

ON TUESDAY, DECEMBER 11, 2007, AT 6:30 P.M., THE JACKSON TOWNSHIP COUNCIL HELD IT'S MEETING IN THE MUNICIPAL BUILDING

PLEDGE OF ALLIGENCE

ROLL CALL:

COUNCILWOMAN INGRAM

COUNCILMAN MARTIN

COUNCILMAN STALLONE (6:45)

COUNCIL VICE PRESIDENT GUDAITIS (absent)

COUNCIL PRESIDENT UPDEGRAVE

ATTORNEY STEVE FORAN

TOWNSHIP CLERK EDEN

ALSO IN ATTENDANCE

ADMINISTRATOR DEL TURCO

MAYOR SEDA

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.

CAUCUS AGENDA

MISC. MATTERS RELATING TO PUBLIC SESSION AGENDA

CLERK EDEN addressed Council President Updegrave regarding matters on the Caucus Agenda and asked if the Council had any questions relating to the agenda? Councilwoman Ingram asked about the pay-to-play regulations and after reading it she found four new items and asked what made it a good ordinance because the \$17.5K stayed the same and she felt it should be lower since a resident suggested making it zero at a previous meeting and wanted to know why it wasn't lower. Clerk Eden stated it was a State regulation and reminded her they have full disclosure. Council President Updegrave stated they could consider any changes because it is the first reading but right now the \$17.5K is the regulated threshold. Councilwoman Ingram confirmed they could go lower and gave a figure of \$500.00 Clerk Eden stated they would have to go for RFQ's every time they wanted to purchase something. Councilman Martin stated he wouldn't want to go that low. Mayor Seda stated if you went below the \$17.5K you'd have to go out for bids every time you buy things like toilet paper and would make government more cumbersome because of the paperwork involved in the process required by the State and it could work against us. Councilwoman Ingram then asked if it could be written to conform to the town instead of a blanket \$17.5K? Mayor Seda stated you could but he was concerned about making it generic across the board and that the purchasing agent would be inundated and if one mistake was made it would violate their own law. Attorney Foran explained it applied to contracts that were exempt from ordinary bidding such as professionals. Attorney Foran stated \$17.5K was low considering. Councilwoman Ingram stated there are people that were under \$17.5K but when you look at the aggregate you find they actually went over it. Cross dialog between Council and Mayor regarding several scenarios and Clerk Eden asked that they speak individually for clear transcribing. Council President Updegrave stated when working with an aggregate there are different commodities a professional provides a township. Mayor Seda gave an example of the repair work needed at the Justice Complex and how the vendor came in under \$17.5K but when he came close to the \$17.5K the Mayor received calls stating in order to allow him to do more work in the township they would have to put out RFP's to get the items he needed to complete the job. He stated it would cost too much money to get RFP's so he just changed vendors and took the next person in line and unfortunately that person took longer to get the equipment showing sometimes it works against the township. Councilman Martin stated there were contracts that pop up during the year such as the Board of Education, they reviewed their budget and it was \$15K and because there is a \$17.5K limit they didn't have to go for RFP's or RFQ's.

Cross dialog regarding the process of going out for bid and time constraints. Councilman Martin stated they know when the Board of Education election is and for the last six or seven years they were pro-active and would go out for bid prior. They all spoke of the role of the purchasing agent and what he was able to do without going out for bid and what would happen if they made the \$17.5K lower. More cross dialog. Mayor Seda explained there are many services that could be obtained through state contract or joint venture with the County although it wouldn't necessarily be the cheapest. Councilwoman Ingram asked about the bid threshold and the purchasing agents ability to purchase up to \$29K and Mayor Seda confirmed it was subject to his approval.

Clerk Eden spoke of other items on the Caucus.

STREET NAME CHANGE – K Hovnanian requested a street name change from Balmoral Court to Biltmore Court where their sales office is at Four Seasons at Metedeconk because 911 was concerned about another street named Balmoral Drive and confusion it would cause. She explained they already filed a deed with the County and the Council needs to prepare a resolution to approve the name change.

MOTION TO APPROVE STREET NAME CHANGE BY: STALLONE

MOTION SECONDED BY: MARTIN

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

STREET NAME CHANGE – Councilman Stallone stated the Italian American Club was requesting a street name change from Christopher Columbus Blvd. to Luigi Marciante, Jr. Memorial Drive and explained to the Marciante family that it was necessary to take a formal vote first. Mr. Marciante Sr. addressed the Council thanking them for their support. Councilman Stallone stated it was an honor that they do this because Corporal Marciante, Jr. paid the ultimate price for his country. It was then agreed that both street name change resolutions would be presented at the December 26th meeting.

MOTION TO APPROVE STREET NAME CHANGE BY: STALLONE

MOTION SECONDED BY: INGRAM

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

STREET VACATION-Albert Lee requested to have the township approve the vacation of an unimproved portion of Pinecrest Avenue from County Line Road to the end of Pinecrest. Administrator Del Turco explained he forwarded a letter to the Township Engineer and the Planning and Zoning Board and stated there were some concerns expressed by Director Kunz that, if the street became a dead end, emergency vehicles wouldn't be able to turn around and has not received a determination yet. He then asked to table this request until more information was received.

MOTION TO TABLE: STALLONE

MOTION SECONDED BY: MARTIN

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

ASSIGNMENT OF TAX SALE CERTIFICATE

Clerk Eden explained the previous administration approved this assignment but it was never completed and Mike Campbell, Tax Collector, is now requesting Council's approval to move forward with the sale. Councilman Stallone asked about what was done by the previous administration and why the auction never took place. Clerk Eden explained with the change of government and other changes that took place the Committee didn't have the opportunity to see it through and the auction never took place. Councilman Martin questioned when the original resolution was approved and Clerk Eden stated it was in May of 2006. Administrator Del Turco stated the physical location was an old service station with potential eco problems that they would take full responsibility for. Council President Updegrave was aware the DEP required some clean

up to which Clerk Eden confirmed was done. Councilman Stallone confirmed they were only selling the tax lean on it and Clerk Eden explained it could bring them about \$95K and with two publications in the newspapers it could be accomplished by the end of the year. Council agreed to pursue assignment.

CURBS AND SIDEWALKS – Clerk Eden stated in November the Planning Board Chairman asked the Council to create an ordinance that would require developers to put money in a fund when requesting a sidewalk waiver so if the town deemed it necessary to put in sidewalks they would have the funds to do it instead of using township money. Councilwoman Ingram stated in some cases it is dangerous for developers to put in a sidewalk that didn't tie into any other sidewalk and she was in favor of this.

MOTION TO CREATE ORDINANCE BY: INGRAM
MOTION SECONDED BY: STALLONE
YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE
ABSENT: GUDAITIS

(additional items for discussion may be added as deemed necessary)

TIME: 7:00PM

ALSO IN ATTENDANCE FOR EXECUTIVE SESSION IS
ADMINISTRATOR DEL TURCO
MAYOR SEDA
JOHN MACZUGA
JOHN RUSSO

RESOLUTION 506R-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 & UPDEGRAVE
ABSENT: GUDAITIS

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: Equity Builders of Freehold v. Twp. of Jackson
 - c) Potential Land Sale/Land Acquisition: Update - Whitesville Industrial Park, Land Donation Block 147.02, Lot 2
 - d) Contracts/Agreements: Solar Avenue-Pilot agreement
3. It is anticipated that the subject matter discussed may be made public upon its conclusion or final disposition.

DATED: 12-11-07

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

ON TUESDAY, DECEMBER 11, 2007 THE JACKSON TOWNSHIP COUNCIL RE-CONVENED THEIR COUNCIL MEETING, COMMENCING AT 7:40 P.M. IN THE MAIN MEETING ROOM OF THE MUNICIPAL BUILDING.

ROLL CALL:

**COUNCILWOMAN INGRAM
COUNCILMAN MARTIN
COUNCILMAN STALLONE
COUNCIL VICE PRESIDENT GUDAITIS (absent)
COUNCIL PRESIDENT UPDEGRAVE**

**ATTORNEY STEVE FORAN
TOWNSHIP CLERK EDEN**

**ALSO IN ATTENDANCE
ADMINISTRATOR DEL TURCO
MAYOR SEDA**

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.

CERTIFICATE OF APPRECIATION

PETER KITAY

COUNCILMAN STALLONE explained they were presenting Peter Ketay with a Certificate of Appreciation for the work he carries on, on behalf of his brother Steven. Mr. Kitay stated more than 20 years ago his brother responded to the needs of the handicapped children of Jackson and started an annual fishing tournament and picnic. He stated the Boy Scouts, Rotary Club, fire departments and many other township groups help and he pledged that as long as he owned the property the kids would always be welcome.

PRESENTATION BY MAYOR MARK SEDA RE: GYPSY MOTH

Council President Updegrave invited the Mayor to speak

Mayor Seda stated there has been much discussion over the past several weeks regarding gypsy moth and how the spray was not done and how some portions of the town were devastated and has spoken with township staff on how to deal with the problem this year. He learned it would cost about a \$1 million to spray this year. The Shade Tree Commission, State Forester and Dan Burke helped investigate options and review facts about when they sprayed in 2005 and 2006 but not in 2007. Council President Updegrave asked if the presentation could be advertised and repeated at another meeting because it would be helpful to the residents. Mayor Seda stated he agreed and would have another presentation after the first of the year once the holidays have passed and residents would be advised. Councilman Stallone stated he contacted a member of the NJ Department of Agriculture to come to a meeting to explain the process and funding and give a presentation and was waiting to hear back. Mr. Burke explained they have until the end of January to early February to make a financial commitment but the State was looking for a preliminary non-binding commitment by December 21st. Council President Updegrave wanted to be sure all the information was available on the Township website. Council agreed to have another presentation on the 22nd of January. Mayor Seda yielded the floor to Dan Burke who introduced himself as the Municipal Engineer and gypsy

moth coordinator in charge of all preliminary functions needed to participate in past spray plans. He showed a map prepared by the State in 2005 showing spray blocks based on the Department of Agriculture's survey. He discussed many criteria that make spraying effective. He discussed the costs from year to year and the State reimbursement. He showed the spray area projected for this year that would come to about \$1 million. He asked the State for a firm contribution commitment and was told they couldn't guarantee anything. The State commits to protect their own land but stated they aren't treating their own land and they are not treating Colliers Mills among others. He stated it would be useless to keep treating trees that line against State owned property and stated the chemical sprayed in the past has proved to be ineffective and wasn't sure what was being sprayed this year. Mayor Seda asked Steve Chisholm (Shade Tree Commission Chairman) about the State program and asked him to speak of the different methods and chemicals. Councilman Stallone asked him to give his background for those that didn't know him. Mayor Seda stated they could ground spray most areas except the heavily wooded areas they couldn't reach. In that case if the unsprayed area became defoliated by gypsy moths and ate their way out then they would eventually reach the treated area and not go further. He asked Mr. Chisholm what chemicals were safe to spray from the ground. Mr. Chisholm stated Dimilin is a very good choice. Inaudible. Councilman Martin stated last year the Department of Agriculture recommended Dimilin and the DEP said no and he asked if Dimilin was a safe pesticide when used according to the directions? Mr. Chisholm stated it was a safe pesticide and much more effective. Councilman Stallone stated he and other Council members received a letter from the Pinelands Watch that he read aloud and asked Mr. Chisholm's opinion. Inaudible response. Councilwoman Ingram asked if ground spraying with Dimilin would be effective with one spray or would you need two? Mr. Chisholm stated it would be effective with one spray and Councilman Stallone stated it was because there was a 30 day window. Councilman Martin stated if they allowed the use of Dimilin to be sprayed last year the \$500K bill would have been about \$180K, if that. And it would have been more effective and more cost effective. Councilman Stallone stated when speaking with the Department of Agriculture it was mentioned that some areas around the naval base stating most caterpillars moved from one area to another. He also pointed out that BT is more of a suppressant whereas Dimilin irradiates them. Mr. Chisholm's response was inaudible. Councilman Martin asked if the State could offer towns like Jackson, that have a large area to spray, a waiver to use a chemical that is more effective? Response inaudible. Council President Updegrave stated she was concerned that Dimilin raised human and environmental health concerns because it stayed on the leaves longer and if they looked at another chemical and not BT because it's not that effective, she wouldn't want to spray something and find out years later that it shouldn't have been used because of a variety of hazards. Response was inaudible. Councilman Martin asked, based on his experience, if Dimilin was a safe chemical when used in proper doses? Council President Updegrave stated she had to ask what the ramifications are and recalled a chemical her dad used when she was small that has since been discontinued because of it's health hazards. Councilman Stallone stated the State doesn't offer any funding for this and the funds come from a federal grant and the State has offered \$1 million to be divided among the various municipalities and Jackson is one of the largest municipalities in the state along with Lakewood and Bricktown. Councilman Martin stated if you added up all the townships that sprayed including Ocean, Monmouth, Middlesex and Sussex and combined their acreage it would equal what Jackson sprayed and that's how out of whack the obligation was.

MIKE KAFTON-67 NO. LAKESIDE DRIVE: He ask what the State has to say about BT's effectiveness? Mayor Seda stated it was a 60% kill rate under perfect conditions. Mr. Kafton pointed out that the fact they didn't spray is proof that BT does have an effect when it is sprayed because the numbers dropped drastically from 2007 to 7600 acres to 2008 of 12, 900 acres which they now have to spray. He stated the agency that protects the residents of New Jersey is called the DEP and when they say "no" to spraying Dimilin. Mr. Chisholm referred to several resolutions from Burlington County, Senator Martha Barks District #8, they blamed the State for the outbreak because the State didn't do their duty and are not leading the country in managing and protecting the lands. He stated Commissioner Lisa Jackson didn't approve it because she had 20 environmental activist groups speak to her for three hours and she gave the DEP 20 minutes to present it's scientific facts and then offered his copies to Mr. Kafton. Mayor Seda explained he

never said it was ineffective but the data within the maps showed it. Dan Burke had a map provided by the Department of Agricultural showing the results of his field work stating he checks in with his office regularly to let them know when he's in town and where he's going and Mr. Burke's office gives him a list of complaining residents from the prior season and asks him to include those areas. When he returned he gave him, Mr. Burke, the map showing massive areas that were defoliated and where the State's land are not being sprayed. The State will only spray along the border of their land when Jackson pays for it. He then showed the map where the State suggested they spray in 2005 which Jackson did and showed the results the following year where the outbreak went from 170 acres to 6,000 and even though they sprayed in 2006 it resulted in their suggestion in 2007 the same land expanded along the State land which the State says has defoliated because of the gypsy moth infestation yet they are not suggesting their lands be treated and felt it was wrong for the State to keep asking Jackson taxpayers to keep paying to fight the devastation coming from State land and felt it needed to be addressed. Mr. Kafton felt the reason this has happened was because the Township decided not to spray and referred to an article on Dimilin where it stated Dimilin causes cancer and lower testosterone levels in men and in water it kills most insect larvae which is the fundamental food source that feeds aquatic life in rivers, lakes, etc. Mr. Chisholm stated university studies showed the testosterone levels in rats were lowered and it said nothing about men. He then asked Mr. Chisholm why he never recommended Dimilin in the past when the Mayor decided not to spray last year? Mr. Chisholm stated it was because he was not asked. Mayor Seda stated he brought professionals in to answer questions and wanted to move on to other speakers that have been waiting and Council President Updegrave welcomed him to speak at the end of meeting. Mr. Kafton stated that Mr. Chisholm benefits from the Township not spraying BT because he makes a living spraying as stated in his advertisement. He addressed Mr. Lovallo stating he also represents Monmouth County and recommended they spray BT but he doesn't recommend Jackson spraying it. Council President Updegrave threatened to recess if he didn't stop. Mr. Kafton stated that Assemblyman Ron Dancer is the Mayor of Plumsted Township and he just approved to spray his own town. Councilman Stallone stated he sprayed last year and has approved to spray this year because he has double the amount to spray. Councilman Martin stated Plumsted sprayed 1700 acres last year not 13,000.

PETER LEIGHTON-OLLIE BURKE ROAD: He introduced himself and gave his background credentials information and asked the effect of Dimilin on honeybees? Mr. Chisholm offered him copies and explained whenever insecticides are sprayed all beekeepers are advised when the spraying will take place and confirmed that Dimilin has no effect on honey bees and would take place outside of that. Mr. Leighton explained bees migrate about 2 miles around the hive and he lives in the area where they are suggesting to spray and if his bees die as a result he said he would come after the Township for money to replace his bees and his loss of income along with other beekeepers. Mr. Leighton stated if Dimilin lasts 30 days and the state doesn't spray their land their gypsy moths will fly into the treated area and lay eggs and by then the Dimilin would no longer be effective and year after year they would have to spray. The State needs to treat their property otherwise it's like shoveling into the wind. Councilman Stallone stated that was why they didn't spray last year.

STEVE CHISHOLM asked the Council if it would be beneficial to have a public gypsy moth forum after they meet with the DEP Commissioner? Mayor Seda agreed and would get the information together. Council President Updegrave stated the agenda was very long and stated there would be another presentation with additional information to allow additional questions. Clerk Eden asked if they would hold a separate meeting or incorporate into the Township meeting? Mayor Seda stated he would hold a separate forum and Council members agreed. Mr. Chisholm stated he was meeting with the DEP in Trenton along with 63 Mayors and Pinelands Commissioners early in January and felt he wouldn't have any answers until the end of February He didn't think the DEP would make a decision to spray their own lands before February and until they know what the DEP was going to do it would be very hard for the Council to decide what they would do. He then stated by the egg mass count it would be moving northwest and spread from central to south Jersey. Mr. Chisholm thought it would be a good idea if they were going to hold a forum he would talk to the County and have a County wide forum some time in March.

GARY BLACK-76 LEWIS LANE-He stated so much time was wasted on politics and wanted to ask the experts about the State's program using BT and not spraying their own land, if they considered the State's program to be a failure? Mr. Lovallo stated the program is based on suppression and in low population the suppression program works but when the population exceeds 4,000 egg mass per acre it is difficult when using the allowed chemical and that's why the NJDA requested a waiver to use Dimilin because they knew the population was on the rise and felt it was doing the best it could under the circumstances and within the parameter of the law. Mr. Black asked if they continue spraying with BT wasn't it like spraying in the wind? Mr. Lovallo explained in low populated areas they are getting some suppression but it needs to be stepped up in higher populated areas. Mr. Black stated the problem isn't on the side of the Township but on the State and Mr. Lovallo agreed.

NICHOLAS ANTONOFF-MURRAY DRIVE: He stated the spraying in 2006 left Jackson with a worse infestation in 2007 because if the BT didn't kill enough of the gypsy moths it didn't make a difference. He understood that when you spray with BT it's only affective in suppressing the growth if the wind and weather conditions were right but with Dimilin the moths would die if they eat or drink it. Mr. Lovallo agreed if they came in contact with Dimilin by way of eating or drinking their cycle would be disrupted. Mr. Antonoff asked if you have an infestation and you weren't targeted for a spray could it be requested. Mayor Seda stated if the property fell just outside the spray zone they could visit the property on a ground spray application. Mr. Antonoff asked what the cost per acre for each of the application was? Mr. Burke stated BT and Dimilin were about the same but with BT you would need two applications whereas with Dimilin only one application was needed because of the long lasting affect. Councilman Martin stated Maryland, Virginia and West Virginia all use Dimilin in their spray programs and found it to be 81% to 100% effective and a lot cheaper. Mr. Antonoff then asked what the side affects were and if it affected humans, farm life or pets? Mr. Lovallo stated he had literature from two studies he could take with him. One was from the Virginia Department of Health Bureau of Toxic Substances and from five universities where it stated it was not harmful but did note some side affects noted to ducks, chickens and rats and accumulated material was excreted nearly 100% in 13 days.

RICK WASHIK-33 TARANOFF AVENUE: He stated he was a Jackson resident and member of the Ocean Sierra Club and as a member of that organization they adopted a resolution that opposes any method of treating with any chemical other than what the state recommended which was BT. He addressed Mr. Lovallo stated he said Dimilin didn't affect any other life forms other than the gypsy moth larve and referred to a Ms. Linda Butler who is a Professor of Entomology at the Division of Plants and Soil Sciences with West Virginia University who stated Dimilin is a more broad spectrum insecticide affecting several types of arthropods (bees are a arthropods) and that Dimilin remained on leaves until they drop in the fall and then into the inner layer and into streams. He asked who would be conducting the operation because whoever uses it must be licensed because it is a DEP restricted chemical. Mr. Chisholm stated nobody would be using the chemical without an applicator's license. Mr. Washik added Ms. Butler also stated that according to the USDA 1996 that due to the concerns of non-targeted affects, Canada and several states including Pennsylvanian and NJ have stopped using Dimilin and solely rely on BT for treating gypsy moth. Mr. Washik added that BT is an endocrine that has an affect on non targeted species also. He wasn't aware the State didn't treat it's own property and they might account for the large infestation. Mr. Chisholm stated it spread because the State didn't spray and showed him a picture of the devastation when they did treat. Councilman Stallone asked him if he would still have a problem spraying Dimilin by air if the DEP allowed it. He said he would have a problem with it because he's against it because of its toxicity.

STAN GOLDMAN-47 SPYGLASS DRIVE: He stated the State didn't spray last year and Jackson didn't spray 2007 they have a situation this year that we could have a larger

infestation and asked if they used Dimilin in a ground spray verses BT in an aerial spray would Jackson have a better shot improving the situation? Councilman Martin stated there was three choices and stated air/BT, air/Dimilin or ground/Dimilin. Mr. Chisholm stated Dimilin would be effective because it has a longer residual affect because they can spray it before the caterpillars hatch and create a firewall all along the areas where we back up to State land. And if there was an outbreak you can use Provant that has a very low toxicity. Mr. Goldman then asked Mr. Lovallo about the gypsy moths having to ingest the Dimilin and that it stays on the leaves for 30 days. Mr. Lovallo stated the study referred to leaf litter.

ELAINE LEIGHTON-OLLIE BURKE ROAD: She stated she was concerned about using Dimilin and in the years that BT was sprayed it never had an affect on her bees and has protected her property. She stated last year when they didn't spray she was wiped out and when she walked her dog around the neighborhood she nearly slipped because the sidewalks were covered with caterpillar droppings. She felt Dimilin would harm the already suffering bee population which is on the decline because of pesticides and Dimilin affects insects including bees. Since bees ingest pollen and nectar in foraging which affects crops and the food we eat. She stated she was concerned about the bees, the quality of their food, leaf litter and the animals that live in the leaf litter that help the forests and the trees on her property and the potent ion effect on people. The Beekeeper Association rely on the experts from Rutgers University studies and they were advised Dimilin is not good anywhere that you have to worry about beekeeping. She hopes they take that into consideration. Since 1968 they never had the problem they had last year. Mayor Seda stated BT is not effective above a certain amount of egg mass. If the DEP approved the use of Dimilin beekeepers would be notified and their property would not be sprayed. They are not rushing into anything and doing nothing will not help and a million dollar spray isn't an option when you take into consideration the kill rate and what's going on. She agreed to pay \$39.00 per acre to spray her property because she knows it will not affect her bees because BT only affects caterpillars. Dimilin will remain on leaves for 30 days and her bees will be eating the same nectar and pollen from the same flowers throughout the 30 days and not protected after the day it was sprayed. Mr. Lovallo read from the product label how Dimilin will not affect bees or other beneficial insects when applied at the label rates and is an excellent product in IPM programs and stated it wouldn't be a problem to spray around those individuals that don't wish to have Dimilin sprayed around their property. She stated bees forage in a 2 mile radius and he stated they were aware of that but based on the product label is all they can go by. Councilman Martin asked Mr. Lovallo what would happen if they found the information on the label to inaccurate or misleading? He said that would be a serious problem because the product goes through years of testing and must be approved by the DEP and EPA and through years of testing and millions of dollars before the label ever reaches the market. Ms. Leighton stated the same studies were done on Sevan before they found out that it caused some serious problems. Mr. Lovallo stated at the time Sevan was sprayed bee keepers were notified prior to spraying to cover their hives and once the product dried it was safe. Councilwoman Ingram read a study report regarding dimilin that was found on leaves 30 to 60 days after treatment and was found to have an effect on aquatic life and those that used lakes and streams with the Pinelands acidic water and sandy soil could retain Dimilin for a much longer time period than in alkaline echo system and would pose a great threat to aquatic vertebrae and other aquatic life living off aquatic echo system and to residents that come in contact with the chemical when using their yards, decks and other items that have been sprayed. She was concerned along with others and understands something needs to be done and how some studies show one thing and another study shows another. Ms. Leighton stated she was concerned about her pool and other resident's pools and children who ingest the water because when the trees are sprayed, so are the pools.

Council President Updegrave stated she would allow Mike Kafton to speak and asked that he show respect for the professionals just as he wished to be respected and let them talk before he grandstands on what he downloaded.

MIKE KAFTON-67 NORTH LAKESIDE DRIVE: He noticed nobody spoke of the cost. Spraying with trucks along the road instead of spraying by air. Mayor Seda stated the cost would be approximately \$32K with two men spraying 140 mile according to the

State map. Dan Burke stated he reviewed the map and the area the State determined to be the spray area and came up with 143 miles and to accomplish this by spraying one side and then the other the figure comes to 286 miles of traveled roadway to accomplish the spray. Mr. Kafton asked if public works will be doing the spray and if they were licensed? Mayor Seda said the individuals were licensed. Mr. Kafton asked why nobody from the DEP came to speak instead of the individuals speaking in favor of spraying Dimilin and defend the Mayor's ideas and benefit from his decision? Council President Updegrave stated they would have another presentation and invite the DEP and other professionals and tonight the Mayor asked if he could have these gentlemen speak. Councilman Stallone explained they invited the head of the Department of Agriculture, however he couldn't make it but would be happy to come at another time. He also stated the DEP didn't have a problem with using Dimilin when applied by the ground they just didn't want an aerial spray. Council President Updegrave stated no decision was made and they are gathering more information as they go along. Councilman Martin explained they know the DEP is going to recommend spraying BT and they know the Township was going to ask to spray Dimilin and what they were hoping for was to dispel any concerns the public might have about the insecticide. Mr. Kafton agreed that they only invited one side to speak when everyone needs to hear professionals on both sides of the issue. He added Mr. Chisholm has been on the Environmental Commission since 2000 yet has never spoken up until the Mayor decided not to spray and presented the Council with Mr. Chisholm's ad showing how he would benefit and expressed a possible conflict of interest. Mayor Seda called him out of order for attacking Mr. Chisholm's integrity when he's seen the problem Jackson is faced with and has shown a good fight at the State level.

(10 MINUTE RECESS)

SEAN GIBLIN-515 COOKS BRIDGE ROAD: He asked about the cost of ground spraying. Inaudible answer. He asked Mr. Chisholm about spraying 6' up the air from the truck and spraying the interior of Jackson when the property behind homes wouldn't be sprayed. He cited an example of spraying certain areas and defoliation that occurs behind the "firewall". Mr. Chisholm responded that mist blowers would be used and they are very economical and efficient and added the DEP doesn't spray their land because they know BT is not effective. Mr. Giblin felt the public would benefit from knowing if there were other insecticides out there to consider because BT and Dimilin may not be the answer.

KEN BRESSI-462 DIAMOND ROAD: He spoke of various reports and studies that were presented tonight and discussed Agent Orange sprayed in the 1960's and 28 years later they found out it's flaws. He applauded the Mayor for looking at various treatment options and alternatives and respected Mr. Chisholm and other professionals for their input but they need to research other agencies similar to our DEP and Forester and look at what they've come up with and listen to their opinions. Councilman Stallone stated they weren't going against the DEP (they just didn't want Dimilin sprayed from the air). Mr. Bressi stated he felt spraying by air was more effective but applauded everyone for their efforts.

JEFF NEMETH-PERRINEVILLE ROAD: He said they really have to do their studying and get as much information they can because Jackson has so many children and even though Jackson is in a financial bind they have to look at why other municipalities aren't using Dimilin and the cheapest way isn't necessarily the best way. Councilman Stallone stated other municipalities are petitioning to use Dimilin. Councilman Martin stated neighboring States were using it with no problems. Mr. Nemeth stated it is a huge difference in price and urged them to look into it a lot more before they make the decision.

COMMENTS BY THE TOWNSHIP COUNCIL MEMBERS:

COUNCILWOMAN INGRAM-She appreciated everyone's comments and was equally concerned with everyone's health and welfare and was looking forward to meeting with

DEP and gathering more information. She has children and pets and shares everyone's concern and agrees more research needs to go into this. The tree lighting and menorah lighting went well and wished everyone a safe holiday.

COUNCILMAN MARTIN stated discussion is good and debate is better and they will go through the process before making any decision and asked for the public's patience and when the announcement is made for the gypsy moth forum he asked that everyone attend. He stated the cost wasn't important if it put peoples health in jeopardy but if there is no danger to the public then of course he'd look at the cost. He applauded the Mayor for looking into various options. He discussed attending the Jackson Liberty Parent's Clothing Drive and the students at Goetz held a charity match and the Kiwanis Club did a great job with their pancake breakfast with Santa. He mentioned a number of events coming up and encouraged the public's attendance. He said both the tree lighting and menorah lighting went well and then wished everyone a nice holiday and thanked everyone for coming.

COUNCILMAN STALLONE thanked everyone for coming and wished everyone a happy holiday.

COUNCIL VICE PRISIDENT GUDAITIS-ABSENT

COUNCIL PRESIDENT UPDEGRAVE stated tonight was an informational forum and they shared a lot of information and thanked everyone for coming and wished everyone a happy holiday.

BILLS AND CLAIMS

MOTION TO APPROVE BILLS AND CLAIMS BY: MARTIN
MOTION SECONDED BY: INGRAM
YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE
ABSTAIN: MARTIN (RC SHEA & ASSOC.) & UPDEGRAVE (DASTI, MURPHY, MCGUCKIN)
ABSENT: GUDAITIS

END OF MONTH

CHECK#	VENDOR	AMOUNT
75795	JACKSON TOWNSHIP P/R ACCT	722,802.27
75796	JACKSON TOWNSHIP P/R ACCT	46,146.97
	TOTAL	768,949.24
4156	DEVELOPERS	6,165.00
61776	PARKS & REC	1,567.03

CURRENT

CHECK#	VENDOR	AMOUNT
75797	ACTION OFFICE SUPPLIES INC.	170.62
75798	AMERICAN POWER CLEANING CO.	250.00
75799	A.M./P.M. SERVICES	99.00
75800	ANIMAL CARE EQUIP & SERVICES	1,384.50
75801	ANTONIDES, WILLIAM E & WM JR.	10,000.00
75802	USA MOBILITY WIRELESS, INC.	11.20
75803	ARLENES COSTUME RENTAL INC.	360.78

75804	BAYWAY LUMBER	234.80
75805	BEYER BROTHERS CORP.	430.51
75806	BOARD OF FIRE COMMISSIONERS	110,489.12
75807	BOARD OF FIRE COMMISSIONERS	219,188.50
75808	BOARD OF FIRE COMMISSIONERS	662,132.88
75809	BOARD OF FIRE COMMISSIONERS	393,810.37
75810	BRITTON INDUSTRIES INC.	1,000.00
75811	CABLEVISION	59.95
75812	VOID	-0-
75813	CANYON SPRING WATER	322.44
75814	THOMAS J. CARTER	114.19
75815	CDW GOVERNMENT, INC.	524.45
75816	CEDE & COMPANY	1,250,858.33
75817	CENTRAL JERSEY WASTE AND	68,627.50
75818	CITTA, HOLZAPFEL & ZABARSKY	461.57
75819	CLAYTON'S TREE NURSERY & AGWAY	1,810.98
75820	COMPUSA STORES LP	22.01
75821	COMPLETE SECURITY SYSTEMS INC.	1,540.00
75822	CORE MECHANICAL, INC.	584.64
75823	COUNTRYWIDE-TAX DEPT.	4,167.62
75824	COUNTY LINE HARDWARE	261.87
75825	D & D UTILITY CONTRACTORS	1,900.00
75826	DELTA DENTAL PLAN OF NJ INC.	21,338.63
75827	DOWNS FORD, INC.	548.43
75828	DSI MEDICAL SERVICES, INC.	28.40
75829	EAGLE MAINTENANCE SUPPLY INC.	1,042.66
75830	EDWARDS TIRE COMPANY, INC.	17,975.52
75831	NJ E-Z PASS CUSTOMER SVC CTR	200.00
75832	FERGUSON ENTERPRISES, INC.	80.29
75833	FOLEY, INC.	501.42
75834	FRENCH & PARRELLO ASSOC., PA	5,156.77
75835	GARDEN STATE HIGHWAY	5,696.25
75836	VOID	-0-
75837	GILMORE & MONAHAN PA	22,264.92
75838	GOOD FRIEND ELECTRIC SUPPLY INC.	48.94
75839	GPANJ	240.00
75840	GRAMCO BUSINESS COMMUNICATIONS	411.00
75841	HUNTER JERSEY PETERBILT	199.00
75842	IKON OFFICE SOLUTIONS	1,780.46
75843	INDUSTRIAL WELDING SUPPLY INC.	104.90
75844	JACKSON TWP. RECREATION DEPT.	25.00
75845	VOID	-0-
75846	VOID	-0-
75847	JERSEY CENTRAL POWER & LIGHT	8,900.18
75848	JDM PLANNING ASSOC. LLC	2,470.00
75849	JERZ MECHANICAL INC.	2,285.00
75850	JIM CURLEY PONTIAC	857.98
75851	LAKEWOOD AUTO SUPPLY INC.	221.30
75852	LANIGAN ASSOC., INC.	220.00
75853	LAMEN SUPPLY CO., OF NJ INC.	259.98
75854	LEE BATTERY SERVICE, INC.	120.06
75855	SUSAN LOTITO	1,245.00
75856	MASTERMAN'S	776.44
75857	MUN. COURT ADMIN. ASSN. OC	240.00
75858	NEXTEL COMMUNICATIONS	2,241.40
75859	NJ BIAS CRIME OFFICERS ASSOC'N	40.00
75860	NJ TURFGRASS ASSOC.	200.00
75861	OCEAN COUNTY NEWSPAPERS, INC.	1,1291.80
75862	OCEAN COUNTY RECYCLING	147.90
75863	PARAMOUNT HOMES & WISPERING	30.00
75864	PEDRONI FUEL COMPANY, INC.	20,077.02
75865	PITNEY BOWES, INC.	42.49

75866	QUALITY COMMUNICATIONS, INC.	500.00
75867	RASIEWICZ, FRED	58.20
75868	REMINGTON, VERNICK & VENA ENG.	24,819.75
75869	WORNALL SECURE BUSINESS	135.63
75870	SNAP-ON INDUSTRIAL	743.25
75871	THE SPORTS CONNECTION, I NC.	162.75
75872	SPRINT	400.24
75873	NJSHBP	259,514.53
75874	STARKEY, KELLY, BAUER &	6,724.40
75875	TREC-ADVANCED COMPUTER	668.05
75876	TRENTON BRAKES, INC.	141.04
75877	TRICO	15,813.44
75878	MICHAEL CEPPALUNI DBA/UNITED	260.00
75879	UNUMPROVIDENT	7,842.38
75880	UNITED PARCEL SERVICE	120.51
75881	VAN SANT EQUIPMENT	671.22
75882	VERIZON WIRELESS	1,540.14
75883	VERIZON	183.71
75884	VERIZON ONLINE	81.22
75885	WAMU CUSTOMER SERVICE	8,064.09
75886	WARNOCK MOTOR SALES INC.	150,736.00
75887	W.B. MASON COMPANY	540.78

TOTAL 3,329,748.30

CAPITAL

CHECK#	VENDOR	AMOUNT
60641	DASTI, MURPHY, MCGUCKIN	142.92
60642	FRENCH & PARRELLO ASSSOC., PA	24,915.44
60643	GILMORE & MONAHAN, PA	4,552.52
60644	JACKSON TOWNSHIP CURRENT FUND	37,875.01
60645	JACKSON POP WARNER, INC.	12,420.03
60646	LAND TEK GROUP, INC.	439,198.45

TOTAL 519,104.37

CHECK#	VENDOR	AMOUNT
14-15	DEV FEES-COAH	2,652.00
4157-4189	DEVELOPERS	239,088.19
60749-60752	GENERAL TRUST	28,857.52
61777-61789	PARKS REC	8,012.17

ORDINANCES, SECOND READING - NONE AT THIS TIME

ORDINANCE FIRST READING

38-07

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENACTING CHAPTER 5 OF THE TOWNSHIP CODE, ENTITLED "ETHICS" SO AS TO CREATE ARTICLES I AND II WITHIN THE ADMINISTRATIVE CODE OF THE TOWNSHIP OF JACKSON

MOTION TO APPROVE ORDINANCE 38-07 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, DECEMBER 26, 2007 BY: STALLONE

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

COUNCILWOMAN INGRAM stated this was discussed during Caucus and her only concern was the \$17,500 but it was explained to her and voted yes.

ORDINANCE 38 –07

AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENACTING CHAPTER 5 OF THE TOWNSHIP CODE, ENTITLED “ETHICS” SO AS TO CREATE ARTICLES I AND II WITHIN THE ADMINISTRATIVE CODE OF THE TOWNSHIP OF JACKSON

NOW, THEREFORE, BE IT ORDAINED, the Township of Jackson wishes to enact Chapter 5 entitled “Ethics” into its Township Code.

SECTION 1. Chapter 5 entitled “Ethics” shall have Article I, entitled “Prohibition on

Award of Contracts to Certain Contributors” which shall read in its entirety as follows:

ARTICLE I Prohibition on Award of Contracts to Certain Contributors

. 5-1. Purpose.

The purpose of this ordinance is to comply and adopt the provisions of Chapter 19, P.L. 2004, as amended P.L. 2005, c. 51, and Chapter 271, P.L. 2005 (the "Pay to Play Acts").

§5-2. Definitions.

As used in this chapter, unless otherwise noted, the following terms shall have the meanings indicated, as delineated within N.J.S.A. 19:44A-20.7:

BUSINESS ENTITY — Any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this state or of any other state or foreign jurisdiction;

INTEREST — The ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate;

POLITICAL CONTRIBUTION-Any loans and transfers of money or other things of value to any candidate, elected official or representative of any political organization, or other commitments or assumptions of liability to make any such transfer. Political contributions shall be deemed to have been made upon the date when such commitment is made or liability assumed.

POLITICAL ORGANIZATION-Any two or more person acting jointly, or any corporation, partnership or other incorporated or unincorporated association which is organized to, or does, aid or promote the nomination, election or defeat of any candidate or candidates for Jackson Township municipal or school board office. Political organization included organizations in N.J.S.A. 19:44A-3 as a “political committee,” “joint candidates committee,” “continuing political committee,” “political party committee,” or “candidate committee” and which aid or promote the nomination, election or defeat of any candidate or candidates Jackson Township Municipal or school board office.

§5-3. Prohibition on awarding public contracts to certain contributors.

- A. The Township of Jackson, and any agency or instrumentality thereof, shall not enter into a contract having an anticipated value in excess of \$17,500, as determined in advance and certified in writing by the Township, with a business entity, except a contract that is awarded pursuant to a fair and open process, if, during the preceding one-year period, that business entity has made a contribution that is reportable by the recipient under P.L. 1973, c. 83 (N.J.S.A. 19:44A-1 et seq.), to any Jackson Township political organization, if a member of that political party is serving in an elective public office of Jackson when the contract is awarded, or to any candidate committee of any person serving in an elective public office of that municipality when the contract is awarded; and
- B. A business entity that has entered into a contract having an anticipated value in excess of \$17,500 with the Township of Jackson, or any agency or instrumentality thereof, except a contract that is awarded pursuant to a fair and open process, shall not make such a contribution, reportable by the recipient under P.L. 1973, c. 83 (N.J.S.A. 19:44A-1 et seq.), to any Jackson Township municipal political organization, if a member of that political party is serving in an elective public office of that municipality when the contract is awarded, or to any candidate committee of any person serving in an elective public office of that municipality when the contract is awarded during the term of that contract.
- C. No such committee as referenced in Subsection A or B above shall accept such a contribution from a business entity during the term of the business entity's contract with the Township of Jackson, unless it was awarded under a fair and open process.

§5-4. Certain contributions deemed as contributions by business entity.

When a business entity is a natural person, a contribution by that person's spouse or child residing therewith shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having at least a 10% interest therein shall be deemed to be a contribution by the business entity.

§5-5. Return of excess contributions.

If a business entity makes a contribution that would cause it to be ineligible to receive a public contract, or in the case of a contribution made during the term of a public contract that would constitute a violation of the Pay to Play Acts, the business entity may request, in writing, within 60 days of the date on which the contribution was made, that the recipient thereof repay the contribution and, if repayment is received within those 60 days, the business entity would again be eligible to receive a contract, or would no longer be in violation, as appropriate.

§5-6. Public exigency.

Nothing contained in this chapter shall be construed as prohibiting the awarding of a contract when the public exigency requires the immediate delivery of goods or performance of emergency services as determined by the State Treasurer.

§5-7. Violations and penalties; civil penalties.

Violations of this article shall be punished by a fines not exceeding \$2,000.00.

SECTION 2. Chapter 5 entitled "Ethics" shall have Article II, entitled "Fair and open process utilized to award contracts with anticipated value in excess of \$17,500" which shall read in its entirety as follows:

ARTICLE II Fair and Open Process

§5-8. Fair and open process utilized to award contracts with anticipated value in excess of \$17,500.

- A. The Township shall award all contracts with a business entity having an anticipated value in excess of \$17,500 on the basis of the fair and open process herein, in accordance with N.J.S.A. 19:44A-20.7. For purposes of this article, contracts awarded by public bidding pursuant to N.J.S.A. 40A:11-4, and competitive contracting pursuant to N.J.S.A. 40A:11-4.1 to 40A:11-4.5, shall be deemed to have satisfied the Township's "fair and open process." This article shall not apply to any contract for which the entity is regulated by the state so as to prohibit or restrict said entity from making political contributions.
- B. Fair and open process defined.
- (1) Requests for proposal shall be published by the posting of a public notice at least 10 days prior to the awarding of any contract herein.
 - (a) The public notice shall be:
 - [1] Prominently posted in the public place reserved for Sunshine Law notices;
 - [2] Mailed, telephoned, telegrammed, faxed, or hand delivered to at least two newspapers designated to receive such notice because they have the greatest likelihood of informing the public within the municipality, one of which shall be the official newspaper of the municipality; or placed on the Township website; and
 - [3] Filed with the Township Clerk.
 - (b) The public notice shall, at minimum, include:
 - [1] A description of the goods or services needed, including, where appropriate, a description of tasks involved.
 - [2] Threshold qualification requirements setting the highest possible minimum standards for qualifying to compete for the particular goods or services and tasks involved.
 - [3] Notice that the selection criteria are on file and available at a stated location in the Township.
 - [4] Deadline and place for all submissions.
 - (2) The selection criteria to be used in awarding a contract or agreement for goods or services shall include:
 - (a) Name and business address of proposed contractor. For service contracts, the names and roles of the individuals who will perform the task, and a description of their experience with projects similar to the matter being advertised.
 - (b) References which include evidence of successful transactions for provision of similar goods or services.
 - (c) Description of ability to provide the goods or services in a timely fashion (for service contracts, include staffing, familiarity, and location of key staff).
 - (d) Cost details. For service contracts, include the hourly rates of each of the individuals who will perform services, time estimates for each individual, all expenses.
 - (e) Qualifications of the individuals who will perform the tasks and the amounts of their respective participation (services only).
 - (f) Other relevant experience.
 - (g) Ability to perform the task or provide goods in a timely fashion.
 - (h) Cost consideration, including, but not limited to, as applicable, historical costs for similar goods or services, expertise involved and comparable costs for comparable public entities.

- (3) All submissions shall be kept on file during the term of the related contract, and shall be public records after the deadline for the submission of proposals.
- (4) Contracts awarded under this article shall be publicly announced and awarded.

C. Disclosure of Political Contributions

Any business entity submitting a proposal to the Township under the Fair and Open Process shall include a statement of all political contributions made to a candidate for political office in Jackson Township and any political organization as defined in this ordinance, during the 12 month period prior to the submission of the proposal of the Township.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. 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 5. 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).

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 **December 11, 2007**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **26th day of December, 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, R.M.C.
TOWNSHIP CLERK

DATED: 12-11-07

ORDINANCE FIRST READING

39-07

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENACTING CHAPTER 5 OF THE TOWNSHIP CODE, ENTITLED "ETHICS" SO AS TO CREATE ARTICLES III AND IV WITHIN THE ADMINISTRATIVE CODE OF THE TOWNSHIP OF JACKSON

**MOTION TO APPROVE ORDINANCE 39-07 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, DECEMBER 26, 2007 BY: MARTIN
MOTION SECONDED BY: INGRAM
YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE
ABSENT: GUDAITIS**

**AN ORDINANCE OF THE TOWNSHIP OF JACKSON,
COUNTY OF OCEAN, STATE OF NEW JERSEY, ENACTING
CHAPTER 5 OF THE TOWNSHIP CODE, ENTITLED
“ETHICS” SO AS TO CREATE ARTICLES III AND IV
WITHIN THE ADMINISTRATIVE CODE OF THE TOWNSHIP
OF JACKSON**

NOW, THEREFORE, BE IT ORDAINED, the Township of Jackson wishes to enact Chapter 5 entitled “Ethics” into its Township Code.

Section 1. Chapter 5 entitled “Ethics” shall have Article III, entitled “Use of Government Buildings and Equipment” which shall read in its entirety as follows:

ARTICLE III Use of Government Buildings and Equipment

§5-9 Definitions.

As used in this article, the following terms shall have the meanings indicated:

CANDIDATE — Any individual seeking election to a public office of the federal, state, county or municipal government, or school district or political party, and any individual who shall have been elected or failed of election to any such office.

MUNICIPALITY — The government of the Township of Jackson, including any officer, department, board, commission or agency thereof.

MUNICIPAL OFFICIAL, EMPLOYEE AND APPOINTEE — Any person holding elective municipal office or holding an appointed position in the municipal government, or in any agency, commission, board or office thereof, whether the position is full-time or part-time, compensated or uncompensated; and any employee of municipal government or of any municipal agency, commission, board or office thereof, whether the position is full-time or part-time.

POLITICAL CONTRIBUTION — Any loans and transfers of money or other things of value to any candidate, elected official or representative of any political organization, or other commitments or assumptions of liability to make any such transfer. Political contributions shall be deemed to have been made upon the date when such commitment is made or liability assumed.

POLITICAL ORGANIZATION — Any two or more persons acting jointly, or any corporation, partnership or other incorporated or unincorporated association which is organized to, or does, aid or promote the nomination, election or defeat of any candidate or candidates for Jackson Township municipal or school board office. Political organization includes organizations in N.J.S.A. 19:44A-3 as a "political committee," "joint candidates committee," "continuing political committee," "political party committee," or "candidate committee" and which aid or promote the nomination, election or defeat of any candidate or candidates Jackson Township Municipal or school board office.

PUBLIC PROPERTY — All real or personal property owned, leased or controlled by the Township of Jackson.

SOLICIT — To ask for, by oral or written communication, a contribution as defined herein.

§5-10. General regulations; violations and penalties.

- A. Prohibition against soliciting or accepting political contribution in rooms or buildings occupied in the discharge of public duties. No municipal official, employee or appointee may solicit, commit to pay or receive payment of or a commitment to pay any political contribution for any candidate, elected official or political organization while in any Township room or building occupied in the discharge of official municipal business. This section shall include solicitation or acceptance of political contributions made over a private cell phone or by use of a private computer if the person soliciting or accepting the

political contribution or using the cell phone or computer for purposes of soliciting or accepting the political contribution is in any Township room or building occupied in the discharge of official municipal business.

- B. Prohibition against use of public property for political fund-raising. No municipal official, employee or appointee may solicit, commit to pay or receive payment of or a commitment to pay any political contribution for any candidate, elected official or political organization while utilizing public property.
- C. Exception. In the event Township public facilities are made available to any group for nongovernmental use, this prohibition shall not be deemed to prevent fund-raising of any sort among members of such groups during the time such groups have reserved exclusive use of the Township facility.
- D. Violations and penalties. Violation of any provision of this article shall be punished by a fine not exceeding \$2000.00.

Section 2. Chapter 5 entitled "Ethics" shall have Article IV entitled "Disclosure in Zoning and Planning Board Applications" which shall read in its entirety as follows:

ARTICLE IV Disclosure in Zoning and Planning Board Applications

§5-11 Definitions.

As used in this article, the following terms shall have the meanings indicated:

APPLICATION CHECKLIST — The list of submission requirements adopted by ordinance and provided by the municipal agency to a developer pursuant to N.J.S.A. 40:55D-10.3.

CONTRIBUTION — Every loan, gift, subscription, advance or transfer of money or other thing of value, including any item of real property or personal property, tangible or intangible (but not including services provided without compensation by individuals volunteering a part or all of their time on behalf of a candidate, committee or organization), made to or on behalf of any candidate, candidate committee, joint candidates committee, political committee, continuing political committee or political party committee and any pledge, promise or other commitment or assumption of liability to make such transfer. For purposes of reports required under the provisions of the ordinance, any such commitment or assumption shall be deemed to have been a contribution upon the date when such commitment is made or liability assumed.

CONTRIBUTION DISCLOSURE STATEMENT — A list specifying the amount, date and the recipient of any and all contributions made to or on behalf of any candidate, candidate committee, joint candidates committee, political committee, continuing political committee or political party committee of, or pertaining to, this municipality, made up to one year prior to filing the variance application and/or during the pendency of the application process, and required to be reported pursuant to N.J.S.A. 19:44A-1 et seq.

DEVELOPER — A developer as defined by N.J.S.A. 40:55D-4; i.e., the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

PROFESSIONAL — Any person or entity whose principals are required to be licensed by New Jersey law and who supplies legal representation, expert testimony or written reports in support of an application. Professionals shall include both any individuals supplying the representation, testimonies or reports and the firms or entities in which said individuals practice.

§5-12 General provisions.

- A. Disclosure requirements.

- (1) Any applicant for a variance pursuant to N.J.S.A. 40:55D-70d, or a variance pursuant to N.J.S.A. 40:55D-70c in conjunction with any application for a subdivision not considered a minor subdivision pursuant to local ordinance, or a site plan not considered a minor site plan pursuant to local ordinance, as well as any application for a subdivision not considered a minor subdivision pursuant to local ordinance, or site plan not considered a minor site plan pursuant to local ordinance requiring waivers or exceptions pursuant to N.J.S.A. 40:55D-51, shall, for applications made after the effective date of this article, include in the application contribution disclosure statements for all developers, all associates of said developers who would be subject to disclosure pursuant to N.J.S.A. 40:55D-48.1 or 40:55D-48.2 and all professionals who apply for or provide testimony, plans or reports in support of said variance and who have an enforceable proprietary interest in the property or development which is the subject of the application or whose fee in whole or part is contingent upon the outcome of the application. Regardless of whether the owner of the property which is the subject of the variance application falls in any of the categories established in the preceding sentence, the applicant shall include in the application a contribution disclosure statement for said owner.
 - (2) During the pendency of the application process for applications made after the effective date of this article, until final site plan approval is granted, any applicant required to comply with this article shall amend its contribution disclosure statements to include continuing disclosure of all contributions within the scope of disclosure requirement of the above subsection.
- B. Inclusion of contribution disclosure statements as an element of the application checklist.
- (1) An application checklist is hereby adopted pursuant to N.J.S.A. 40:55D-10.3 to require that the contribution disclosure statements specified in Subsection A of this section shall be submitted by the applicant for all applications for variance relief pursuant to N.J.S.A. 40:55D-70d as well as for relief pursuant to N.J.S.A. 40:55D-70c or N.J.S.A. 40:55D-51 in applications for site plan and subdivision approval not considered to be minor site plans or minor subdivisions pursuant to local ordinance.
 - (2) The Municipal Planning Board and Board of Adjustment shall amend its application checklist for variances pursuant to N.J.S.A. 40:55D-70d as well as for relief pursuant to N.J.S.A. 40:55D-70c or N.J.S.A. 40:55D-51 in applications for site plan and subdivision approval not considered to be minor site plans or minor subdivisions pursuant to local ordinance to include the contribution disclosure statements specified in Subsection A of this section.
 - (3) An application shall not be deemed complete by the administrative official or accepted for public hearing by the municipal agency until the required contribution disclosure statements are submitted.
- Availability of the disclosure statement. All contribution disclosure statements shall
- C. be available in the office of the administrative officer for review by any member of the public.
 - D. Intent of the disclosure statement. It is the intent of this article that the disclosure statement shall serve to inform the public and not serve as evidence relevant to the decision criteria for variance applications pursuant to N.J.S.A. 40:55D-70d as well as for relief pursuant to N.J.S.A. 40:55D-70c or N.J.S.A. 40:55D-51 in applications for site plan and subdivision approval not considered to be minor site plans or minor subdivisions pursuant to local ordinance.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. 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 5. 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).

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 **December 11, 2007**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **26th day of December, 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.

DATED: 12-11-07

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

PUBLIC HEARING OPENED, RESOLUTIONS ONLY

STAN GOLDMAN-47 SPYGLASS DRIVE: He asked about an ordinance and was reminded by Clerk Eden that this was not a public hearing or open forum for the ordinances set for first reading and stated the open forum would be held at the next meeting of December 26th, 2007.

MOTION TO CLOSE PUBLIC HEARING, RESOLUTIONS ONLY BY:
STALLONE

MOTION SECONDED BY: MARTIN

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

RESOLUTION 510R-07

**TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON
SUPPORTING THE “OVER THE LIMIT UNDER ARREST 2007 YEAR
END CRACKDOWN” PROGRAM**

MOTION TO APPROVE BY:MARTIN

MOTION SECONDED BY: INGRAM

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

WHEREAS, impaired drivers on our nation’s roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

WHEREAS, 34% of motor vehicle fatalities in New Jersey are alcohol-related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout several counties to participate in the “*Over the Limit Under Arrest 2007 Year End Crackdown*” and

WHEREAS, the provide will involve increased impaired driving enforcement from December 7, 2007 through January 2, 2008; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Jackson declares it's support for the "*Over the Limit Under Arrest 2007 Year End Crackdown*" from December 7, 2007 through January 2, 2008 and pledges to increase awareness of the dangers of drinking and driving.

Copies of this resolution to Township Administrator, Director of Public Safety, Ocean County Sheriff's Department and any other interested parties.

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

DATED: 12-11-07

RESOLUTION 512R-07

TITLE: AUTHORIZE CY2007 BUDGET TRANSFER #2

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

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

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

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

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

1. The following annexed transfer schedule (#2) for the 2007 Municipal Operating Budget of the Township of Jackson are hereby made for the above stated reasons:
2. This resolution shall take effect upon two-thirds affirmative vote by the full governing body of the Township of Jackson.
3. Copies of this resolution to the Administrator, Chief financial Officer and Auditor.

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

DATED: 12-11-07

RESOLUTION 516R-07

TITLE: APPROVE RESOLUTION OF NEED FOR THE SOLAR AVENUE AFFORDABLE HOUSING SITE KNOWN AS WINDSOR CRESCENT

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: INGRAM

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

WHEREAS, Community Investment Strategies, Inc. (hereinafter referred to as the "Sponsor") proposes to construct Windsor Crescent, a 112 unit affordable housing project on the property known as the Solar Avenue Affordable Housing Site (hereinafter referred to as the "Project") pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq., and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the "HMFA Requirements") within the Township of Jackson (hereinafter referred to as the "Municipality") on a site described as various lots in Blocks 6501, 6502 and 6503 as shown on the Official Assessment Map of the Township of Jackson, Ocean County and commonly known as the Solar Avenue Affordable Housing Site, Jackson, New Jersey; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the "Agency"); and

WHEREAS, the Project will be subject to requirements of the New Jersey Department of Community Affairs (hereinafter referred to as the "Department of Community Affairs"), Neighborhood Preservation Balanced Housing Program in accordance with N.J.S.A. 52:27D-320 and applicable rules promulgated thereunder at N.J.A.C. 5:43-1.1 et seq., and the mortgage and other loan documents executed between the Sponsor and the Commissioner of the Department of Community Affairs; and

WHEREAS, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Jackson (the "Council") that:

- (1) The Council finds and determines that the Project known as Windsor Crescent, located on the Solar Avenue Affordable Housing Site proposed by the Sponsor meets or will meet an existing housing need;
- (2) The Council finds and determines that the Project known as Windsor Crescent, located on the Solar Avenue Affordable Housing Site proposed by the Sponsor meets or will meet all or part of the municipality's low and moderate income housing obligation;
- (3) The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor's application for Agency funding to finance the Project.

Copies of this resolution to Department of Community Affairs/Neighborhood Preservation Balanced Housing Program, Community Investments Strategies, Inc., Township Administrator, John Russo, Esq., John Maczuga and any other interested parties.

DATED: 12-11-07

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

RESOLUTION 524R-07

TITLE: OPPOSING THE ADOPTION OF A-3857 AND S-2451, WHICH WOULD ELIMINATE REGIONAL CONTRIBUTION AGREEMENTS AS A PARTIAL METHOD TO FACILITATE COMPLIANCE WITH A MUNICIPALITY'S MT. LAUREL OBLIGATIONS

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

WHEREAS, currently, regional contribution agreements are an approved method for a municipality to partially comply with its Mt. Laurel low and moderate income housing obligations; and

WHEREAS, a municipality can only utilize regional contribution agreements to satisfy a portion of its obligation; and

WHEREAS, the regional contribution agreements allow other municipalities seeking to rehabilitate or create low and moderate housing facilities within the receiving municipality; and

WHEREAS, S-2451 and A-3857 would eliminate regional contribution agreements as a method by which a municipality could satisfy a portion of its low and moderate housing obligation; and

WHEREAS, Jackson Township would be severely impacted by the elimination of regional contribution agreements which would result in a significant increased tax burden on Jackson Township residents; and

WHEREAS, the Council for the Township of Jackson wishes to go on record as opposing the adoption of S-2451 and A-3857.

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 does formally go on record opposing the adoption of S-2451 and A-3857.
2. That a certified copy of this resolution be forwarded to Senator Robert Singer and Assemblyman Ronald Dancer and Joseph Malone of the 30th Legislative District.

DATED: 12-11-07

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

RESOLUTION 525R-07

TITLE: RESOLUTION TO CANCEL AUTHORIZATION OF EMERGENCY APPROPRIATION FOR FIRE DAMAGE (RESOLUTION 408R-07 DATED 9-11-07)

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

WHEREAS, general settlement has occurred with respect to the August, 29 2007, Fire Damage to the Municipal facilities located at 65 Don Connor Boulevard and;

WHEREAS, Insurance proceeds have been collected to date totaling \$339,942.57 for initial remediation, contents and building repairs related to the fire and;

WHEREAS, resolution 408R-07 dated September 11, 2007 authorized \$100,000.00 of estimated Fire Emergency Appropriations for the purpose of initial fire remediation, staff facility accommodation, equipment replacement and pantry relocation which has now been reimbursed from receipt of insurance reimbursements;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of Jackson, County of Ocean, State of New Jersey that: insurance reimbursements have been received for initial expenses associated with the

August 29, 2007 fire at 65 Don Connor Boulevard resulting the cancellation Emergency Appropriation Resolution 408R-07 totaling \$100,000.00 dated September 11, 2007.

Certified copies of this resolution be filed with the Director of the Division of Local Government Services, Municipal Administrator, Township Auditor, the Chief Financial Officer and any other interested parties.

TOWNSHIPNSHIP OF JACKSON
EMERGENCY APPROPRIATION – 3% CALCULATION

	Prior Year (for CAP calculation)	Current Year (for expenditure Cal.)
Sheet 17 total	\$24,418,472.00	\$28,938,145.00
Sheet 19 (Statutory Only)	\$ 1,288,642.00	\$ 1,320,469.00
Sheet 25	\$ 5,639,761.10	\$ 1,635,812.65
 TOTAL	 \$31,346,875.10	 \$31,894,426.65
 3%	 \$ 940,406.25	 \$ 956,832.80

(NOTE – Calculation excludes special emergency appropriations)

DATED: 12-11-07

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

CLERK EDEN stated 522R-07 was being removed from the Agenda stating the Purchasing Agent had a few items to review before bringing it before Council and expected it to be presented at the December 26th Township Council meeting.

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

RESOLUTION 507R-R-0707

TITLE: AUTHORIZE TAX OVERPAYMENT REFUNDS

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

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.

OVERPAYMENT REFUNDS

December 11, 2007

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>YEAR-QTR</u>	<u>AMOUNT</u>
5401	21	WAMU Customer Service	2007 – 1 st	\$1,829.25
			2007 – 2 nd	1,829.25
			2007 – 3 rd	1,876.37
			2006 – 3 rd	621.14
			2006 – 4 th	1,908.08
13105	25	Countrywide Tax Services Corporation	2007 – 1 st	1,296.54
701	208	Countrywide Tax Services Corporation	2007 – 4 th	1,199.31
6016	1	Countrywide Tax Services Corporation	2007 – 4 th	1,522.98
14501	4.04	Countrywide Tax Services Corporation	2007 – 4 th	148.79
TOTAL AMOUNT:				\$12,231.71

DATED: 12-11-07

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

RESOLUTION 508R-07

TITLE: APPROVE TOWNSHIP COUNCIL MEETING MINUTES OF NOVEMBER 8, 2007

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

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

November 8, 2007

2. Copies of this resolution to any interested parties.

DATED: 12-11-07

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

RESOLUTION 509R-07

TITLE: APPROVE CHIEF FINANCIAL OFFICERS MONTHLY REPORT FOR OCTOBER 2007

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

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 October 2007 is hereby approved.
2. Copies of this Resolution to Treasurer, Administrator, Township Attorney, and any other interested parties.

DATED: 12-11-07

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

RESOLUTION 511R-07

TITLE: AUTHORIZE THE SOLICITATION OF REQUESTS FOR QUALIFICATIONS FOR AN AFFORDABLE HOUSING SPONSOR FOR THE ALTERNATIVE LIVING ARRANGEMENT SITE PROJECT SOLAR AVENUE II

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

WHEREAS, the Township of Jackson desires to solicit Requests for Qualifications from professionals to sponsor the affordable housing alternative living arrangement site located within Jackson Township; and

WHEREAS, in accordance with New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.), the solicitation of Requests for Qualifications for said study and application submission is required; and

WHEREAS, the solicitation of Requests for Qualifications complies with the a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the Township Council desires to solicit Requests for Qualifications for the selection of a professional to perform the above stated task.

NOW, THEREFORE, BE IT RESOLVED, the Township Council of the Township of Jackson, County of Ocean, State of New Jersey does hereby authorize the Purchasing Agent to solicit Requests for Qualifications for the project as stated above, in accordance with New Jersey State Law. In addition, Township Council rejects all previous proposals for the above stated reason.

A copy of this resolution shall be forwarded to the Township Administrator, Chief Financial Officer, Purchasing Agent, Johns Russo, Esq., John Maczuga and any other interested parties.

DATED: 12-11-07

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

RESOLUTION 513R-07

TITLE: AUTHORIZE CHANGE TO CUSTODIAN OF PETTY CASH FUND FOR THE JACKSON TOWNSHIP SENIOR CENTER FROM ERIC J. SCHUBIGER TO SHERI SILVERSMITH

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

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 Senior Center has previously established a Petty Cash fund in accordance with said statute which Eric J. Schubiger is designated as custodian of said Fund; and

WHEREAS, on November 5, 2007 Sheri Silversmith was hired as Recreation Program Administrator in the Jackson Township Department of Recreation and Senior Services making it necessary to change the custodian of said Petty Cash Fund.

NOW, THEREFORE, BE IT RESOLVED by the Jackson Township Council that this Council does hereby authorize the change of the Custodian of the Petty Cash fund of the Jackson Township Senior Center from Eric J. Schubiger to Sheri Silversmith. **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 the Director of Recreation and Senior Services.

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

DATED: 12-11-07

RESOLUTION 514R-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 THE 2007 STATE FARM INSURANCE DONATION TO JACKSON POLICE FOR TEEN DRIVER SAFETY PROGRAM

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

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 2007 State Farm Insurance Donation to Jackson Police for Teen Driver Safety Program in the amount of \$2,000.00

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 \$2,000.00 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)

2007 Donation – Jackson Police for
Teen Driver

Safety Program \$2,000.00

- 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)

2007 Donation - Jackson Police for
Teen Driver
Safety Program \$2,000.00

- 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: 12-11-07

RESOLUTION 515R-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 THE DEPARTMENT OF LAW & PUBLIC SAFETY, DIVISION OF HIGHWAY TRAFFIC SAFETY, OVER THE LIMIT UNDER ARREST 2007 YEAR END CRACKDOWN

MOTION TO APPROVE BY: MARTIN
MOTION SECONDED BY: STALLONE
YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE
ABSENT: GUDAITIS

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, Over the Limit Under Arrest 2007 Year End Crackdown 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
Over the Limit Under Arrest
2007 Year End Crackdown \$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	
Over the Limit Under Arrest	
2007 Year End Crackdown	\$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.

DATED: 12-11-07

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

RESOLUTION 517R-07

TITLE: AUTHORIZED CANCELLATION OF TAXES ON THOWNSHIP OWNED PROPERTY (SOLAR AVENUE PARCELS)

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

WHEREAS, Various parcels of land were acquired by the Township of Jackson in 2007; 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>
6501	24	\$12.22
6501	34	\$14.31
6501	36	\$ 3.07
6501	37	\$58.05
6502	3	\$26.59
6502	9	\$52.29
6502	15	\$.02
6502	22	\$ 4.09
6502	26	\$ 7.00
6502	29	\$ 8.05
6503	20	\$ 6.18

Copy to:
Tax Collector
Finance

DATED: 12-11-07

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

RESOLUTION 518R-07

**TITLE: RESOLUTION AUTHORIZING THE ASSIGNMENT OF TAX SALE
CERTIFICATE # 93-150 ON BLOCK 11602 LOT 34 AT PUBLIC AUCTION
PURSUANT TO 54:4-114.2 ET SEQ.**

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

WHEREAS, the Township Council has been requested to assign tax sale certificate #93-150 on Block 11602 Lot 34, 29 Cassville Road, Owner of record: Pal Petroleum Associates, Inc., to a third party, and;

WHEREAS, the Township Council has deemed it to be in the best interest of the Township to authorize the requested assignment, and it has been recommended by the Tax Collector to use method "A" of N.J.S.A. 54:5-114.2 et seq, which provides for the assignment to the highest bidder at a public auction, with the minimum bid being the total amount required for redemption including subsequent municipal liens along with interest and costs, including but not limited to legal costs and search costs incurred by the municipality, subject to confirmation of the governing body and;

WHEREAS, The Township Council shall impose the two year period for foreclosing and recording said judgment from the date of the confirmation of sale by the Governing Body pursuant to N.J.S.A 54:5-114.4 et seq., and;

WHEREAS, the Governing Body reserves the right to extend the two year period pursuant to N.J.S.A. 54:5-114.5 et seq. providing that an application for such extension, further extension or extensions of time shall be made to the Governing Body, before the expiration of the 2-year period or the expiration date or dates of said further extension or extensions, and;

WHEREAS, Said tax sale certificate will revert back to Jackson Township, pursuant to N.J.S.A 54:5-114.5 et seq., which states "if the final decree or judgment shall not have been recorded within 2 years from the date of the confirmation of the sale, or the expiration of the extended time or times, then the sale shall be null and void, and the right, title and interest of the purchaser shall cease and revert to the municipality", and

WHEREAS, if the above stated reversion occurs, pursuant to N.J.S.A 54:5-114.6 et seq., the monies paid by the purchaser to the municipality shall not be refunded to the purchaser nor shall the monies be credited by the Tax Collector to the credit of the owner of the land, and;

WHEREAS, the Township will comply with all advertisement and notification requirements prior to the date of the sale of the assignment of the tax sale certificate, and;

WHEREAS, pursuant to N.J.S.A. 54:5-114.7 et seq. the Collector will not deliver or give possession of the tax sale certificate to the purchaser, his agents or nominees, prior to the recordation of the final judgment in the Superior Court, however, that after said sale has been approved and the purchase price paid, the purchaser shall receive a properly executed written assignment of the tax sale certificate, executed by the mayor or chief financial officer and attested by the municipal clerk, and

WHEREAS, if the purchaser shall have acquired legal title to the property affected by said tax sale certificate by means other than foreclosure, in no case shall the municipality refund any of the monies paid to it for such tax sale certificate at public sale, but may apply to the municipality for a cancellation of said tax sale certificate, pursuant to N.J.S.A 54:5-114.9

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 authorized to sell at public auction the assignment of Tax Sale Certificate #93-150 to the highest bidder, with the minimum bid to be the full redemption amount including, but not limited to, all municipal liens, search and legal fees the Township has incurred subject to confirmation by the Governing Body.
2. The Collector and/or Clerk are authorized to comply with all the advertisement and notification requirements provided for under 54:5-114.2(a) et seq.

Finance

DATED: 12-11-07

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

RESOLUTION 519R-07

**TITLE: RESOLUTION CORRECTING PREVIOUS RESOLUTION NO. 483R-07
CANCELING TAXES ON TOWNSHIP OWNED PARCEL – BLOCK 18101, LOT
9.07**

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

WHEREAS, Previously adopted Resolution No. 483R-07 listed the amount to cancel on Township owned property Block 18101 Lot 9.07 for 2006 in the amount of \$792.39, and;

WHEREAS, The amount of taxes to be cancelled on the Resolution should have been listed as \$762.39 for 2006.

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:

Resolution No. 483R-07, Adopted 11-08-07, is amended to cancel taxes on Block 18101 Lot 9.07 for 2006 in the amount of \$762.39 and the Tax Collector is directed to reflect that amount on the tax account record for that parcel.

Copy to:
Tax Collector

DATED: 12-11-07

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

RESOLUTION 520R-07

**TITLE: AUTHORIZE SUBMISSION OF A GRANT APPLICATION TO THE
NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY FOR THE
PROJECT ENTITLED “OVER THE LIMIT, UNDER ARREST 2007 YEAR END
CRACKDOWN”**

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

WHEREAS, the Township of Jackson desires to apply for a grant from the New Jersey Division of Highway Traffic Safety for \$5,000.00 for the project entitled “Over the limit Under Arrest 2007 Year End Crackdown”; and

WHEREAS, this grant was made possible through the New Jersey Division of Highway Traffic Safety; and

WHEREAS, it is the desire of the Township Council to formally authorize submission of this grant application.

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

1. The Township does hereby authorize submission of an application for a grant; and, upon receipt of the grant agreement from the New Jersey Division of Highway Traffic Safety does further authorize the execution of the agreement; and also, upon receipt of the fully executed agreement from the Department does further authorize the

expenditure of funds pursuant to the terms of said agreement between the Township of Jackson and the Division of Highway Traffic Safety.

2. Be it further resolved, that the persons whose names, titles, and signatures appear below are authorized to sign the application, the agreement, and any other documents in connection therewith:

Mark A. Seda
Mayor

Ann Marie Eden, R.M.C.
Township Clerk

3. Upon adoption of said resolution, the Township Clerk shall forthwith forward two certified copies of this resolution to the New Jersey Division of Highway Traffic Safety.

4. Copies of this resolution to Municipal Administrator, Director of Public Safety, Chief Financial Officer, and any other interested parties.

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

DATED: 12-11-07

RESOLUTION 521R-07

TITLE: AUTHORIZE INTERLOCAL SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF JACKSON AND COUNTY OF OCEAN SETTING FORTH TERMS AND CONDITIONS REGARDING THE STATEFY 2008 966 REIMBURSEMENT PROGRAM

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

WHEREAS, the State FY 2008 966 Reimbursement Program is a program run by the Ocean County Sheriffs Department for the purpose of enhancing the County’s ability to respond to and recover from emergencies at the Oyster Nuclear Power Plant; and

WHEREAS; the New Jersey State Department of Law and Public Safety will provide supplemental funding to the County of ocean through the FY 2008 966 reimbursement Program; and

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1 et seq. authorizes local units as defined in the Act to enter into joint agreements for the provision of governmental services.

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 Mayor and Clerk of the Township of Jackson are hereby authorized and directed to enter into and execute an Interlocal Services Agreement with the County of Ocean for the purpose of setting forth the terms and conditions regarding the State FY 2008 966 Reimbursement Program (as outlined in the attached Agreement identified as Schedule “A”).

2. A copy of that agreement is on file and available for public inspection at the Township Clerk’s Office.

3. This resolution shall take effect immediately upon passage.

4. Copies of this resolution to Administrator, Chief Financial Officer, Office of Emergency Management Coordinator (Barry Olejarz), Director of Public Safety, Ocean County Board of Chosen Freeholders, Ocean County Sheriff’s Department and any other interested parties.

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

DATED: 12-11-07

RESOLUTION 522R-07 - REMOVED

RESOLUTION 523R-07

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON INCREASING THE BID THRESHOLD FROM \$25,000. TO \$29,000.

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

WHEREAS, the Local Public Contracts Law has given local contracting units the ability to increase their bid threshold from \$25,000. to \$29,000. pursuant to N.J.S.A. 40A:11-3(c) providing said local contracting unit has a Qualified Purchasing Agent (QPA) on staff; and

WHEREAS, Thomas J. Carter possess the designation of a Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5, et. seq.; and

WHEREAS, the Township of Jackson has a designated Qualified Purchasing Agent which would allow the Township of Jackson to increase their bid threshold from \$25,000 to \$29,000. pursuant to N.J.S.A. 40A:11-9(b) and N.J.S.A. 40A:11-3(a); and

WHEREAS, the Township of Jackson desires to take advantage of the increased bid threshold;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Township of Jackson hereby increases its bid threshold to \$29,000.00; and

BE IT FURTHER RESOLVED, that in accordance with N.J.A.C. 5:34-5.2 the local unit Clerk is hereby authorized and directed to forward a certified copy of this resolution to the Director of the Division of Local Government Services, Township Business Administrator, Chief Financial Officer, Qualified Purchasing Agent, Township Auditor and any other interested parties.

DATED: 12-11-07

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

RESOLUTION 526R-07

TITLE: AUTHORIZE AMENDATORY AGREEMENT BETWEEN THE COUNTY OF OCEAN AND THE TOWNSHIP OF JACKSON FOR ROAD MAINTENANCE AND LINE STRIPING UNDER ITS SCHEDULE "C" PROGRAM FOR CY 2007

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

WHEREAS, the Township of Jackson previously entered into an Agreement with the County of Ocean on February 27, 2007 together with an Amendatory Agreement on June 26, 2007 for certain types of road maintenance, road overlay, line striping, etc., under the County's Schedule "C" Program for CY 2007; and

WHEREAS, the Township Council of the Township of Jackson is requesting an amendment to the agreement increasing the original contract amount by \$900.00 for additional line striping and signage work on Bates Road; and

WHEREAS, the Township will be required to fund said services through its 2007 budget; and

WHEREAS, the Chief Financial Officer has certified that a maximum amount of \$900.00 is available in the Capital Operating Budget for this purpose under Account No. C-04-55-987-901; and

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 Mayor and Clerk are authorized to execute an Amendatory Agreement between Jackson Township and the County of Ocean increasing the contract by \$900.00 for additional line striping and signage work on Bates Road under it's Schedule "C" Program for CY 2007

2. That upon the adoption of the within resolution and execution of an amendatory agreement, the Clerk is authorized and directed to forward a certified copy of it together with the executed contract to the Ocean County Board of Chosen Freeholders, Administration, Chief Financial Officer, Director of Public Works and any other interested parties.

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

DATED: 12-11-07

DISCUSSION AGENDA: N/A

PUBLIC HEARING, ANY TOPIC

JOHN SUTTLES-403 MEADOWOOD ROAD: He stated he treats the trees on his property but many of the trees that shade his home in the Summer and protect it from wind in the Winter are not on his property and when they defoliate and die it has a great impact on him. He then asked the Council what has been reported back to them regarding the inquiry to authorize the appeal of the DEP fine. Council President Updegrave confirmed with Administrator Del Turco that it was about \$700.00. He then asked about mitigation and negotiations with the DEP directly for that purpose? Administrator Del Turco confirmed they filed an appeal and were waiting for a hearing on the matter. Attorney Foran confirmed the process has begun which is the first step in the process. Mr. Suttles stated to Council President Updegrave that she was in charge of the meeting and the only person to charge someone out of order, yet two other people told speakers to be quiet and sit down and he asked why she allowed it to continue? He stated she ruled speakers out of order when they were discourteous to members of the Council but when the Forester and Mayor were discourteous to the public they were not reprimanded and felt she needed to do better on that. Council President Updegrave stated she gavelled the Mayor on more than one occasion.

LINDA SELZNICK-BALTUSTROL DRIVE: She thanked everyone for the debate and thanked everyone for a wonderful holiday in a land that's free even though they don't always agree they are there to express themselves. She said the tree lighting and menorah lighting were wonderful and not every township does it and she appreciated their effort in bringing everyone together.

MARTY SPIELMAN-37 SHOAL ROAD: He asked about the spraying and what their plans were for spraying the trees in private gated communities because last Spring the residents of Westlake got together and paid about \$20K for aerial spraying. Mayor Seda stated they have no plans at this time. He discussed if they sprayed by air they would follow the spray blocks the State recommended and if they were in the spray block they would be sprayed but if they weren't then they wouldn't. Mr. Spielman asked if any of the adult communities were in the spray block and Mayor Seda said Westlake was not. Mr. Spielman heard the bid threshold was \$25K and wanted to know why they raised it to \$29K. Attorney Foran explained the State's threshold was \$29K if there was a qualified Purchasing Agent and since the Purchasing agent was just certified it was raised to the level the State set.

GARY BLACK-76 LEWIS LANE: He thanked the Mayor and Council for providing some good information and felt the State's plan was a disaster. He felt the majority of the meeting was taken up with political grandstanding by someone who doesn't want to listen. He felt when someone gets out of hand they have to take further measures. He applauded Council President Updegrave's efforts. He stated science is fact and you can't change it.

STEVE COSTANZA-317 MACENZIE DRIVE: He thanked the Mayor and Council for the information they provided and was looking forward to the next meeting when they have even more information. He stated the State is in a deficit position and certain considerations should be given to how money is spent and should see that money is spent efficiently. He felt the Town should spray town owned property and didn't see how they were responsible for spraying private property because those individuals should be responsible to spray their own property.

STAN GOLDMAN-47 SPYGLASS DRIVE: He asked Administrator Del Turco and Council why they have not provided an adequate answer to explain \$3.2 million surplus from the 2006 year end that was asked at the last meeting. Administrator Del Turco stated general administration was about \$85K for COAH expenditures, the audit was \$29K, \$55K for legal, \$69K for Engineering, property tax map was about \$35K, unemployment trust was about \$75K and Police \$384K which included some vehicle acquisitions, ambulance \$20K, buildings and grounds \$67K and explained these were only general categories amounting to about \$1.8 million and stated he has substantial expenditures from charges that will be made for the Municipal Services Act for reimbursements to the private residents. Mr. Goldman asked if there would be any money left to transfer over from the previous budget? Administrator Del Turco explained the 2006 budget would be lapsed in the surplus and would be used and recycled towards the 2008 budget. Mr. Goldman wished everyone a healthy and happy holiday.

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

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

10:30 PM

RESPECTFULLY SUBMITTED,

COUNCIL PRESIDENT UPDEGRAVE

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

AME/klj