Dogs on Private Property" is hereby amended and supplemented to provide as follows:

§ 51-14 Animals on Private Property

No owner of any animal shall suffer or permit such animal to be upon any private property other than the premises of the owner without consent of the owner or tenant of said property.

SECTION 2. Section 51-16 entitled "Owner Responsibility" is hereby amended and supplemented to provide as follows:

§ 51-16 Owner Responsibility

Owner or custodian of any animal shall be responsible for the damages done or caused by such animal.

SECTION 3. Chapter 51 of the Township Code of the Township of Jackson entitled "Dogs and Other Animals" is hereby amended and supplemented to delete the phrase "Dog Warden" and replace the same with the words "Animal Control Officer" wherever such reference appears in Chapter 51 of the Township Code of the Township of Jackson.

SECTION 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 6. This ordinance shall take effect after second reading and publication as required by law and in accordance with N.J.S.A. 40:69A-181(b).

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Jackson, in the County of Ocean, State of New Jersey, held on August 28, 2007, and will

be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 11th day of September 2007, at 7:30 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 95 W. Veterans Highway, Jackson, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

DATED: 08/28/07

PUBLIC HEARING OPENED, RESOLUTIONS ONLY

PAUL MAYEROWITZ-91 CYPRESS POINT LANE: He referenced Resolution 376R-07 asking how many bids were received and who won the bid? Council President Updegrave stated there was only one bid and it was awarded to Feinberg & McBurney Realty. Mayor Seda stated in 2005 CVS was willing to purchase the same property for \$1 million and when he took office he felt the property might be needed to expand the Public Works building then learned Ocean County was looking to relocate from the property adjacent to the Jackson Public Works building and suggested to Council to put the property up for auction where they received and accepted the single bid of \$2,010,000.00. Mr. Mayerowitz asked what the urgency was? Attorney Gilmore explained the previous contract in 2005 and their request for an extension to obtain Pineland approvals and problems that were encountered and when the property went out for bid again, it was increased to \$2,010,000.00 and CVS expressed an interest. Mayor Seda offered additional background on the matter and then discussed private classes Mr. Mayerowitz had given senior communities on filing tax appeals. Mr. Mayerowitz stated he voiced his concerns about the sale of the property previously and his position hasn't changed and it had nothing to do with the classes he gave privately and didn't feel his elected officials should criticize him for educating people on what they are entitled to under the law because they felt they were overpaying their property taxes and stated his real estate question was separate from the tax appeal issue. Council President Updegrave stated there were many people present and wanted to move ahead. Mr. Mayerowitz then asked about the CFO report and wanted to know where the town was fiscally. Councilwoman Ingram explained the software presently being used and stated they are converting to a better one but had created her own report indicating they are approximately \$1 million under budget based on expenses. Council President Updegrave stated Mr. Mayerowitz had been given more individualized attention in the past and suggested, as a matter of procedure, he complete a request for public records application and allow each department head time to get requested information and documentation together. Councilman Stallone stated anyone had the opportunity to bid on the property but CVS was the only company that felt there was a need for that type of business on that side of town and they had no reason to not accept the bid.

**MOTION TO CLOSE PUBLIC HEARING, RESOLUTIONS ONLY BY:
GUDAITIS
MOTION SECONDED BY: MARTIN
YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE**

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

RESOLUTION 373R-07

TITLE: AUTHORIZE TAX OVERPAYMENT REFUNDS

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

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

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

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

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

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

TOWNSHIP OF JACKSON

OVERPAYMENT REFUNDS

August 28, 2007

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>YEAR-QTR</u>	<u>AMOUNT</u>
401	9 – Qfarm	V & S Precast Corp	2007 – 1 st 2007 – 2 nd	\$3,303.07 3,303.06
16202	1 – Qfarm	Fidelity Tax LLC	2007 – 1 st 2007 – 2 nd	2,004.25 1,999.30
TOTAL AMOUNT:				\$10,609.68

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

DATED: 08/28/07

RESOLUTION 374R-07

TITLE: APPROVE JACKSON TOWNSHIP COUNCIL MEETING MINUTES OF JUNE 26, 2007, JULY 10, 2007, JULY 24, 2007 AND JULY 1, 2007 REORGANIZATION

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

ABSTAIN: INGRAM (July 1, 2007 and July 10, 2007)

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

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

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

1. The following Minutes are hereby approved by the Jackson Township Council:

- June 26, 2007
- July 1, 2007 Reorganization
- July 10, 2007
- July 24, 2007 and

2. Copies of this resolution to any interested parties.

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

DATED: 08/28/07

RESOLUTION 375R-07

TITLE: RESOLUTION RESCINDING THE PETTY CASH FUNDS FOR THE PLANNING & ZONING DEPARTMENT, WELFARE DEPARTMENT AND CONSTRUCTION OFFICE DUE TO THESE FUNDS ARE NO LONGER IN EXISTENCE

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, it is the desire of the Township of Jackson, County of Ocean that the petty cash fund for the Planning & Zoning Department, Welfare Department and the Construction Office be rescinded.

NOW, THEREFORE, BE IT RESOLVED by the Jackson Township Governing Body that this Council does hereby authorize the rescinding of the petty cash fund for the Jackson Township's Planning & Zoning Department, Welfare Department and the Construction Office.

BE IT FURTHER RESOLVED that the Township Clerk shall forward certified copies of this Resolution to the Director of the Division of Local Government Services (two certified copies), Municipal Administrator, Chief Financial Officer, Auditor, Township Clerk's Department and any other interested parties.

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

DATED: 08/28/07

RESOLUTION 376R-07

TITLE: RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR THE SALE OF TOWNSHIP PROPERTY KNOWN AS BLOCK 16701, P/O LOT 5 (F/K/A BLOCK 40, P/O LOT 35)

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, the Township has advertised and had public bidding for the sale of property no longer needed for public use, which consists of a 2.5 acre portion of the site known as Block 16701, P/O Lot 5, located on the corner of Don Connor Boulevard and West Veteran's Highway; and

WHEREAS, the minimum purchase price established for the sale of such land was \$2,010,000.00; and

WHEREAS, the Township received a bid from Feinberg & McBurney Realty/Development, LLC in the amount of \$2,010,000.00, which was the minimum bid price set for this public sale; and

WHEREAS, the Township desires to enter into a binding agreement for the sale of such property at the price of \$2,010,000.00

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

1. The Mayor is authorized to execute and the Township Clerk to attest to a contract for the sale of 2.5 acres of the property known as Block 16701, P/O Lot 5, at the price of \$2,010,000.00, consistent with the terms contained within the bid specifications as published on August 1, 2007 and August 8, 2007 (Schedule "A" attached).

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.

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that bids will be received by the governing body of the Township of Jackson in the Municipal Building, 95 West Veterans Highway, Jackson Township, New Jersey, on Thursday, **August 16th, 2007 at 10:00 a.m.**, by sealed bid method, for a portion of Block 16701, Lot 5 (formerly known as Block 40, Lot 35), consisting of approximately 2.5 acres of land.

1. The property will be sold at no less than the minimum price of \$2,010,000 to the highest bidder.

2. Each bid shall include cash or certified check in the amount of \$100,000. The cash or certified checks of any unsuccessful bidders shall be returned within fifteen (15) days of award. The \$100,000 of the successful bidder shall be deposited towards the purchase price. This deposit is refundable if the Contract of Sale is canceled, for any reason on or before October 1, 2007 with the exception that the Township shall retain the sum of \$10,000 to cover its costs. After October 1, 2007 the deposit is non-refundable and shall be retained by the Township.

3. The successful bidder shall enter into a contract of sale, in a form prepared by the Township Attorney, within ten (10) days of the date of the Township's determination of the successful bidder. The contract of sale shall provide that the closing of the property shall take place on or before December 31, 2007 with time of the essence. If the successful bidder fails

4. In the event that the bidder is a corporation or partnership, it shall submit to the governing body, prior to the time of the receipt of bids, or accompanying the bid, a statement setting forth the names and addresses of all stockholders in the corporation who own ten percent (10%) or more of its stock, or an interest equivalent for the same, in accordance with P.L. 1977, C. 33.

5. The sale is subject to final confirmation by the governing body of the municipality.

6. The property is to be sold as vacant land.

7. The purchaser shall be responsible for the payment of all recording fees.

8. The property is sold in "AS IS" condition.

9. Prior to execution of a contract, the municipality reserves the right to cancel the sale.

10. This public sale is made subject to such state of facts as an accurate survey may disclose, easements, conditions, covenants and restrictions of record, codes and ordinances of the Township of Jackson as well as the rules and regulations of the Jackson Township Planning Board and Board of Adjustment. No representations of any kind are made by the Township of Jackson as to the condition of the land which is being sold in its present condition "as is." No representations, expressed or implied, are made as to the suitability of the property for development as building lots or as to their access via proper dedicated streets.

11. Purchaser agrees not to reconvey these premises or make contracts for the reconveyance for said premises to a third party until such time as the municipality is paid in full and further agrees not to permit any construction on said property by any party other than purchaser prior to payment of the full purchase price.

12. Purchaser agrees to pay all fees for transferring the property, including legal costs and surveying costs, that may be necessary to secure title insurance and those fees normally incurred by seller on the sale of any real estate. The municipality and purchaser further agree that the Municipal Solicitor will prepare the deed of conveyance from the municipality and the purchaser will reimburse the Township for all legal costs incurred by the Township in the transaction (from the preparation of the notice to bidders through closing of the title).

13. Purchaser agrees to pay the advertising costs incurred by the municipality in the sale of the land.

14. A bidder is deemed to have accepted the terms and conditions imposed herein by submitting a bid to the municipality.

15. The municipality is not responsible to improve any unimproved streets abutting the lot, nor will the municipality make any other improvements upon the purchase of the property. Bidders are cautioned that they have to make their own improvements to the property.

16. The municipality reserves the right to reject any and all bids.

17. Each purchaser is urged to thoroughly research and examine the subject property prior to placing a bid.

18. The zoning designation for the portion of the property being auctioned for sale is PVC2 (Pinelands Village Commercial 2). All prospective bidders will be required to comply with all zoning regulations and will be required to obtain any necessary permits, licenses and variances. The property is sold subject to Municipal Zoning Ordinances in effect at the time of sale as well as all other governmental regulations, including the Pinelands Comprehensive Management Plan.

19. Prospective purchasers are put on notice that the Township Council does not have the authority to provide access to the aforementioned property that lies adjacent to West Veterans Highway, a roadway owned operated by Ocean County. Therefore, the successful bidder shall be responsible for obtaining all requisite County permits and approvals necessary for ingress and egress onto the subject property from West Veterans Highway.

20. Prospective purchasers are further put on notice that the Township Council does not have the authority to provide access to the aforementioned property that lies adjacent to Don Connor Boulevard, a roadway owned and operated by Ocean County. Therefore, the successful bidder shall be responsible for obtaining all requisite County permits and approvals necessary for ingress and egress onto the subject property from Don Connor Boulevard. The Township will authorize an easement over Township property (public works area) for access to Don Connor Boulevard in exchange for the successful bidder processing a Pinelands Application for and making improvements to the existing public works parking lot in conjunction with the application for Pinelands approval for the successful bidders project.

21. The successful bidder shall be responsible for ensuring that the site complies with all Storm Water Management regulations. The Township will authorize an easement of reasonable size for use as a leaching field if required by the Pinelands Commission as part of its approval on Township owned property adjacent to the subject site being sold by the Township.

22. All prospective purchasers are further advised to consult appropriate public and private authorities as to the provisions of utility services.

23. Except as otherwise provided in the terms and conditions of this Resolution, if the title to the property shall prove to be unmarketable or uninsurable at regular rates by a reputable title company license to do business in New Jersey, or the highest bid rejected, the liability of the Township shall be limited to the repayment of the \$100,000 deposit without any further costs, expenses, damage or claim. It shall be the purchaser's responsibility to secure its own title searches. The Township Attorney will prepare the deed and secure a proper legal description of the property obtained by the bidder and record said deed. Notice of any alleged defect in title or claim of unmarketability shall be given to the Township Attorney in writing no later than twenty-one (21) days after the date of the confirmation of the public sale by the Township Council. Failure to give such notice with said time limit shall be deemed to be conclusive that the purchaser accepts the title in its then present condition. Upon receipt of notice of a defect in title, the Township shall have sixty (60) days in which to clear said title defect.

24. The sale is subject to final confirmation by the governing body of Jackson Township.

25. All prospective purchasers are put on notice than no employee, agent, officer, body or subordinate body of the Township of Jackson has the authority to waive, modify or amend any of the terms and conditions of the public sale and of this notice.

26. All costs provided herein as the responsibility of the bidder, such as advertising and transferring of property, shall be paid by the successful bidder at closing.

DATED: 08/28/07

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

RESOLUTION 377R-07

TITLE: AUTHORIZE TOWNSHIP PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FY 2008 THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE COUNTY OF OCEAN

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, in years past, the Township of Jackson had participated in the Community Development Block Grant (CDBG) Program through the County of Ocean; and

WHEREAS, the U.S. Department of Housing and Urban Development has notified the Township of the Jackson that based upon the 2006 population estimate from the U.S. Bureau of Census, the Township of Jackson qualifies as a Potential New Metropolitan City in the Community Development Block Grant (CDBG) Program for FY 2008; and

WHEREAS, the Township has the ability to participate directly with the Federal Government through the County of Ocean and this would entitle a potential metropolitan city to receive a CDBG entitlement grant; and

WHEREAS, a condition of the grant application is that the Township must select one (1) of the four (4) predetermined options with regard to it's participation in the CDBG Program; and

WHEREAS, the Township Council has selected option No. 2 and accepts status as an entitlement grantee and will enter into a joint agreement with the urban county (Ocean County); and

WHEREAS, it is necessary for Township of Jackson to provide written notification of the option selected to the County of Ocean and the HUD Field Office no later than August 28, 2007.

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

1. That the Township Council of the Township of Jackson does hereby authorize the acceptance of the designation of Jackson Township status as a metropolitan city in the Community Development Block Grant Program.

2. That the Township Council of the Township of Jackson does hereby accept the designation of Jackson Township as an entitlement grantee and does authorize the Township to enter into a joint agreement with the County of Ocean, which carries an urban county designation.

3. That the Mayor and Township Clerk are hereby authorized to take any and all actions necessary to effectuate the intent of this resolution.

4. Certified copies of this resolution shall be forwarded to the U.S.

Department of Housing and Urban Development, Ocean County Planning Board, Municipal Administrator, Acting CFO, Municipal Engineer and any other interested parties.

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

DATED: 08/28/07

RESOLUTION 378R-07

TITLE: AUTHORIZE INTERLOCAL SERVICES AGREEMENT BETWEEN JACKSON TOWNSHIP AND THE JACKSON MUNICIPAL UTILITIES AUTHORITY CONCERNING PETROLEUM PRODUCTS FOR THE CALENDAR YEARS 2008, 2009 AND 2010

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, the Jackson Township Municipal Utilities Authority does not have separate facilities for the dispensing of petroleum products; and

WHEREAS, Jackson Township not only has said facilities but is able to acquire petroleum products at discounted prices; and

WHEREAS, the Township is willing to enter into an Interlocal Service Agreement with the Jackson Township MUA whereby the MUA may use the Township's gas pump facilities and reimburse the Township for use of said gasoline pumps at a priced base on the cost of said petroleum products as paid by the Township; and

WHEREAS, the Interlocal Services Act allows the various governmental entities to enter into such an agreement in order to more efficiently serve their respective agencies.

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

1. That the Township Council of Jackson Township hereby authorizes the Mayor and Clerk to execute the attached Interlocal Services Agreement with the Jackson Municipal Utilities Authority in order that the Authority may use the gasoline pumps and petroleum products that are acquired by the Township and reimburse the Township on a cost basis for the calendar years 2008, 2009 and 2010.

2. Said agreement is attached and made part hereof as Schedule A.

3. That upon the adoption of the within Resolution, the Clerk is authorized and directed to forward a certified copy of the within Resolution along with the executed agreement to the Jackson Township Municipal Utilities Authority for their appropriate action.

SCHEDULE A

INTERLOCAL SERVICES AGREEMENT BETWEEN JACKSON TOWNSHIP AND THE JACKSON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY FOR PETROLEUM PRODUCTS FOR THE YEARS: 2008, 2009 AND 2010

THIS AGREEMENT entered into this 28 day of August, 2007 between the **TOWNSHIP OF JACKSON**, a Municipal Corporation of the State of New Jersey having principal offices of 95 West Veterans Highway, Jackson, New Jersey (hereinafter referred to as "Township") and the **JACKSON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**, a body politic of the State of New Jersey with principal offices at 135 Manhattan Street, Jackson, New Jersey (hereinafter referred to as "Authority")

WITNESSETH:

1. For and in consideration of the mutual covenants and conditions hereinafter set forth, the parties hereto enter into a Interlocal Service Agreement for the purpose of having the Authority take advantage of the lower prices being paid for petroleum products by the Township of Jackson.
2. Consideration. The Township shall bill the authority on a monthly basis for the price of the petroleum products used by said Authority. The Authority shall reimburse the Township at the prices paid by the Township for said petroleum products.
3. Terms. The Terms of the within Agreement shall be for the years 2008, 2009 and 2010. Either party may cancel the Agreement by giving the other 30 days written notice of said cancellation.
4. Rules and Regulations. The Authority shall follow the rules and regulations established by the Township for the use of the Township gas pumps and the methods of reporting the actual usage as well as the hours when said facilities will be available to the Authority.
5. Each party shall maintain adequate liability insurance to protect their respective interests.

6. This Agreement shall be binding on the parties hereto, their heirs, their administrators, executors and assigns.

DATED: 08/28/07

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

RESOLUTION 379R-07

TITLE: REQUEST APPROVAL FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-87 FOR “OVER THE LIMIT UNDER ARREST 2007 CRACKDOWN”

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

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 Department of Law & Public Safety, Division of Highway Traffic Safety, 2007 Drunk Driver-Over the Limit Under Arrest in the amount of \$5,000.00.

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

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

1. That the Mayor and Township Council do hereby request an amendment to the 2007 Budget to provide the insertion of a special item of revenue in the amount of \$5,000.00 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 NJ/L & PS Grant – Division Hwy Traffic Safety
2007 Drunk Driver-Over the Limit Under Arrest
\$5,000.00

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

General Appropriations: (operations excluded from CAP)

State NJ/L & PS Grant – Division Hwy Traffic Safety
2007 Drunk Driver-Over the Limit Under Arrest
\$5,000.00

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

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

DATED: 08/28/07

RESOLUTION 380R-07

TITLE: APPROVE ACTING CHIEF FINANCIAL OFFICERS MONTHLY REPORT FOR JULY 2007

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, the Chief Financial Officer has submitted a monthly report; and
WHEREAS, the Township Clerk has submitted this report to the Township Council for their approval;

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

1. The CHIEF FINANCIAL OFFICER’S Report for the month of July 2007 is hereby approved.
2. Copies of this Resolution to Treasurer, Administrator, Township Attorney, and any other interested parties.

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

DATED: 08/28/07

RESOLUTION 381R-07

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO K. HOVNIANIAN OF THE CASH BONDS ISSUED FOR FOUR SEASONS @ SOUTH KNOLLS A/K/A, VARIOUS BLOCK AND LOTS AS FOLLOWS

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, K. Hovnanian has requested the Release of cash bonds for winter conditions for various Block and Lots, Jackson Township as follows:

<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Amount</u>
111.05	61	12 Marlow Drive	\$1,500.00
111.05	74	20 Marlow Driv	\$1,500.00
111.07	24	79 Marlow Drive	\$1,500.00
111.01	128	118 Marlow Dri	\$1,500.00
111.01	125	124 Marlow Drive	\$1,500.00
111.06	2	45 Stamford Drive	\$1,000.00

WHEREAS, Michael G. Miller, Township Engineer, T&M Associates, has reviewed and approved the release of said cash bond in letter reports dated August 3, 2007, which letter reports are made a part hereof; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Jackson, County of Ocean and State of New Jersey, that the Cash Bonds for winter conditions heretofore posted with the Township may and hereby are released to K. Hovnanian.

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

DATED: 08/28/07

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

RESOLUTION 382R-07

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO PARAMOUNT HOMES, OF THE CASH BOND ISSUED FOR 31 MEADOW RUN COURT, A/K/A BLOCK 66.09, LOT 13.16

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, Paramount Homes, has requested the Release of a Cash Bond for winter conditions in the amount of \$1,000.00 pertaining to 31 Meadow Run Court, a/k/a Block 66.09 Lot 13.16, Jackson Township; and

WHEREAS, Michael G. Miller, Township Engineer, T&M Associates, has reviewed and approved the release of said cash bond in a letter report dated August 21, 2007, which letter report is made a part hereof; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of Jackson, County of Ocean and State of New Jersey, that the Cash Bond for winter conditions in the amount of \$1,000.00 heretofore posted with the Township may and hereby is released to Paramount Homes.

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

DATED: 08/28/07

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

RESOLUTION 383R-07

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING A CONTRACT WITH INTERNATIONAL FIREWORKS MFG. COMPANY FOR THE JACKSON DAY FIREWORKS DISPLAY

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, the Township Council has the need for professional pyrotechnic services for the fireworks display to be held at Jackson Day on September 8, 2007 at Johnson Park; and

WHEREAS, Jackson Township previously advertised for the receipt of bids on August 28, 2007 at 10:30 a.m. for said pyrotechnic services; and

WHEREAS, said solicitation of bids satisfies the requirements for a fair and open process under N.J.S.A. 19:44A: 20.2, ET. Seq.; and

WHEREAS, at the time and place for receipt of bids, one (1) bid was received from International Fireworks; and

WHEREAS, the Mayor, Township Purchasing Agent and Director of Recreation have reviewed said bid; and

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

WHEREAS, the Mayor, Township Purchasing Agent and Director of Recreation recommend that the bid for the Jackson Day Fireworks Display be awarded to International Fireworks Mfg. Company; and

NOW, THEREFORE, BE IT RESOLVED, the Township Council of the Township of Jackson, County of Ocean, State of New Jersey does hereby authorize a contract award in the amount of \$15,000.00 to International Fireworks Mfg. Company for the Jackson Day fireworks display to be held on a September 8, 2007 (rain date September 9th, 2007).

A copy of this resolution shall be forwarded to the Municipal Administrator, Director of Public Safety, Director of Recreation, Purchasing Agent, International Fireworks Mfg. Company and any other interested parties

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

DATED: 08/28/07

RESOLUTION 384R-07

TITLE: AUTHORIZE CONTRACT AWARD TO BURKE FENCE FOR INSTALLATION OF FENCING ON VARIOUS TOWNSHIP OWNED PROPERTIES

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, Jackson Township previously advertised for the receipt of bids on August 28, 2007 at 10:00 a.m. for fencing of various Township owned properties; and

WHEREAS, said solicitation of bids satisfies the requirements for a fair and open process under N.J.S.A. 19:44A:20.2, *et. seq.*; and

WHEREAS, at the time and place for receipt of bids, two (2) bids were received by the following vendors:

1. Burke Fencing
2. Interstate Fence & Guard Rail

WHEREAS, the Township Purchasing Agent and Director of Public Works have reviewed said bids and have determined that Burke Fence, 306 Candace Lane, New Egypt, New Jersey 08533 has submitted the lowest responsible bid;

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

WHEREAS, the Mayor, Township Purchasing Agent and Director of Public Works have recommended that the bid for fencing be awarded to Burke Fence; and

WHEREAS, the Acting Chief Financial Officer has certified that funds are available for this contract; and

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

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

1. The Township hereby authorizes a contract award to Burke Fence for fencing of various Township owned properties per the attached unit pricing "Schedule A".
2. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

- 3. Copies of this resolution to Township Administrator, Director of Public Works, Acting Chief Financial Officer, Purchasing Department, Burke Fence and any other interested parties.

DATED: 08/28/07

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

RESOLUTION 385R-07

TITLE: RESOLUTION AUTHORIZING CANCELLATION OF TAXES ON TOWNSHIP OWNED PROPERTY

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, Various parcels of land were acquired by the Township of Jackson on January 24, 2007; and

WHEREAS, the taxes were paid through the closing date and remitted to the Tax Collector; and

WHEREAS, The Township as a municipal corporation is exempt from taxes and the balance of 2007 taxes needs to be cancelled on the various parcels of land itemized on the list below.

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

The Tax Collector is directed to cancel the balance of 2007 taxes on the following parcels in the amounts listed.

<u>Block</u>	<u>Lot</u>	<u>2007 Tax Balance</u>	<u>Block</u>	<u>Lot</u>	<u>2007 Tax Balance</u>
6501	33	\$131.61	6503	9	\$ 11.28
6501	38	\$184.24	6503	10	\$ 11.28
6502	8	\$180.47	6503	11	\$ 11.28
6502	30	\$477.50	6503	12	\$ 67.67
6502	31	\$ 15.04	6503	13	\$ 60.16
6503	2	\$ 37.60	6506	4	\$ 78.96
6503	3	\$270.72	6506	38	\$142.87
6503	8	\$210.55			

Copy to:
Tax Collector
Finance

DATED: 08/28/07

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

RESOLUTION 386R-07

TITLE: RESOLUTION AUTHORIZING CANCELING TAXES ON BLOCK 22203 LOTS 17 & 21

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, Block 22203 Lots 17 and 21 have been under the name of Jackson Township since 2001 and been exempt; and

WHEREAS, on the 2007 tax list these two parcels were listed as taxable due to a computer error; and

WHEREAS, The parcels have been corrected to exempt for the 2008 tax list, and the 2007 taxes need to be cancelled.

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

1. The Tax Collector is directed to cancel the taxes for 2007 in the amount of \$124.09 on lot 17 and in the amount of \$64.05 on lot 21, both in Block 22203.

Copy to:
Tax Collector
Finance

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

DATED: 08/28/07

RESOLUTION 387R-07

TITLE: CANCELLATION OF TAXES ON JTMUA OWNED PARCEL, BLOCK 12001 LOT 9

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, The Jackson Township Municipal Utilities Authority acquired Block 12001 Lot 9 on December 20th, 2006 and should be exempt from taxes as a municipal corporation; and,

WHEREAS, the deed was not recorded until January 29th, 2007 after the Municipal Assessor had filed the 2007 tax list wherein the parcel was still listed as taxable; and,

WHEREAS, The 2007 taxes need to be cancelled on Block 12001 Lot 9 for 2007 in the amount of \$1,155.59.

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

1. The tax Collector is directed to cancel the taxes on Block 12001 Lot 9 in the amount of \$1,155.59.

Copy to:
Tax Collector
Finance

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

DATED: 08/28/07

RESOLUTION 388R-07

TITLE: RESOLUTION AUTHORIZING CANCELLATION OF TAXES ON TOWNSHIP OWNED PROPERTY.

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, The owner of the above parcels applied for farm qualified status and was granted such by the Municipal Assessor for 2007; and,

WHEREAS, The QFarm accounts were created for 2007 and, along with the master Block and lot change, the tax history was transferred to the new QFarm accounts and the old lots were deleted from the system; and,

WHEREAS, The original parcels listed above have appeared on the 2007 tax list in error causing a duplication of taxes; and,

WHEREAS, The taxes on Block 16202 Lot 1 and 16204 Lot 1 need to be cancelled.

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

1. The Tax Collector is directed to cancel the taxes on Block 16202 Lot 1 in the amount of \$382.57 and cancel the taxes on Block 16204 Lot 1 in the amount of \$335.25

Copy to:
Tax Collector
Finance

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

DATED: 08/28/07

RESOLUTION 389R-07

TITLE: CANCEL TAXES ON TOWNSHIP OWNED BLOCK 18902 LOT 29

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, The Township of Jackson acquired Block 18902 Lot 29 on January 23rd, 2007; and,

WHEREAS, The Township is exempt from taxes as a municipal corporation; and,

WHEREAS, the 2007 taxes need to be cancelled on Block 18902 Lot 29 in the amount of \$14.88.

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

The Tax Collector is directed to cancel the taxes on Block 18902 Lot 29 in the amount of \$14.88 for the tax year 2007.

Copy to:
Tax Collector
Finance

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

DATED: 08/28/07

RESOLUTION 390R-07

TITLE: CANCEL TAX LIEN #060071 FOR 2005 TAXES AND 2006, 2007 TAXES ON TOWNSHIP OWNED BLOCK 15801 LOT 53.13

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, Block 15801 Lot 53.13 was dedicated to the Township in 2005 and there was a subsequent delay in getting the parcel under the name of the Township; and,

WHEREAS, Tax Sale Certificate # 060071 was sold to the Township in the interim for outstanding 2005 taxes and needs to be cancelled now that the Township is the formal owner of the property and is exempt from taxes as a municipal corporation; and

WHEREAS, Subsequent taxes for 2006 and 2007 also need to be cancelled.

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

The Tax Collector is directed to cancel Municipal owned tax sale certificate #060071 in the principal amount of \$620.72 along with interest of \$67.42 and costs of

\$15.00 and the 2006 taxes in the amount of \$1,354.50 and the 2007 taxes in the amount of \$1,380.40

Copy to:
Tax Collector
Finance

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

DATED: 08/28/07

RESOLUTION 391R-07

TITLE: AUTHORIZE CHANGE TO CUSTODIAN OF PETTY CASH FUND FOR THE JACKSON TOWNSHIP HANDICAPPED COMMISSION FROM TED SONDERMAN TO DIANE BLACK

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, pursuant to N.J.S.A. 40A5-21, a local unit may establish a petty cash fund by submitting application to and after approval by the Director of Local Government Services; and

WHEREAS, the Jackson Township Handicapped Commission has previously established a Petty Cash fund in accordance with said statute which Ted Sonderman was designated as custodian of said Fund; and

WHEREAS, Ted Sonderman can no longer act in the capacity of the custodian of said Petty Cash fund.

NOW, THEREFORE, BE IT RESOLVED by the Jackson Township Governing Body that this Council does hereby authorize the change of the Custodian of the Petty Cash Fund of the Jackson Township Handicapped Commission from Ted Sonderman to Diane Black.

BE IT FURTHER RESOLVED that the Township Clerk shall forward certified copies of this Resolution to the Director of the Division of Local Government Services (two certified copies), Municipal Administrator, Chief Financial Officer, Auditor, Township Administrative Department, the Personnel Department, and any other interested parties.

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

DATED: 08/28/07

DISCUSSION AGENDA:

CLERK EDEN advised Council of a letter from Bil-Jim requesting an additional 12-weeks closure to Grand Blvd. George Gilmore wanted to inform Council that the Jackson Police Department and MUA requested that Grand Blvd. not be closed and a revised schedule should be submitted. Mayor Seda stated Bil-Jim hadn't been able to meet their obligation and since the children were going back to school there would be more traffic on the roads and closing Grand Blvd. for another 12 weeks would create a problem for buses. Councilman Martin stated they already granted Bil-Jim 24 weeks of closures and stated enough is enough. Attorney Gilmore suggested they could deny the request until Bil-Jim presented a more reasonable request.

MOTION TO DENY BIL-JIM'S REQUEST FOR A 12 WEEK EXTENTION WITH A DIRECTIVE TO SATISFY CONCERNS OF THE JACKSON POLICE DEPARMENT AND JACKSON TOWNSHIP MUA AND ONLY THEN WOULD TOWNSHIP COUNCIL RECONSIDER BY: GUDAITIS

MOTION SECONDED BY: MARTIN

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

PUBLIC HEARING, ANY TOPIC

JOHN WALTER-76 CROOKED STICK: He stated people attending Johnson Park for Jackson Day and the July 4th celebration had blocked the entrance of Westlake and was concerned about resident's safety in the event of an emergency and asked if there was a plan from the Police department to control the parking in the future. He then asked about people cutting through backyards to get to Johnson Park. Mayor Seda stated the police department will be coning off the entrances and exits and any cars blocking them would be towed at the owner's expense and it should no longer be an issue and added he to residents along the path to the park stating they didn't want to be fenced in because they enjoyed the open space and stated they didn't have much of a problem but assured them they would be better prepared in the future.

BILL PALME-33 BLACKMOOR DRIVE: He stated as a Westlake North resident he was concerned for the safety of Westlake and Westlake Mews resident's because there are over 400 residents with one narrow exit to the main gate and with a number of emergencies that could take place and asked if they could open the South Boston gate? He stated he received several estimates from qualified engineers stating the job could be done for about \$50K and not \$500K as the Mayor reported. Mayor Seda stated \$50K was a great price then stated the developer came up with the plan that was approved by the Planning Board and he doesn't have the authority to tell the developer to go in and make the entrance wider. The developer needs to go before the Planning Board. Attorney Gilmore suggested the governing body reach out to the developer to see if something can be done to avoid possible hazard in the event of an emergency.

JACK FIELD-23 BLACKMOOR DRIVE: He confirmed the price quoted by the engineers and Mayor Seda asked if the price included removing existing road, laying down all layers of a new road, lighting, traffic signals, engineer's cost to design the roadway, drainage, overflow, etc. adding he meets with two representatives from the Private Residential Community Advisory Board that bring issues to the Mayors office relative to their development. Mr. Field stated after he heard it would cost \$500K to put in the road he felt the figure was excessive and asked various engineers and then confirmed the \$50K cost.

BILL PALME-33 BLACKMOOR BLVD.: He asked if he could have a copy of the Mayor's estimate but the Mayor explained he would have to hire an engineer to go out and survey the property and list the improvements to South Boston in addition to the entrance work required because that portion of South Boston was a dirt road and it would need to be improved. Attorney Gilmore reminded everyone they first need to schedule a meeting with the developer and go from there.

HARRIET AUSTIN-25 KINGS NORTH (Westlake North): She discussed the seminar given by Paul Mayerowitz and the overwhelming attendance by concerned residents that were grateful because it has become difficult to live in Jackson. She stated Paul should be thanked and not criticized because he answered questions that would normally be directed to the Assessor's office.

TOM O'KANE-30 KINGS NORTH: (Westlake North): He stated he was the person that reported garbage left in the park and along the road and thanked the Mayor and Public Works Department for cleaning it up. He discussed putting up a fence on the park side of the trees and felt the residents on Kings North would support him. Councilman Stallone suggested the Council look into finding another solution to eliminate people using their property to get to the park.

MARGARET CARLE-642 OAKWOOD AVENUE: She stated she spoke to the Mayor about the ongoing gypsy moth problem and how upset she was that he didn't place the same value on her property that he did the sports fields and how money went to the Justice Complex and not everyone could use the fields. Mayor Seda stated Pop Warner would give a permit to residents to use the fields that weren't being used by sports teams and they are welcome to coordinate it with the Recreation Dept. She stated

there are several parks in Jackson that could be made beautiful and available for everyone to use but he chose to spend so much money on one entity that wasn't Recreation.

MR. WALTER-76 CROOKED STICK: He asked about the light at Westlake North that wasn't on the resolution tonight. Mayor Seda explained it was already scheduled but he was asked to hold off and confirmed the Township would do their part and light their lights because the residents need them.

PAUL MAYEROWITZ-91 CYPRESS POINT LANE: He stated at a previous meeting he inquired why Jackson didn't adopt a pay to play ordinance and understood the attorney felt they didn't need one because there were already laws on the books and asked if that was the case why did 90 municipalities find it necessary to pass Pay to Play laws? Attorney Gilmore stated there are 566 municipalities and only 16% created ordinances that went above the State laws. Council President Updegrave stated many municipalities had problems and those towns may have felt the need whereas this governing body was comfortable with the States laws. He then congratulated them all for denying Bil-Jim's extension request.

KEVIN DIGESU-159 DOCARE ROAD: He commented on lighting Johnson Park made no sense since the park closed at dusk. Mayor Seda said they were going to put up a fence to close the park and only open beyond that time for residents that obtain permits. Mr. DiGesu suggested Westlake Mews be at the meeting with the developer to discuss the gate since it involves them too. Mayor Seda agreed because their input is important.

BARBARA SPIELMAN-37 SHOAL ROAD: She asked Mayor Seda about the permits for basketball and if it would offset the \$185K being spent on lighting and if there was enough interest from residents to play basketball and tennis at night? Mayor Seda stated he hoped so and felt it would offset the cost, if not immediately at least down the road because the benefit is worth it and improvements cost money. Mayor Seda stated existing lights are not sports light and discussed possible liability should someone get hurt because of it and he was making sure all improvements were considered because he wanted it done right the first time because if future Administrations decided to keep the park open later the lights would already be in place and all parks should be fully utilized at all times.

MARGARET CARLE-642 OAKWOOD AVENUE: She suggested if they were going to put the lights in then they should keep the courts open later.

PAUL MAYEROWITZ-91 CYPRESS POINT LANE: He stated he plays tennis and asked about the permits and the Mayor explained there is no fee now but in the future there may be a scheduling permit fee.

GARY CAPPETTA-ANDERSON ROAD: He asked if the Township had a tidiness ordinance that prohibits commercial enterprises from posting signs on public property. Council stated yes. He felt signs posted all over makes the Town look bad. Mayor Seda explained signs are permitted on private property but not on public property and could report any violators to Code Enforcement. Mr. Cappetta felt if Code Enforcement was doing their job he wouldn't have to call.

MARTY SPIELMAN-37 SHOAL ROAD: He asked about the proposed basketball court where \$455K had been allocated to build 2 basketball courts with \$96K listed for demolition. He wanted to know what was being demolished when there is a grass surface there now? He also asked about the \$26K for sign improvements and \$185K for lighting when the sign indicates the park closes at dusk. He felt concrete backboards were more expensive and suggested a metal post to hold backboards with 4' offset and encasing posts with rubber to prevent injury and felt it was more appropriate to make adjustable hoops to adjust to individual's height and then mentioned the money being spent to fence in the park. Mayor Seda stated it would prevent bikers and skateboarders from coming in after hours and causing possible damage to the investment they were making in the park. Councilman Stallone asked Mr. Spielman if he felt the money was being spent inappropriately? Mr. Spielman stated there was only one bidder for the project and felt they could have held it out longer to get a better price. Mayor Seda explained it's difficult

to find a company that does both sports field and lighting. Mr. Gilmore explained the bid came in under the engineer's estimate and that is why they accepted the single bidder.

PAUL MAYEROWITZ-91 CYPRESS POINT LANE: He stated putting up a fence to protect their investment was one thing but wouldn't stop anyone if they wanted to get in and felt procurement contracts were sought for competitive purposes but when they weren't getting multiple bids there must have been another reason.

MARGARET CARLE-642 OAKWOOD AVENUE: She stated there is no place to play volleyball and Mayor Seda stated they would look into it.

LARRY ZERILLI-39 MANHATTAN STREET: He stated Johnson Park is unbelievable and they are doing a great job.

TOM O'KANE-30 KINGS NORTH-He asked how late the lights will be on because he can see the courts from his house? Attorney Gilmore stated the lighting is much better these days where there is no over splash and in some cases field lighting is checked by satellite.

RON STOCK-43 KINGSNORTH ROAD: He thanked the Mayor and Council for agreeing there is a problem at Westlake North and thanked Mr. Gilmore for suggesting a meeting between the Association and residents and hopefully they can work things out.

**MOTION TO CLOSE PUBLIC HEARING ON ANY TOPIC BY: MARTIN
MOTION SECONDED BY: GUDAITIS
YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE**

**MOTION TO ADJOURN BY: MARTIN
MOTION SECONDED BY: STALLONE
YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE**

10:25 PM

RESPECTFULLY SUBMITTED,

COUNCIL PRESIDENT UPDEGRAVE

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

AME/klj