

**ON TUESDAY, APRIL 8, 2008, AT 6:30 P.M., THE JACKSON TOWNSHIP
COUNCIL HELD IT'S MEETING IN THE MUNICIPAL BUILDING**

ROLL CALL:

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

**ATTORNEY GILMORE (6:40 PM)
TOWNSHIP CLERK EDEN**

**ALSO IN ATTENDANCE
ADMINISTRATOR DEL TURCO
MAYOR SEDA (7:00 PM)**

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-MATTERS RELATING TO PUBLIC SESSION AGENDA

6:40PM

**RESOLUTION 129R-08
TITLE: RESOLUTION FOR EXECUTIVE SESSION TO AUTHORIZE
TOWNSHIP COUNCIL TO ENTER INTO CLOSED DISCUSSIONS
CONCERNING MATTERS AS NOTED BELOW**

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

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

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

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

1. The public shall be excluded from discussion concerning the hereinafter-specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - a) Personnel/Professionals
 - b) Litigation/Potential Litigation
 - c) Potential Land Sale/Land Acquisition: update – Inquiry to purchase property Faraday Avenue. Update – Inquiry to sell property Chandler Road
 - d) Contracts/Agreements: Contract Renewal Crown Castle (t/a T Mobile)
3. It is anticipated that the subject matter discussed may be made public upon its conclusion or final disposition.

ANN MARIE EDEN, R.M.C.

DATED: 04-08-08

TOWNSHIP CLERK

7:15 RECONVENED PUBLIC MEETING

ROLL CALL:

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

**ATTORNEY GILMORE
TOWNSHIP CLERK EDEN**

ALSO IN ATTENDANCE

**ADMINISTRATOR DEL TURCO
MAYOR SEDA
SENATOR SINGER**

CLERK EDEN stated Deputy Clerk Kisty was in attendance and will be filling in during her absence at the April 22nd meeting.

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.

PRESENTATION BY SENATOR ROBERT W. SINGER

Council President Updegrave introduced Senator Singer who would present a Resolution to the Telecommunicators. Mr. Singer stated he had a great respect for Telecommunicators and added his son is a Police Officer with the Monmouth County Prosecutor's Office who also joins the Jackson Police Department on their annual bike race to the Washington Memorial. He stated it was his pleasure along with Assemblyman Ron Dancer and Joe Mallone, who couldn't be present, to honor each Telecommunicator. He then called each recipient and then announced National Telecommunicators Week (April 13, 2008 – April 19, 2008) and read the Resolution from the Senate and General Assembly.

TOWNSHIP COUNCIL HONORING RESOLUTION NO. 149R-08

National Telecommunicators Week – Councilwoman Ingram read the honoring resolution.

PROCLAMATION –NATIONAL LIBRARY WEEK (APRIL 13 – APRIL 19, 2008)

MAYOR SEDA read a proclamation stating how library staff members help individuals of all ages find the information they need and reported library use was up nationwide. He proclaimed the week of April 13th through April 19th, 2008 as National Library week and encouraged everyone to visit the Ocean County Library.

A member from the Jackson of the Ocean County Library spoke. (inaudible)

Mayor Seda stated a while ago a young man asked for his help in getting the Eagle Scout project he was working on off the ground. He wanted to build an outdoor reading area and brought pictures and design layouts for a gazebo. He then introduced Andrew McAllister and invited him to accept an award. The Mayor stated it's not every day someone dedicates their life to doing something and puts 110% of their effort into it. He thanked Andrew and stated, thanks to his efforts, everyone would have a beautiful outdoor place to read. Senator Singer stated Andrew McAllister wrote a note and went to see him requesting funding for his project. He was so impressed with the young man and was proud to be a part of the project because he was a fine young man. Andrew McAllister stated he had the idea for about two years and wanted to give back to the library because they had done so much for him when he was younger. He designed it and raised the money and welcomed everyone to enjoy it.

PRESENTATION BY COUNCILMAN GUDAITIS

Certification of Appreciation was presented to Thomas Carter, QPA, Township Purchasing Agent, for his accomplishments, dedication and exemplary work.

PRESENTATION BY MAYOR SEDA

Mayor Seda stated December 8th, 2007 the Shade Tree Commission with the help of Boy Scout Troop Pack 104 planted 375 trees in the back of the Justice Complex that were inadvertently cleared and they came together with a plan to replant the trees and everyone had a great time doing it. Steve Chisholm confirmed the good time they had in reforesting the area and appreciated all their work. The trees were donated by the State Nursery in Jackson and welcomed the Scouts and the Scout leaders whenever there are future other plantings to take place. Mayor Seda read the names of the Scout Leaders and their packs along with the names of each participant involved with the tree planting. Mayor Seda stated they each gave of their own free time and even chose a wet, cold ugly day to do the work but it was incredible.

(2 minute recess)

COMMENTS BY THE TOWNSHIP COUNCIL MEMBERS:

COUNCILWOMAN INGRAM welcomed everyone for coming and congratulated everyone that received awards. She stated with the age of computers many forget to visit the library and reminded them that it was a great place.

COUNCILMAN MARTIN he congratulated all those honored. He stated he attended the Italian American Club’s breakfast noting the money raised went to the Commission for the Disabled and thanked the club for an outstanding job. He thanked everyone for coming.

COUNCILMAN STALLONE he thanked everyone for attending and gave thanks and appreciation to the Telecommunicators for their hard work and professionalism and he congratulated Scout Troop Pack 104, Eagle Scout Andrew McAllister and Tom Carter the Township Purchasing Agent and wished everyone a safe trip home.

COUNCIL VICE PRISIDENT GUDAITIS he thanked the Telecommunicators, Tom Carter, Eagle Scout, Boy Scouts and Library. He stated he sat with three Telecommunicators at the Police Station last night as a member of the newly formed EMS Advisory Board and was very impressed with their performance.

COUNCIL PRESIDENT UPDEGRAVE thanked everyone for coming and everyone that received recognition. She stated the Purchasing Agent began a program to sell surplus equipment and properties. He had been very successful in getting more money than they expected. She advised they could go online to review the progress and wished everyone a safe trip home.

BILLS AND CLAIMS

MOTION TO APPROVE BILLS AND CLAIMS BY: MARTIN

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

ABSTAIN: INGRAM & GUDAITIS (NEW JERSEY LAWN & IRRIGATION), MARTIN (JUAN BELLU & ASSOC.) & UPDEGRAVE (DASTI, MURPHY & MCGUCKIN)

CHECK#	VENDOR	AMOUNT
76660	AC MOORE	199.71
76661	ACTION PRINTING LLC	429.00
76662	ACTION OFFICE SUPPLIES INC.	302.90

76663	AIRLINK COMMUNICATIONS, INC.	450.00
76664	ALAIMO GROUP	8,324.50
76665	AMI IMAGING LLC	3,834.00
76666	ANTONIDES, WILLIAM E & WM. JR	15,000.00
76667	ASBURY PARK PRESS, INC.	207.28
76668	JUAN BELLU & ASSOC.	979.33
76669	BEYER BROTHERS CORP.	37.12
76670	BOARD OF FIRE COMMISSIONERS	75,182.50
76671	BOARD OF FIRE COMMISSIONERS	182,866.88
76672	BOARD OF FIRE COMMISSIONERS	479,310.75
76673	BOARD OF FIRE COMMISSIONERS	280,342.33
76674	BRITTON INDUSTRIES INC.	1,000.00
76675	DONNA BUSSICULO	2,233.32
76676	CANYON SPRING WATER	15.30
76677	C & H AUTOS	35.00
76678	CHERICHELLA/SB SACHS ESQ	24.48
76679	CINTAS DOCUMENT MANAGEMENT	186.00
76680	C & J DOLLAR DISCOUNT STORE	198.25
76681	CORE MECHANICAL, INC.	1,120.00
76682	COSTCO WHOLESALE 229	102.16
76683	COUNTRYWIDE – TAX DEPT.	1,458.93
76684	COUNTY OF OCEAN	1,038.84
76685	COUNTRY SUDSER CAR WASH	220.00
76686	DASTI, MURPHY, MCGUCKIN	350.00
76687	DAYBREAK MARKETING SERVICES	1,353.20
76688	DELTA DENTAL PLAN OF NJ INC.	20,603.62
76689	DELL MARKETING LP	836.04
76690	DEPTCOR/BUREAU OF	1,395.00
76691	DIAMOND COMMUNICATIONS LLC	2,585.87
76692	DIVISION OF STATE POLICE – SBI	30.00
76693	DOWNS FORD, INC.	264.40
76694	EDWARDS TIRE COMPANY, INC.	1,336.95
76695	STEVEN EISENSTEIN PETTY CASH	127.07
76696	EMTEC INC.	445.56
76697	EYEMED VISION CARE/FAA INC.	620.94
76698	FARLEY'S ICE CREAM	150.00
76699	FEDEX	38.94
76700	FOUR SEASONS @ SOUTH KNOLLS	68.88
76701	GANN LAW BOOKS INC.	218.00
76702	EDWARD & JUNE GERSTMAN	250.00
76703	VOID	-0-
76704	GILMORE & MONAHAN, PA	17,715.77
76705	GILLESPIE ENGINEERING INC.	500.00
76706	GOOD FRIEND ELECTRIC SUP, INC.	912.68
76707	GPANJ	60.00
76708	GRAMCO BUSINESS COMMUNICATIONS	1,825.00
76709	ANDREW & WENDY HANSEN	52.12
76710	HUNTER JERSEY PETERBILT	298.50
76711	IKON OFFICE SOLUTIONS	1,124.62
76712	INDUSTRIAL WELDING SUPPLY INC.	55.20
76713	MARTON TRUCKS INC.	957.80
76714	CEM & SIBEL IRTIS	1,259.20
76715	JACKSON PUBLIC SCHOOLS	1,425.00
76716	JAMMER DOORS INC.	160.00
76717	VOID	-0-
76718	VOID	-0-
76719	JERSEY CENTRAL POWER & LIGHT	53,444.08
76720	JDM PLANNING ASSOCIATES, LLC	1,397.50
76721	JERZ MECHANICAL INC.	1,920.00
76722	JERRY'S AUTO BODY, LLC	2,000.00
76723	LAKEWOOD AUTO SUPPLY INC.	1,034.77
76724	LANDAMERICA TAX & FLOOD SRVC	1,946.83

76725	LIFESAVERS INC.	625.00
76726	SUSAN LOTITO	795.00
76727	LOWE'S COMPANY INC.	72.86
76728	SGT. LISA MATUSZ	61.74
76729	MAZZA RECYCLING, INC.	50,000.00
76730	MITCHELL HUMPHREY & CO.	1,050.00
76731	NEXTEL COMMUNICATIONS	2,492.74
76732	NJ LAWN & IRRIGATION, INC.	1,700.00
76733	NJPSAC	300.00
76734	OCEAN COUNTY RECYCLING	78.25
76735	OFFICE NEEDS	215.60
76736	JOHN & MICHELE OGNO/M. LAGIUSA	100.52
76737	PARTY ZONE ENTERTAINMENT	2,556.00
76738	PEDRONI FUEL COMPANY, INC.	25,605.40
76739	PHONEXTRA	717.96
76740	ROLAND & MARISA PIERSON	250.00
76741	PITNEY BOWES, INC.	82.50
76742	REMINGTON, VERNICK & VENA ENG.	8,300.00
76743	RITTENHOUSE KERR FORD INC.	123.61
76744	BRIAN RUMPF	1,299.38
76745	SECURITAS SECURITY SYSTEMS	2,244.70
76746	SEELY EQUIPMENT & SUPPLY	17,089.00
76747	SHOPRITE/PERLMART, INC.	459.95
76748	SHERI SILVERSMITH – PETTY CASH	115.35
76749	SINN, FITZSIMMONS, CANTOLI & WST	575.00
76750	SPRINT	385.08
76751	NJSHBP	260,731.34
76752	STANDARD FUSEE CORP	2,189.40
76753	TASC FIRE APPARATUS, INC.	2,179.95
76754	TELUCOM, LLC	502.00
76755	T & M ASSOCIATES	616.25
76756	TRENTON BRAKES, INC.	261.24
76757	TRICO	84.50
76758	MICHAEL CEPPALUNI DBA/UNITED	180.00
76759	UNUMPROVIDENT	7,655.87
76760	UNITED PARCEL SERVICE	12.58
76761	VAN SANT SEWER SERVICE LLC	816.20
76762	VERIZON WIRELESS	4,566.40
76763	VERIZON	802.01
76764	VETERINARY SURG. & DIAG. SPEC.	68.96
76765	WALTER R EARL CORP	169.60
76766	W.B. MASON COMPANY	417.80
76767	WEIGHTS AND MEASURES FUND	820.00
76768	WELLS FARGO HOME MORTGAGE INC.	3,267.39
76769	KELLY WINTHROP, LLC	360.00
76770	WOODHAVEN LUMBER MILL WORK, INC.	624.10
	TOTAL	1,577,483.35

CAPITAL

60678	BRIAN BARTLETT, ESQ.	1,000.00
60679	CAFARELLI & REID	1,125.00
60680	GILMORE & MONAHAN, PA	5,302.70
60681	PAULA GROPPÉ	900.00
60682	JACKSON TOWNSHIP CURRENT FUND	4,938.59
60683	JDM PLANNING ASSOC.	1,820.00
60684	LEYDEN, CAPORTORTO & RITTER	1,000.00
60685	ELAINE MCCRYSTAL	600.00
60686	REMINGTON, VERNICK & VENA INC.	265.75

60687	T & M ASSOCIATES	1,278.80
60688	WALSH REALTY GROUP	900.00
	TOTAL	19,130.84
31-33	DEV FEES-COAH	4,996.50
4454-4466	DEVELOPERS	29,923.05
61903-61912	PARKS REC	8,018.57

ORDINANCES, SECOND READING – NONE AT THIS TIME

ORDINANCE FIRST READING

ORDINANCE 13-08

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 103 ENTITLED “VEHICLES AND TRAFFIC CODE” TO ESTABLISH A “NO PARKING ZONE” ALONG THE SOUTHERLY SIDE OF BATES ROAD BEGINNING AT THE INTERSECTION OF BENNETTS MILLS ROAD TO A POINT OF APPROXIMATELY 820 FEET EAST THEREOF

**MOTION TO APPROVE ORDINANCE 13-08 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, APRIL 22, 2008 BY: GUDAITIS
MOTION SECONDED BY: INGRAM
YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE**

ORDINANCE NO. 13-08

AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 103 ENTITLED “VEHICLES AND TRAFFIC CODE” TO ESTABLISH A “NO PARKING ZONE” ALONG THE SOUTHERLY SIDE OF BATES ROAD BEGINNING AT THE INTERSECTION OF BENNETTS MILLS ROAD TO A POINT OF APPROXIMATELY 820 FEET EAST THEREOF

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

SECTION 1: Article XIV, Chapter 103, Section 45 is hereby amended to include the following:

1. A “No Parking Zone” is hereby established from the southerly side of Bates Road beginning at the intersection of Bennetts Mills Road to a point of approximately 820 feet east thereof.

SECTION 2. The signage and striping shall be in accordance with the manual on “Uniform Traffic Control Devices for Streets and Highways” as adopted and amended by the New Jersey Department of Transportation.

SECTION 3. Unless another penalty is expressly provided by New Jersey Statute, every person convicted of a violation of a provision of this ordinance or any supplement thereto shall be liable to a penalty of not more than one hundred (\$100.00) dollars or imprisonment for a term of not exceeding fifteen (15) days or both.

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

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

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

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 the **8TH day of April, 2008**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **22nd day of April, 2008**, at 6:30 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: 04-08-08

ORDINANCE 14-08

TITLE: BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 09-07 ADOPTED ON MARCH 27, 2007, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, IN ORDER TO INCREASE THE APPROPRIATION THEREFOR BY \$175,000 GRANT FUNDS EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR A TOTAL APPROPRIATION OF \$8,070,000, AUTHORIZED IN AND BY THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, NEW JERSEY

**MOTION TO APPROVE ORDINANCE 14-08 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, APRIL 22, 2008 BY: STALLONE
MOTION SECONDED BY: GUDAITIS
YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE**

**ORDINANCE NO. 14-08
TOWNSHIP OF JACKSON
COUNTY OF OCEAN**

BOND ORDINANCE NO. 14-08

BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 09-07 ADOPTED ON MARCH 27, 2007, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, IN ORDER TO INCREASE THE APPROPRIATION THEREFOR BY \$175,000 GRANT FUNDS EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR A TOTAL APPROPRIATION OF \$8,070,000, AUTHORIZED IN AND BY THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, NEW JERSEY

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

WHEREAS, the Township has determined that the costs associated with said improvements are higher than anticipated and has determined to supplement the appropriation; and

WHEREAS, the Township expects to receive \$175,000 grant funds from the New Jersey Department of Transportation.

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

Section 1. For the improvements authorized by the Prior Bond Ordinance, there is hereby appropriated the sum of \$175,000 grant funds expected to be received from the New Jersey Department of Transportation, in addition to the appropriation authorized by the Prior Ordinance of \$7,895,000, for a total appropriation of \$8,070,000.

Section 2. The aggregate debt authorization of \$7,105,500, the aggregate down payment of \$789,500, average period of usefulness of the improvements of 14.94 years, and other authorizations of the Prior Ordinance remain unchanged and are hereby confirmed.

Section 3. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Municipal Clerk and is available there for public inspection.

Section 4. All Ordinances or parts of ordinances in conflict or inconsistent with any of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or are inconsistent. In the event that any section, part or provision of this ordinance shall be held to be unconstitutional or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part hereof other than the part so held unconstitutional or invalid.

Section 5. This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final passage, as provided in the Local Bond Law, N.J.S.A. 40A:2-1 et seq.

DATED: 04-08-08

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

ORDINANCE 15-08

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 3, ARTICLE IX, OF THE TOWNSHIP CODE, ENTITLED "DEPARTMENT OF PUBLIC SAFETY"

**MOTION TO APPROVE ORDINANCE 15-08 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, APRIL 22, 2008 BY: GUDAITIS
MOTION SECONDED BY: MARTIN
YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE**

MAYOR SEDA state this ordinance was the first step in returning the Police Department to its original state where they would have a Chief instead of a Director of Public Safety. This is the first portion of moving it forward and was pleased to see that politics was being taken out of the department. Back in 2006 when he ran he stated it was his goal to move the police department in this direction and was pleased to work with the Police Department to make this happen.

ORDINANCE NO. 15-08

AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 3, ARTICLE IX, OF THE TOWNSHIP CODE, ENTITLED "DEPARTMENT OF PUBLIC SAFETY"

SECTION 1. Chapter 3, Article IX, of the Township Code of the Township of Jackson, entitled “Department of Public Safety,” is hereby amended and supplemented in its entirety as follows:

**Chapter 3
Article IX
Department of Public Safety**

Purpose

§ 3-100. Police force and officers continued under Division of Police; duties; rules and regulations.

- A. There is hereby continued in the Township of Jackson, in the County of Ocean, the police force under the auspices of the Division of Police, Department of Public Safety of the Township of Jackson, and is established in accordance with the provisions of N.J.S.A. 40A:14-118 et seq.
- B. Police officers regularly employed by the Township of Jackson at the time of passage of this chapter shall continue as members of the police forces of Division of Police, Department of Public Safety in the Township of Jackson, in the County of Ocean.
- C. The police forces under the Division of Police, Department of Public Safety shall preserve the public peace; protect life and property; detect, arrest and prosecute offenders of the laws of New Jersey and the ordinances of the Township of Jackson; direct and control traffic; provide assistance and protection during emergencies; provide appearances in court; cooperate with all other law enforcement agencies; and provide training for the efficiency of its members and officers.
- D. The Business Administrator shall be designated as the appropriate authority as provided by N.J.S.A. 40A:14-118.

§ 3-101. Services established.

The Division of Police within the Department shall be divided into the Uniform Services, Special Services and Investigative Services. The head of each Service shall be a Captain or other ranking officer as designated by the Chief of Police from within the membership of the Division and shall have such duties and responsibilities as shall be determined by the Chief of Police in his or her discretion. In addition to the Division of Police, the Municipal Alliance Committee and the Office of Emergency Management shall be under the auspices of the Department of Public Safety.

§ 3-102. Personnel positions.

The Division of Police shall consist of not less than eight-seven (87) sworn officers, all of whom shall have been duly appointed and shall serve in the following positions:

- (1) One (1) Chief of Police
- (2) Three (3) Captains.
- (3) Four (4) Lieutenants.
- (4) Twelve (12) Sergeants.
- (5) Sixty-seven (67) patrol officers.

§ 3-103. Chief of Police.

- A. The Chief of Police shall be the executive head of the Department.
- B. The Chief of Police shall be appointed by the Mayor with the advice and consent of Township Council and shall receive such compensation within the Township Salary Ordinance.
- C. To be qualified for appointment, the Chief of Police shall hold a minimum of a bachelor's degree from an accredited institution and shall have at least ten (10) years of experience as a law enforcement officer, at least five (5) years of which shall be command level experience at or above the rank of Lieutenant in municipal law enforcement. Four (4) or more years of command experience at or above the rank of Lieutenant in municipal law enforcement may be substituted for the degree requirement.

§ 3-104. Appointment of Police Physicians.

Each Police Physician shall be appointed by the Township Council for the term of one (1) year, beginning on the first day of July of the year for which the appointment shall be made. To be eligible, the appointee must be duly licensed under the laws of the State of New Jersey for the general practice of medicine.

§ 3-105. Appointments and tenure within Division of Police; qualifications; leaves of absence.

- A. All appointments by the Township and promotions shall be in accordance with applicable statutory and regulatory requirements for the hiring of police officers.
- B. In addition to the specific qualifications for appointment to police officer as required by N.J.S.A. 40A:14-122, or special law enforcement officer as required by N.J.S.A. 40A:14-146.10, the following general qualifications shall apply. No person shall be appointed an officer in the Division unless that person:
 - (1) Completes an application on a form provided for such purpose. Any misstatement or non-statement of essential facts in such application shall be sufficient cause for rejection of the applicant or for dismissal from the Department if not discovered until after the appointment is made.
 - (2) Is a citizen of the United States.
 - (3) Is able to read, write and speak the English language well and intelligently.
 - (4) Is sound in body and of good health.
 - (5) Is of good moral character.
 - (6) Never has been convicted of any criminal offense involving moral turpitude.
 - (7) Has his or her fingerprints taken, which shall be filed with the State Police and the Federal Bureau of Investigation.
 - (8) Having been a member of the armed forces, shall have completed such services under honorable conditions.
- C. Any full-time police officer who shall be injured, ill or disabled from any cause shall be granted a leave of absence with pay not exceeding one (1)

year pursuant to N.J.S.A. 40A:14-137, provided that the appointed Police Physician shall certify to such illness or disability.

§ 3-106. Probationary officers; reimbursements.

Probationary police officers shall pay for initial expenses for uniforms received by them for use in connection with their probationary employment. The Township shall reimburse the probationary officer for uniforms upon the satisfactory completion of the probationary period and upon the appointment, for an indefinite term, of said probationary officer to the contemplated office in the Division of Police.

§ 3-107. Appointment after appropriate competitive examination.

All appointments to the office of Police Captain, Police Lieutenant and Police Sergeant, respectively, shall be made after appropriate competitive examinations conducted in such manner as shall be approved by the New Jersey Merit System Board, and appointments shall be made from among the candidates in accordance with Department of Personnel regulations for the selection of police officers. The Chief of Police shall make said appointments with the advice and consent of the Mayor. Said officers shall be sound in body and in good health as determined by a Police Physician after physical examination of the candidates.

§ 3-108. Acting or substitute personnel.

In the event that, by reason of absence, illness or other cause, the Chief of Police, or a Police Captain, or a Police Lieutenant, or a Police Sergeant, should be temporarily unable to perform the duties of his or her office, such duties shall be performed in the interim as hereinafter provided:

- A. A Police Captain, when so ordered by the Chief of Police and the Mayor, shall temporarily have the authority and perform the duties of the Chief of Police; and if no Police Captain should be able to act, a Police Lieutenant, when so ordered by the Mayor, shall temporarily have the authority and perform the duties of the Chief of Police; and if no Police Lieutenant should be able to act, a Police Sergeant, when so ordered by the Mayor, shall serve.
- B. A Police Lieutenant, when so ordered by the Chief of Police and the Mayor, shall temporarily have the authority and perform the duties of a Police Captain.
- C. A Police Sergeant, when so ordered by the Chief of Police and the Mayor, shall temporarily have the authority and perform the duties of a Police Lieutenant.
- D. A patrol officer, when so ordered by the Chief of Police and the Mayor, shall serve as a Police Sergeant; and in the event that such designation shall not have been made prior to the beginning of a regular shift or tour of duty, the uniformed patrol officer on duty during such tour of duty and who has the longest record of police service in the Township shall serve as Police Sergeant during such tour of duty.

§ 3-109. Special police officers.

A. The Township may appoint from time to time special law enforcement officers in accordance with N.J.S.A. 40A:14-146.8 et seq. for terms not exceeding one (1) year, which shall be for twelve (12) consecutive months. They shall possess and exercise all the powers and duties provided by said statutes during their term in office, but shall not be continued as regular members of the Division of Police, Department of Public Safety and shall not be entitled to tenure. The Chief of Police may authorize special law enforcement officers when on duty to exercise the same powers and authority as regular members of the Division of Police, Department of

Public Safety, including the carrying of firearms and the power of arrest in accordance with N.J.S.A. 40A:14-146.15.

B. Classification. There shall be the following two classes of special police officers pursuant to law:

- (1). **Class 1:** Officers of this class shall be authorized to perform routine traffic detail, spectator control and similar duties. Such officers shall have the duty to issue summonses for disorderly person's offenses, petty disorderly person's offenses, violations of municipal ordinances and violations of Title 39 of the Revised Statutes. The use of a firearm by an officer of this class shall be strictly prohibited, and no officer of this class shall be assigned any duties which may require the carrying of or the use of a firearm. The number of Class 1 officers shall not exceed twenty-five (25%) percent of the total number of regular police officers.
- (2). **Class 2:** Officers of this class are authorized to exercise the full powers and duties of regular police officers. The use of a firearm by such officer may only be authorized upon successful completion of training and instruction as required by law. The number of Class 2 officers shall not exceed twenty-five (25%) percent of the total number of regular police officers.

C. Each special police officer shall receive compensation as set by the Mayor as indicated in the appointment letter, which shall be within the range provided for in the current Salary Ordinance.

D. Use of uniforms and equipment limited. No special police officer shall wear the police uniform except while actually on duty, nor shall any special police officer carry any police equipment in any private vehicle unless reporting to or returning from duty.

E. Use of private vehicle restricted.

No special police officer shall use his or her private vehicle upon official police business unless directly ordered to do so by the Chief of Police.

F. Compliance with rules and regulations.

Every special police officer, while on duty, shall abide by all the rules and regulations of the Division of Police, Department of Public Safety. Any violation of the rules and regulations, where the penalty for a police officer is a suspension or dismissal, may result in the immediate dismissal of the special police officer.

§ 3-110. Rules and Regulations of the Division of Police.

A. Establishment of policies and procedures; posting of notice; when effective.

- (1). In accordance with N.J.S.A. 40A:14-118, the Business Administrator, in his or her capacity as the Appropriate Authority, shall adopt and promulgate rules and regulations for the government of the police force within the Division of Police, Department of Public Safety and for the discipline of its members, after consideration of the recommendations by the Chief of Police.
- (2). All rules and regulations promulgated by the Appropriate Authority shall be posted upon the Department bulletin board and distributed via memorandum to members of the Division of Police. An acknowledgment of receipt shall accompany each manual and shall state that the policies and procedures, rules and regulations apply to all members and employees of the Division of Police. The acknowledgment shall be signed and dated by each employee

receiving the manual. Said acknowledgment shall be placed in the employee=s personnel file.

- (3). Such rules or regulations, including amendments thereto, shall not take effect until five (5) days after posting.

B. Manual form; distribution of copies.

(1). Rules and regulations for the efficient operation of the Police Division, the government of the police force and for the discipline of its members shall be provided to all members of the Police Department. The rules and regulations may be amended at any time by the Appropriate Authority. Whenever such amendments or additions to the police rules and regulations are adopted, copies of such amendments or additions shall be supplied to all members of the Police Division.

(3). A copy of the Rules and Regulations of the Division of Police and the Division of Police Policies and Procedures shall be maintained in the following locations:

- (a) The office of the Business Administrator.
- (b) The office of the Chief of Police.
- (c) The Watch Commander's office.

§ 3-111. Authority and duties of Chief of Police.

The Chief of Police shall be the head of the police force and shall be directly responsible to the Appropriate Authority for the efficiency and routine day-to-day operations of the police department. The Chief of Police shall, pursuant to policies established by the Appropriate Authority:

- A. Administer and enforce rules and regulations and special emergency directives for the disposition and discipline of the force and its officers and personnel;
- B. Have, exercise, and discharge the functions, powers and duties of the force;
- C. Prescribe the duties and assignments of all subordinates and other personnel;
- D. Delegate such of his authority as he may deem necessary for the efficient operation of the force to be exercised under his direction and supervision; and
- E. Report at least monthly to the appropriate authority in such form as shall be prescribed by such authority on the operation of the force during the preceding month, and make such other reports as may be requested by such authority.

§ 3-112. Authority and duties of Police Physician.

Each Police Physician shall have and exercise the following authority and shall perform the following duties:

- A. He or she shall, only upon request, advise the Mayor and Township Council and the Chief of Police in all matters that may arise in the course of operation and activities of the Department, shall likewise advise in all matters pertaining to sanitation and public health that may require the attention of the Department.

- B. He or she shall, when requested by the Mayor, Business Administrator or the Chief of Police, make a physical examination of an applicant for an appointment to office in the Division of Police and shall submit his or her report of such examination to the Chief of Police.
- C. Upon the request of the Mayor, Business Administrator or Chief of Police, he or she shall make a physical examination of the Police Captain, all Police Lieutenants, Police Sergeants and patrol officers and shall submit a report of his or her findings to the Chief of Police.
- D. He or she shall, upon the request of any member of the Division of Police effectuating the arrest of a person for driving under the influence of alcohol or drugs, examine the accused and submit a report of his or her findings to said arresting officer.
- E. He or she shall, when requested by any member of the Division of Police, examine any person taken into custody who evidences or complains of any illness and shall submit a report of his or her findings to said police officer.
- F. He or she shall, when requested by the governing body of the Township, conduct a physical examination or a mental examination of any police officer and submit a report of his or her findings to said governing body, with his recommendations.

§ 3-113. Authority and duties of Police Captain.

Each Police Captain shall have and exercise the following authority and perform the following duties:

- A. He or she, if so designated by the Mayor, shall be next in command to the Chief of Police and, in the case of absence or disability of the Chief of Police, shall perform all the duties of the Chief of Police when so ordered by the Mayor. He or she shall be superior in rank to Police Lieutenants, Police Sergeants, patrol officers and special officers assigned to active duty.
- B. It shall be his or her duty to take cognizance of any and all neglect of duty, disobedience of orders and other offenses on the part of members of the Division of Police. He or she shall also ensure that the police headquarters and other property of the Division of Police are kept in proper order and condition and that strict discipline is always maintained and that efficient service is performed by the Division of Police.
- C. He or she may, in the absence of the Chief of Police, issue such orders or take such action as may be necessary but in every case shall make a full report of the entire occurrence to the Chief of Police at the earliest practicable moment.
- D. He or she shall ensure that every person connected with the Division of Police is properly instructed in his or her duties by the Sergeants, paying particular attention to the instruction of new members of the force. He or she shall see that the Police Sergeants require all members of the Division of Police to be attired in the proper uniform, with the proper equipment to perform their duties.
- E. He or she shall assist the Chief of Police in the performance of his or her duties and shall be responsible for seeing that all laws of the State of New Jersey and ordinances of the Township are duly enforced and observed and that the public peace is maintained.
- F. He or she shall, during his or her tour of duty, in addition to the performance of the duties herein listed, exercise the authority and perform the duties of a patrol officer as far as practicable.

- G. He or she shall, in the absence of the Chief of Police, issue such orders and give such instructions as he or she may deem necessary or proper, from time to time, in the operation, administration and management of the Division of Police and in relation to the work of the special police officers assigned to active duty.
- H. He or she shall, by virtue of his office, be vested with all the authority and duty of a patrol officer with respect to the making of arrests.
- I. He or she shall keep him or herself fully informed at all times with respect to conditions in the Township affecting the public safety and good order.
- J. He or she shall communicate to the other members of the Division of Police and to the special police officers assigned to active duty all orders made and instructions given by the Chief of Police in relation to their work and shall require the prompt performance thereof and compliance therewith.
- K. He or she shall observe the work of all other members of the Division of Police and the special police officers assigned to active duty and, as occasion may require, shall criticize constructively the work of individual officers and give such instruction and direction as may be appropriate to improve the efficiency of their work.
- L. He or she shall be administrative agent of the Chief of Police and shall supervise and direct the Lieutenants, Sergeants and patrol officers, whether uniformed or plain-clothed, in the proper administration of their duties and shall be responsible to the Chief of Police for the proper performance of their duties.

§ 3-114. Authority and duties of Police Lieutenant.

Each Police Lieutenant shall have and exercise the following authority and perform the following duties:

- A. He or she shall be next in command to the Captain, and in case of the absence or disability of the Captain, the most senior Police Lieutenant shall perform all of the duties of the Police Captain when so ordered by the Mayor. He or she shall be superior in rank to Police Sergeants, patrol officers and special officers assigned to active duty.
- B. It shall be his or her duty to take cognizance of any and all neglect of duty, disobedience of orders and other offenses on the part of members of the Division of Police. He or she shall also ensure that the police headquarters and other property of the Division of Police are kept in proper order and condition and that strict discipline is always maintained and that efficient service is performed by the Division of Police.
- C. He or she may issue such orders or take such action as may be necessary but in every case shall make a full report of the entire occurrence to the Chief of Police at the earliest practicable moment.
- D. In every case of disobedience, violation of rules or other offenses on the part of any member of the Division of Police, Police Lieutenants shall report the same as soon as possible to the Chief of Police and, in the case of negligence or other dereliction by any person on duty at police headquarters who is not employed in the police service, shall make a full report to the proper authorities.
- E. He or she shall devote his or her energies and plan his or her activities for the health, safety, welfare and general well-being of the citizens and residents of the Township and for the efficient and responsible

administration of the Division of Police. He or she shall stimulate in the members of the Division of Police a concern for the well-being of all the people and property in the community and an appreciation and respect for the rights and liberties of all persons. He or she shall constantly strive for a high degree of excellence in the quality of law enforcement and service rendered by them.

- F. He or she shall ensure that every person connected with the Division of Police is properly instructed in his or her duties by the Sergeants, paying particular attention to the instructions of new members of the force. He or she shall see that the Police Sergeants require all members of the Division of Police to be attired in the proper uniform, with the proper equipment to perform their duties.
- G. He or she shall be responsible for the maintenance of all records, files and reports pertaining to the operations of the Division of Police.
- H. He or she shall assist the Chief of Police in the performance of his or her duties and shall be responsible for seeing that all the laws of the State of New Jersey and ordinances of the Township are duly enforced and observed and that public peace is maintained.
- I. He or she shall supervise the uniformed members of the Division of Police and shall be responsible to the Chief of Police for the correct performance of their duties.
- J. He or she shall, during his or her tour of duty, in addition to the performance of the duties herein listed, exercise the authority and perform the duties of a patrol officer as far as practicable.
- K. He or she shall be responsible for the scheduling of the work of the Police Sergeants, patrol officers and special police officers to ensure that the proper number of officers will be on duty at all times.

§ 3-115. Authority and duties of Police Sergeants.

Each Police Sergeant shall have and exercise the following authority and perform the following duties:

- A. He or she shall, during his or her regular tour of duty, be superior in rank to and have charge of all patrol officers and special police officers who shall be serving on the same shift and shall, generally, supervise the work of all said members and shall give such instructions and directions as he or she shall deem necessary for the proper and efficient operation of the Division of Police in accordance with the provisions and regulations of this chapter.
- B. He or she shall designate the streets, avenues and areas of the Township to be patrolled by such members of the Division of Police as shall have been assigned to patrol duty on his or her shift.
- C. He or she shall see that officers reporting to him or her properly relieve the officers going off duty and that the officers are in proper uniform, with the necessary equipment to perform their duties properly.
- D. He or she shall assign all patrol officers to their respective duties and shall note whether or not the officers to be relieved are at their given relieving point and in proper condition.
- E. He or she shall constantly patrol his or her assigned area and shall supervise the work of the patrol officers in patrol cars and performing any other type of duty.

- F. He or she shall review for approval all written reports made by the officers under his or her supervision during a tour of duty. If reports fail to meet with his or her approval he or she shall instruct the officers under his or her supervision as to the proper form and information to be supplied.
- G. He or she shall perform his or her duties under the supervision and direction of the Police Lieutenant and shall be responsible for seeing that all laws of the State of New Jersey and ordinances of the Township of Jackson are duly observed and enforced and that the public peace is maintained. The Police Sergeants shall perform such duties as may be assigned to them, from time to time, by the Chief of Police.
- H. It shall be the duty of the Police Sergeants to take cognizance of any and all neglect of duty, disobedience of orders and other offenses by members of the Division of Police and to take immediate steps to correct or eliminate same and to report same to their appropriate superiors. They shall also ensure that the police headquarters and property of the Division of Police are kept in proper order and condition and that strict discipline is always maintained and that efficient service is performed by the force.
- I. He or she shall, during his or her regular tour of duty, in addition to the performance of the duties of Sergeant specified herein, exercise the authority and perform the duties of a patrol officer as far as practicable.

§ 3-116. Authority and duties of patrol officers.

Each patrol officer shall have and exercise the following duties:

- A. To perform general police work and to be the primary public relations representative of the Division of Police.
- B. To conduct preliminary investigations at the scenes of crimes or accidents and to gather evidence, administer first aid, locate and interview witnesses, make proper arrests and submit proper reports.
- C. To watch particularly the actions of suspected criminals.
- D. To be responsible for all phases of police work, not just his or her specific assignments.
- E. To confine his or her patrol within the limits of the Township of Jackson except when making arrests or making urgent investigations or when ordered elsewhere by his or her superior officer.
- F. To maintain constant patrol of the Township except when taking a proper lunch period or for personal necessity.
- G. To note and investigate all vehicles, the driver or occupants of which arouse suspicion, and question the occupants and driver, learning names, ages, sexes, residence and other pertinent information, together with the make, license number, serial number, color and type of vehicle.
- H. To note all defects in highways, sidewalks, buildings, etc., from which accidents might arise, and when unable to immediately adjust such defect, to notify his or her superior officer by written report or, where urgency is required, by phone or other means.
- I. To report at once to the Desk Officer all defective traffic signals, streetlights, etc.
- J. To report to his or her superior officer as quickly as possible if, for any reason, he or she cannot report by police radio.

- K. To be responsible for seeing that all laws of the State of New Jersey and ordinances of the Township of Jackson are duly observed and enforced and that the public peace is maintained. He or she shall also be responsible for the protection of life and property and for the health, safety, welfare and general well-being of the citizens and residents of the Township.
- L. To appreciate and respect the rights and liberties of all persons and to constantly strive for a high degree of excellence in the quality of law enforcement and services rendered by him.

§ 3-117. Rules of Discipline.

A. Authority to discipline.

- (1). Within the limitations set forth in N.J.S.A. 40A:14-147 to 40A:14-151, inclusive, Chapter 10 of the "Code of the Township of Jackson, New Jersey," any appropriate collective bargaining agreements between the Township of Jackson affecting the employees effected by the discipline, the Rules and Regulations of the Township, Division of Police, Department of Public Safety and the Division of Police Policies and Procedures, the departmental disciplinary authority and responsibility rests with the Chief of Police or his or her representative designated by him or her in writing to the Mayor and Township Council.
- (2). No sworn member or officer of the Division of Police, Department of Public Safety shall be suspended, removed, fined or reduced in rank for any cause other than for incapacity, misconduct or disobedience as provided in the New Jersey statutes, the Division of Police Rules and Regulations and Division of Police Policies and Procedures.
- (3). Revocation of appointment of special law enforcement officers with or without cause shall be conducted in accordance with N.J.S.A. 40A:14-146.14.

B. Conflict with laws and contract provisions.

Nothing contained herein shall operate to deny any member or employee of the Department any rights guaranteed under applicable law and any collective bargaining agreement.

§ 3-118. Members to secure uniforms; maintenance.

Every member of the Division of Police shall, under the supervision of the Chief of Police, provide for him- or herself the necessary police uniforms, which shall comply with standards and specifications prescribed, from time to time, by the Township Council and shall at all times maintain his or her uniforms in neat, clean and presentable condition.

§ 3-119. Annual physical examination.

Each member of the Division of Police shall submit to an annual physical examination by one of the Police Physicians. Failure to submit to a physical examination annually or when otherwise directed by the Chief of Police and/or the Business Administrator may result in appropriate disciplinary action

§ 3-120. Extra-duty assignments.

Whenever the Business Administrator or his or her designee determines that extra-duty assignments shall be performed for a party requesting private or quasi-public

duty, the Business Administrator or his or her designee shall enter into an agreement providing for extra-duty assignments for which the Township shall be compensated at the rate set from time-to-time by resolution. Such agreement shall be in accordance with the following standards:

- A. The party requesting the assignment shall execute and deliver an agreement in a form approved by the Township Council by resolution from time to time. The Business Administrator or his or her designee shall be authorized to execute any such agreement, provided that it has been submitted in the form approved by resolution. The Township shall be responsible to provide all necessary insurance coverage as required by law, including but not limited to worker's compensation, public liability and claims for damage for personal injury, including death or damage to property which may arise or result from the Township's performance under the contract.
- B. Officers engaged in special duty assignments shall be deemed on-duty and shall conform to all Division of Police rules, regulations and procedures.
- C. Any and all extra-duty assignments shall be determined and approved by the Business Administrator or his or her designee. The Business Administrator or his or her designee may assign a patrol vehicle for use in performing extra duty if and in the event it is determined that the use of a patrol vehicle is necessary to perform the contracted duty.
- D. All special-duty assignments shall be within the municipality, unless specific written approval is given by the Business Administrator to the officer to work outside of the municipality. If no municipal officers are available to work on special-duty assignments within the municipality, the Business Administrator may contact adjoining municipal police departments or any other law enforcement agent as deemed appropriate by the Business Administrator to see if they are willing to perform such special assignments .
- E. The work to be performed shall be considered "special assignment from independent contractors" and will not be considered direct assignment or duty on the job through the Township. The taking of any and all extra-duty assignments shall be on a voluntary basis in accordance with a system established and administered by the Business Administrator.
- F. The Chief of Police shall have the authority to order any police officer to vacate or terminate any special-duty assignment in response to emergency situations or whenever the assignment creates an unacceptable risk to health, safety and welfare of the police officer and/or the public, in the sole determination and discretion of the Chief of Police. The contractor shall not be responsible for any compensation for the time that the police officer is away from the special-duty assignment and shall have no claim for any costs or damages against the municipality, the Chief of Police or the police officer arising from the termination of a special duty assignment other than the prorated return of any costs prepaid to the Township or to the municipality.
- G. Payment.
 - (1) Payment, in full, shall be made prior to the commencement of the employment of police personnel. Any unused portion of the payment shall be returned. For any period of employment that is either unknown, or is anticipated to be in excess of twenty (20) days, the individual requesting the employment of the off-duty police officers shall pay a deposit equivalent to twenty (20) days' payment to the Township prior to the commencement of any work. Any unused portion of the deposit shall be returned, or credited against the final amount owed. The provisions of Subsection G, requiring prepayment by the contractor, may be waived by the Chief Financial

Officer for contractors exhibiting a previous satisfactory payment history.

- (2) Any and all payments due under any such agreement shall be paid fifteen (15) days from the date of billing. Interest shall be charged at the rate of twelve (12%) percent per annum on any amount billed for which payment has not been made within fifteen (15) days. The delinquent party shall be liable for all costs, fees and attorney's fees associated with the collection of any amounts due. The delinquent party shall forfeit the total amount of the deposit. The Business Administrator shall have the authority to cancel any agreement and to refuse to enter into future agreements in the event that payment is not made within fifteen (15) days.
- (3) In the event that the contractor fails to contact the Division of Police at least two (2) hours prior to the scheduled start time to cancel the job, or the Officer works less than four (4) hours and the job is completed, the officer is entitled to be paid for a minimum of four (4) hours at the current pay rate.

§ 3-121. Requirements established.

Residency shall be required of all candidates for full-time police officer from the closing date of the filing of the civil service examination and shall be maintained at least until the date of appointment to a full-time position in the Division of Police as is authorized by N.J.A.C. 4A:4-4.7(A)(7).

§ 3-122. Oath.

Before any appointment or promotion can become effective, the appointee shall take an oath or affirmation as prescribed by regulation as herein after provided.

§ 3-123. Municipal Alliance Committee

A. Establishment.

There shall be established a Municipal Alliance Committee on Alcoholism and Drug Abuse within the Department of Public Safety.

B. Membership.

Membership on the Municipal Alliance Committee shall be appointed by the Mayor with the advice and consent of the Township Council and shall include but not necessarily be limited to representatives of the following groups:

- (1). A Mayoral representative.
- (2). The Chief of Police.
- (3). The President of the School Board.
- (4). The Superintendent of Schools.
- (5). The Student Assistant Coordinator.
- (6). A representative of the PTA.
- (7). A representative of the local bargaining unit for teachers.
- (8). A representative of the Chamber of Commerce.

- (9). A representative of organized labor.
- (10). A representative of the court system.
- (11). A representative of a local civic association.
- (12). A representative of a local treatment provider agency.
- (13). A representative of a local religious group.
- (14). A youth representative.
- (15). A recovered substance abuser.
- (16). A representative of Township Council.

C. Purpose. The purposes of the Municipal Alliance Committee shall include the following:

- (1). To organize and coordinate efforts involving school, law enforcement, business and community groups for purposes of reducing alcoholism and drug abuse.
- (2). To develop comprehensive alcoholism and drug abuse education programs for Grades K-12.
- (3). To develop procedures for intervention, treatment/referral and discipline of students involved with substance abuse.
- (4). To develop comprehensive alcoholism and drug abuse education, outreach and support efforts for parents.
- (5). To develop a comprehensive alcoholism and drug abuse community awareness program.

D. Functions.

The functions of the Municipal Alliance Committee shall be:

- (1). To create a network of community leaders, private citizens and representatives for public and private human service agencies who are dedicated to promote and support drug and alcohol prevention and education programs.
- (2). To conduct an assessment of community-wide needs pertaining to drug abuse and alcohol issues.
- (3). To identify existing efforts and services acting to reduce alcoholism and drug abuse.
- (4). To assist in the development of programs at the municipal level that accomplish the purpose of the Alliance effort.
- (5). To assist the municipality in acquiring funds for Alliance programs.
- (6). To cooperate with the Governor's Council on Alcoholism and Drug Abuse, as well as the County Alliance Committee, to provide data, reports or other information that may be needed to assist in the Alliance effort.

E. Municipal Alliance Coordinator; position created.

There is hereby created the position of Municipal Alliance Coordinator for the Township of Jackson.

F. Qualifications of Municipal Alliance Coordinator.

To be appointed to the position of Municipal Alliance Coordinator for the Township of Jackson, an individual must possess the following qualifications:

- (1). Preferred, but not required, graduation from a four-year course at an accredited college or university.
- (2). Experience or training in the ATOD (Alcohol, Tobacco and Other Drugs Council) field.
- (3). Experience in coordinating and managing programs in a related field.

G. Duties. The Municipal Alliance Coordinator shall be responsible for the planning, promotion, development and supervision of the Municipal Alliance Program as follows:

- (1). Coordinating and assuring the implementation of all Alliance ATOD programs as outlined in the approved grant. These programs shall include, but not be limited to, Project Graduation, the Senior Citizen Awareness Program, the Tobacco Awareness Program, Teen Coffee Shop Night and the Monthly Newsletter.
- (2). Gathering information for the community needs assessment and making recommendations for future grant applications based on that information.
- (3). Coordinating and managing Alliance volunteers by scheduling meetings, providing information and training, overseeing committees and maintaining pertinent records.
- (4). Providing the community with information on ATOD prevention, resources and specific Alliance programs through a monthly newsletter, press and other media releases.
- (5). Organizing fund-raising activities that will provide additional funds as needed.
- (6). Preparing the annual grant application which shall require attendance at Ocean County grant-related meetings/training and the compilation of statistical and financial information.
- (7). Coordinating activities with other municipal agencies and organizations, including the Board of Education.
- (8). Maintaining and filing all records in a central office. Such records shall include, but not be limited to, minutes of monthly meetings, financial records, the annual grant and related documents, program descriptions and evaluations, copies of the newsletter, media releases, a video pamphlet library, correspondence with the County of Ocean and training and time records for Alliance volunteers.

H. Compensation.

The salary for the position of Municipal Alliance Coordinator shall be paid in accordance with the current Salary Ordinance. Said position may also be funded by a grant from the Governor's Council on Alcoholism and Drug Abuse.

I. Deputy Municipal Alliance Coordinator.

There is hereby created the office of Deputy Municipal Alliance Coordinator, which shall be a part-time position. The duties and responsibilities of the Deputy Municipal Alliance Coordinator shall be prescribed by the Municipal Alliance Coordinator.

§ 3-124. Office of Emergency Management.

A. Office of Emergency Management.

(1). The Mayor shall appoint a Municipal Emergency Management Coordinator from among the residents of the Township of Jackson. The Municipal Emergency Management Coordinator shall serve, subject to fulfilling the requirements of this section, for a term of three (3) years.

(2). As a condition of his or her appointment and his or her right to continue for the full term of his or her appointment, the Municipal Emergency Management Coordinator shall have successfully completed, at the time of his or her appointment or within one (1) year immediately following his or her appointment, the current approved Home Study Course and the basic Municipal Emergency Management workshop. The failure of any Municipal Emergency Management Coordinator to fulfill such requirements within the period prescribed shall disqualify the Coordinator from continuing in the office of Coordinator, and, thereupon, a vacancy in said office shall be deemed to have been created.

(3). The Municipal Emergency Management Coordinator shall be compensated at a salary to be determined by the Mayor within the range set by the current salary ordinance for the position.

B. Deputy Coordinator.

The Municipal Emergency Management Coordinator shall appoint a Municipal Emergency Management Deputy Coordinator with the approval of the Mayor. Wherever possible, such Deputy shall be appointed from among the salaried officers or employees of the Township.

C. Duties of Coordinator.

(1). The Municipal Emergency Management Coordinator shall be responsible for the planning, activating, coordinating and the conduct of disaster control operations within the Township.

(2). Whenever, in his or her opinion, a disaster has occurred or is imminent in any municipality, the Municipal Emergency Management Coordinator of that municipality shall proclaim a state or local disaster emergency within the Township. The Municipal Emergency Management Coordinator, in accordance with regulations promulgated by the State Director of Emergency Management, shall be empowered to issue and enforce such orders as may be necessary to implement and carry out emergency management operations and to protect the health, safety and resources of the residents of the Township.

D. Emergency Management Council.

There is hereby created an Emergency Management Service Council, to be composed of not more than fifteen (15) members, who shall be appointed by the Mayor and shall hold office at the will and pleasure of the Mayor. The Municipal Emergency Management Coordinator shall be a member and shall serve as Chairman of the Emergency Management Service Council. The members of the Emergency Management Service Council shall include the Mayor, the Chief of Police, representatives from Fire District #1, #2, #3 and #4, representatives from all First Aid squads, the Director of Public Works, an Environmental Officer, a Health

officer, Social Service personnel, a resource manager, a public information officer, a shelter manager and one or more community group representatives.

E. Duties of Emergency Management Council.

(1). The Emergency Management Service Council shall assist the municipality in establishing the various local volunteer agencies needed to meet the requirements of all local civil defense and disaster control activities in accordance with the rules and regulations established by the Governor of the State of New Jersey in pursuance of the provisions of act concerning emergency management.

(2). The Emergency Management Service Council is authorized, within the limits of appropriations, to establish an adequate organization to assist in supervising and coordinating the civil defense and disaster control activities of the local municipality.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed. Particularly, the provisions of this ordinance supercede in its entirety the provisions of Chapter 24 of the Township Code of the Township of Jackson, entitled, "Police Department."

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).

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 **April 8, 2008**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **22nd day of April, 2008**, 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: 04-08-08

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

ORDINANCE 16-08

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING ORDINANCE NO. 37-07 ESTABLISHING THE SALARIES FOR ALL OF THE VARIOUS OFFICIALS AND EMPLOYEES OF THE TOWNSHIP FOR THE YEAR 2008 AND THEREAFTER

MOTION TO APPROVE ORDINANCE 16-08 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, APRIL 22, 2008 BY: MARTIN
MOTION SECONDED BY: STALLONE
YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

ORDINANCE NO. 16-08

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

SECTION 1. Schedule “A” of Ordinance 37-07 is hereby amended to establish salaries for the official employees whose titles are set forth below.

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

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

MAYOR MARK A. SEDA

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Jackson, in the County of Ocean, State of New Jersey, held on April 8, 2008 and will be considered for second reading and final passage at the regular meeting of said Township Council to be held on the 22nd day of April at 7:30 P.M. or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building in said township at which time all persons interested shall be given an opportunity to be heard concerning this Ordinance.

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

SALARY RANGE

TITLE

MINIMUM MAXIMUM

INSERT:

FULL TIME

POLICE CHIEF	\$95,500	\$159,000
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ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

DATED: 04-08-08

PUBLIC HEARING OPENED, RESOLUTIONS ONLY - NO ONE CAME FORWARD

MOTION TO CLOSE PUBLIC HEARING, RESOLUTIONS ONLY BY: MARTIN

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

RESOLUTION 133R-08

TITLE: RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR RECREATIONAL PURPOSES

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: GUDAITIS

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

ADMINISTRATOR DEL TURCO explained there was a dedicated trust fund established some time ago and was not part of the operating budget and was a self-sufficient fund. At this time they were moving it from the Recreation Commission to a Dedicated Rider since there had been a change in government and it was a technical compliance.

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39, provides that the Director of the Division of Local Government Services may approve expenditures or moneys by dedication by rider; and

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

1. The Township Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures under the provisions of N.J.S.A.40A-39, as amended by P.L. 1999, c.292, for the exclusive purpose of depositing and expending funds paid by individuals to offset the costs of operating municipal "fee-based" recreation programs.

The Municipal Clerk is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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

DATED: 04-08-08

RESOLUTION 144R-08

TITLE: SUPPORTING THE ENACTMENT OF ASSEMBLY NO. 557
SPONSORED BY ASSEMBLYMAN RONALD S. DANCER

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

COUNCIL PRESIDENT UPDEGRAVE stated what Assemblyman Ron Dancer was hoping to do was to not make it a fatal error when a bid is proposed to a township and if they forgot to put their business registration certificate in the proposal they could still be considered and be required to provide it in a timely manner.

WHEREAS, Assembly Bill 557 provides that the inadvertent failure of a bidder to include a copy of its Business Registration Certificate in a bid submittal will not result in a non-responsive bid requiring bid rejection; and

WHEREAS, the business registration of a bidder may be readily checked on the Internet; and

WHEREAS, the submittal of a Business Registration Certificate within a reasonable time after the bid opening does not adversely affect other bidders so long as the bidder was in fact registered before the bid submission deadline; and

WHEREAS, the rejection of a bidder for such inadvertent error deprives the taxpayer of the benefit of the low bid; and

WHEREAS, the Township Council desires to support the passage of Assembly Bill 557.

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 Council hereby supports the passage of Assembly Bill 557 that would allow bidders to avoid a non-responsive bid if they inadvertently omit the Business Registration Certificate from the bid proposal, provided that the bidder was registered before the bid submission deadline.

2. That copy of this resolution shall be provided by the Township Clerk to the Governor of New Jersey, Assemblyman Gerald B. Green, Chairman, Assembly Housing and Government Committee, and Ronald S. Dancer, Assemblyman, 30th District.

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

DATED: 04-08-08

CLERK EDEN explained Resolution 149R-08 was being added to the Agenda.

RESOLUTION 149R-08

TITLE: RESOLUTION PROCLAIMING THE WEEK OF APRIL 13, 2008 THROUGH APRIL 19, 2008 NATIONAL TELECOMMUNICATORS WEEK

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: INGRAM

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, the Congress of the United States, and the President of the United States have established the second week of April as National Telecommunicators Week; and

WHEREAS, the Township of Jackson Police Department provides twenty-four hour emergency communications for the Township of Jackson, County of Ocean, State of New Jersey; and

WHEREAS, the emergency dispatchers for the Jackson Township Police Department provide the critical first contact with those in need of emergency service; and

WHEREAS, the emergency dispatchers for the Jackson Township Police Department provide service and support to the officers of the Jackson Township Police Department staff and the community at large.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Town Council of the Township of Jackson, County of Ocean, that tribute be paid to the following individuals in appreciation of their efforts to make this community a better place in which to live and work, and in recognition of National Dispatcher’s Week, April 13 through April 19, 2008.

Margaret Bollentin #919
Denise Feeney #948
Robin Friedman #940
Rose Hendrickson #925
Kelly Ann Long #938
Melissa Long #949
Darlene Milko #920

Senior Telecommunicator June Musto #915
Robin Russell #917
Deborah Visconi #937
Sheri Witham #946
Jason Zimmerman #928 (P/T)
Brant Uricks #945 (P/T)

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

DATED: 04-08-08

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

RESOLUTION 130R-08

TITLE: AUTHORIZE TAX OVERPAYMENT REFUNDS

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: MARTIN

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

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

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

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

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

TOWNSHIP OF JACKSON**OVERPAYMENT REFUNDS****April 8, 2008**

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>YEAR-QTR</u>	<u>AMOUNT</u>
701	123	Edward & June Gerstman	2007 – 4 th	\$ 250.00
1004	29	Andrew & Wendy Hansen	2007 – 3 rd	52.12
4402	128	Cem & Sibel Irtis	2006 – 4 th	1,259.20
7202	10	Roland J. & Marisa Pierson	2007 – 4 th	250.00
8901	15	Countrywide Tax Services Corporation	2007 – 4 th	1,458.93
14604	31	John R. & Michelle Ogno & Marie LaGiusa C/o Stephen B. Sachs, Esq	2007 – 4 th	100.52
14604	31	Joseph, Rosemary & Francis J. Cherichella C/o Stephen B. Sachs, Esq	2007 – 4 th	24.48
111.01	168	Four Seasons @ South Knolls	2007 – 1 st 2007 – 2 nd	.99 .98
111.05	84	Four Seasons @ South Knolls	2007 – 1 st 2007 – 2 nd	.99 .98
111.16	1	Four Seasons @ South Knolls	2007 – 1 st 2007 – 2 nd	.99 .98
4701	2	Four Seasons @ South Knolls	2007 – 1 st 2007 – 2 nd	.99 .98
4702	84	Four Seasons @ South Knolls	2007 – 1 st 2007 – 2 nd	28.53 28.53
4703	101	Four Seasons @ South Knolls	2007 – 1 st 2007 – 2 nd	.99 .98
4715	1	Four Seasons @ South Knolls	2007 – 1 st 2007 – 2 nd	.99 .98

2201	15	Wells Fargo Home Mortgage	2008 – 1 st	1,843.60
13101	24	Wells Fargo Home Mortgage	2008 – 1 st	1,423.79
11506	24	Landamerica Tax & Flood	2008 – 1 st	\$ 6.38
11801	38	Landamerica Tax & Flood	2008 – 1 st	1,940.45

Total Amount: \$8,678.35

DATED: 04-08-08

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

RESOLUTION 131R-08

TITLE: APPROVE CHIEF FINANCIAL OFFICER'S MONTHLY REPOSRT FOR FEBRUARY 2008

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: MARTIN

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

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

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

1. The CHIEF FINANCIAL OFFICER'S Report for the month of February 2008 is hereby approved.
2. Copies of this Resolution to Treasurer, Administrator, Township Attorney, and any other interested parties.

DATED: 04-08-08

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

RESOLUTION 132R-08

TITLE: APPROVE BINGO/RAFFLE LICENSE

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: MARTIN

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

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

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

1. The following application(s) are hereby approved:

RA-1191 – THE FOUNDATION FIGHTING BLINDNESS
RA-1192 – JACKSON LIBERTY HIGH SCHOOL PARENT
TEACHER STUDENT NETWORK
RA-1193 – JACKSON LIBERTY HIGH SCHOOL PARENT
TEACHER STUDENT NETWORK
RA-1194 – JACKSON LIBERTY HIGH SCHOOL PARENT
TEACHER STUDENT NETWORK

- RA-1195 – JACKSON LIBERTY HIGH SCHOOL PARENT
TEACHER STUDENT NETWORK
- RA-1196 – JACKSON LIBERTY HIGH SCHOOL PARENT
TEACHER STUDENT NETWORK
- RA-1197 – CRAWFORD-RODRIGUEZ PTN

- 2. Copies of the Resolution to interested parties.

DATED: 04-08-08

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

RESOLUTION 134R-08

TITLE: TITLE: AUTHORIZE RENEWAL OF MOBILE HOME PARK LICENSE FOR THE YEAR 2008 TO FOUNTAINHEAD PROPERTIES, INC. T/A FOUNTAINHEAD MOBILE HOME PARK, BLOCK 9001, LOT 20

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: MARTIN

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

COUNCILMAN MARTIN stated he spoke with the Township’s Code Enforcement Officer, John Grillo, regarding Resolutions 134R-08 through 138R-08 and 148R-08 and he was assured all mobile homes parks were operating safely and authorized their renewal.

WHEREAS, Fountainhead Properties, Inc. t/a Fountainhead Mobile Home Park has requested a renewal of its Mobile Home Park License for Calendar Year 2008 for property located at One Rose Drive, a/k/a Block 9001, Lot 20, Jackson Township; and

WHEREAS, per Chapter 99 of the Jackson Code, said applicant has submitted an application in proper form, paid the required fees and has received approval from various municipal departments and agencies.

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

- 1. The application of Fountainhead Properties, Inc. t/a Fountainhead Mobile Home Park for renewal of its Mobile Home Park License for the premises located at One Rose Lane, a/k/a Block 9001, Lot 20, Jackson Township, is hereby approved.
- 2. The Township Clerk is hereby authorized to issue the aforesaid renewal to the applicant.
- 3. Said license is issued for a period commencing February 1, 2008 and ending January 31, 2009.
- 4. Said license is issued subject to any and all restrictions imposed by the Jackson Township Zoning Board of Adjustment and the Jackson Township Planning Board.
- 5. That upon the adoption of this resolution, the Township Clerk is authorized and directed to forward a certified copy of it to the Township Administrator and Fountainhead Properties, Inc. t/a Fountainhead Mobile Home Park.

DATED: 04-08-08

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

RESOLUTION 135R-08

TITLE: AUTHORIZE RENEWAL OF MOBILE HOME PARK LICENSE FOR THE YEAR 2008 TO JACKSON ESTATES, LLC T/A JACKSON ESTATES A/K/A BLOCK 18603, LOT 17

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

WHEREAS, Jackson Estates, LLC t/a Jackson Estates has requested a renewal of its Mobile Home Park License for Calendar Year 2008 for property located at 2 Lisa Lane South, a/k/a Block 18603, Lot 17, Jackson Township; and

WHEREAS, per Chapter 99 of the Jackson Code, said applicant has submitted an application in proper form, paid the required fees and has received approval from various municipal departments and agencies.

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

1. The application of Jackson Estates, LLC t/a Jackson Estates Mobile Home Park for renewal of its Mobile Home Park License for the premises known as 2 Lisa Lane South a/k/a Block 18603, Lot 17, Jackson Township, is hereby approved.
2. The Township Clerk is hereby authorized to issue the aforesaid renewal to the applicant.
3. Said license is issued for a period commencing February 1, 2008 and ending January 31, 2009.
4. Said license is issued subject to any and all restrictions imposed by the Jackson Township Zoning Board of Adjustment and the Jackson Township Planning Board.
5. That upon the adoption of this resolution, the Township Clerk is authorized and directed to forward a certified copy of it to the Township Administrator and Jackson Estates, LLC, t/a Jackson Estates Mobile Home Park.

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

DATED: 04-08-08

RESOLUTION 136R-08

TITLE: AUTHORIZE RENEWAL OF MOBILE HOME PARK LICENSE FOR THE YEAR 2008 TO LAND O PINES MHP, INC., T/A LAND O PINES A/K/A BLOCK 14201, LOT 51 (135 W. COMMODORE BLVD.)

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

WHEREAS, Land O Pines MHP, Inc. t/a Land O Pines has requested a renewal of its Mobile Home Park License for Calendar Year 2008 for property located at 135 W. Commodore Boulevard, a/k/a Block 4201, Lot 51, Jackson Township; and

WHEREAS, per Chapter 99 of the Jackson Code, said applicant has submitted an application in proper form, paid the required fees and has received approval from various municipal departments and agencies.

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

1. The application of Land O Pines MHP, Inc. t/a Land O Pines for renewal of its Mobile Home Park License for the premises located at 135 W. Commodore Boulevard a/k/a Block 4201, Lot 51, Jackson Township, is hereby approved.

2. The Township Clerk is hereby authorized to issue the aforesaid renewal to the applicant.
3. Said license is issued for a period commencing February 1, 2008 and ending January 31, 2009.
4. Said license is issued subject to any and all restrictions imposed by the Jackson Township Zoning Board of Adjustment and the Jackson Township Planning Board.
5. That upon the adoption of this resolution, the Township Clerk is authorized and directed to forward a certified copy of it to the Township Administrator and Land O Pines MHP, Inc. t/a Land O Pines.

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

DATED: 04-08-08

RESOLUTION 137R-08

TITLE: AUTHORIZE RENEWAL OF MOBILE HOME PARK LICENSE FOR THE YEAR 2008 TO ALLIED ORDNANCE, T/A OAK TREE MOBILE HOME PARK A/K/A BLOCK 2507, LOT 10

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: MARTIN

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, Allied Ordnance t/a Oak Tree Mobile Home Park has requested a renewal of its Mobile Home Park License for Calendar Year 2008 for property located at 565 Diamond road, a/k/a Block 2507, LOT 10, Jackson Township; and

WHEREAS, per Chapter 99 of the Jackson Code, said applicant has submitted an application in proper form, paid the required fees and has received approval from various municipal departments and agencies.

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

1. The application of Allied Ordnance t/a Oak Tree Mobile Home Park for renewal of its Mobile Home Park License for the premises located at 565 Diamond road a/k/a Block 2507, Lot 10, Jackson Township, is hereby approved.
2. The Township Clerk is hereby authorized to issue the aforesaid renewal to the applicant.
3. Said license is issued for a period commencing February 1, 2008 and ending January 31, 2009.
4. Said license is issued subject to any and all restrictions imposed by the Jackson Township Zoning Board of Adjustment and the Jackson Township Planning Board.
5. That upon the adoption of this resolution, the Township Clerk is authorized and directed to forward a certified copy of it to the Township Administrator and Allied Ordnance t/a Oak Tree Mobile Home Park.

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

DATED: 04-08-08

RESOLUTION 138R-08

TITLE: AUTHORIZE RENEWAL OF MOBILE HOME PARK LICENSE FOR THE YEAR 2008 TO UNITED MOBILE HOMES, T/A SOUTHWIND VILLAGE A/K/A BLOCK 15501, LOT 22

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

WHEREAS, United Mobile Homes t/a Southwind Village has requested a renewal of its Mobile Home Park License for Calendar Year 2008 for property located at 435 E. Veterans Highway, a/k/a Block 15501, Lot 22, Jackson Township; and

WHEREAS, per Chapter 99 of the Jackson Code, said applicant has submitted an application in proper form, paid the required fees and has received approval from various municipal departments and agencies.

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

1. The application of United Mobile Homes t/a Southwind Village for renewal of its Mobile Home Park License for the premises located at 435 E. Veterans Highway a/k/a Block 15501, Lot 22, Jackson Township, is hereby approved.
2. The Township Clerk is hereby authorized to issue the aforesaid renewal to the applicant.
3. Said license is issued for a period commencing February 1, 2008 and ending January 31, 2009.
4. Said license is issued subject to any and all restrictions imposed by the Jackson Township Zoning Board of Adjustment and the Jackson Township Planning Board.
5. That upon the adoption of this resolution, the Township Clerk is authorized and directed to forward a certified copy of it to the Township Administrator and United Mobile Homes t/a Southwind Village.

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

DATED: 04-08-08

RESOLUTION 139R-08**TITLE: AUTHORIZE THE RENEWAL OF A ZOOLOGICAL PARK LICENSE TO SIX FLAGS THEME PARK FOR BLOCK 3101, LOT 11****MOTION TO APPROVE BY: GUDAITIS****MOTION SECONDED BY: MARTIN****YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE**

WHEREAS, Six Flags Theme Park has applied for renewal of a Zoological Park License under the provisions of Chapter 111 of the Jackson Code for Block 3101, Lot 11, Jackson Township; and

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

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

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

WHEREAS, a Certificate of Public Liability Insurance conforming with the requirements set forth in the Jackson code, Section 111-3(f), for coverage during the period of licensure, has been submitted to the Township Clerk.

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

1. The application of Six Flags Theme Park for a renewal of a Zoological Park License for the premises located on Block 3101, Lot 11, Route 537, Jackson, New Jersey is hereby approved for a period commencing July 1, 2007 and ending June 30, 2008.

2. The Township Clerk is hereby authorized to issue the aforesaid license to the applicant.
3. That upon the adoption of this resolution the Township Clerk is authorized and directed to forward a certified copy of it to the Township Administrator and Six Flags Theme Park.

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

DATED: 04-08-08

RESOLUTION 140R-08

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO PARAMOUNT HOMES, OF THE STORMWATER MAINTENANCE BONDS ISSUED FOR PARAMOUNT CLASSICS @ MAPLE CREST A/K/A BLOCK 9.01, LOTS 165 & 167

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: MARTIN

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, Paramount Homes has requested a Release of the Stormwater Maintenance Guarantees, which consists of \$2,000 in the form of Maintenance Bond #5019011 and \$30,800 in the form of Maintenance Bond #5019012 issued by Bond Safeguard Insurance Company, pertaining to Paramount Classics @ Maple Crest, a/k/a Block 9.01, Lots 165 & 167, Jackson Township; and

WHEREAS, the Township Council of the Township of Jackson has considered the application;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Jackson, County of Ocean and State of New Jersey, that the Maintenance Guarantees, which consists of Maintenance Bond #5019011 in the amount of \$2,000.00 and Maintenance Bond #5019012 in the amount of \$30,800.00 issued by Bond Safeguard Insurance Company, heretofore posted with the Township may and hereby is released on the conditions that the applicant:

1. A Stormwater Maintenance Guarantee has already been posted in cash in the amount of \$25,625.00;
2. This resolution of release is further contingent upon the applicant/developer reimbursing the Township for the cost of any and all outstanding construction inspection fees and the cost of any and all other charges as per Township ordinance for the release of said guarantees;
3. Copies of this resolution to Administration, Finance, Applicant/Developer and Township Engineer.

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

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

DATED: 04-08-08

RESOLUTION 141R-08

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE SALE OF SURPLUS MOTOR VEHICLES AND OTHER MISCELLANEOUS PERSONAL PROPERTY NOT NEEDED FOR PUBLIC USE BY WAY OF AN "ON-LINE" AUCTION

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: MARTIN

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, the Township of Jackson was previously approved to participate in the E-Procurement Program which would allow the Township to procure and dispose of certain goods/personal property in a more cost effective and efficient manner via on-line auctions; and

WHEREAS, Jackson Township is currently in possession of various surplus motor vehicles and other miscellaneous personal property including properties that have been obtained by the Jackson Township Police Department and are no longer needed for public use and purposes; and

WHEREAS, said sale shall be conducted in accordance with the provisions of the E-Procurement for Government and the Local Unit Electronic Technology Program and Study Act, P.L. 2001, c. 30; and

WHEREAS, the on-line auction will be sponsored by GovDeals, Inc. whose website is: GovDeals.com; and

WHEREAS, it is the desire of the Jackson Township Council to offer said vehicles and personal properties for sale at a public "on-line" auction commencing on April 13, 2008 at 12:01 a.m. and terminating on April 25, 2008 at midnight; and

WHEREAS, notice of said sale indicating the date and duration of the sale together with a description of the items to be sold as set forth in the attached Schedules "A", "B" and "C" shall be published once in a newspaper circulating within Jackson Township; and

WHEREAS, should the minimum bid be offered, the Township Council hereby agrees to accept the offer and authorizes the sale be processed accordingly.

WHEREAS, Jackson Township reserves the right to accept or reject any and all bids submitted for said personal property.

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

1. That the Township Council of Jackson Township hereby formally authorizes the sale by way of an "on-line" auction of various surplus motor vehicles and other miscellaneous personal property (see attached Schedule "A" and "B") including properties that have been obtained by the Jackson Township Police Department and are no longer needed for public use and purposes

CONDITIONS OF SALE

1. The on-line auction will commence on April 13, 2008 at 12:01 a.m. and terminate on April 25, 2008 at 12:00 midnight.
2. GovDeal, Inc. will sponsor the on-line auction. Their website is GovDeals.com.
3. Everything is being sold as-is and there are no warranties.
4. Only cash and check drawn on local banks will be accepted. (No out of state bank checks will be accepted). All sales are final. The Township Council reserves the right to reject any and all bids.
5. The Township of Jackson makes no warranty of guaranties, expressed or implied, as to the accuracy of the information regarding items offered for sale.

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

DATED: 04-08-08

RESOLUTION 142R-08

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON SUPPORTING THE CLICK IT OR TICKET SEAT BELT MOBILIZATION PROGRAM FROM MAY 19, 2008 THROUGH JUNE 1, 2008

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: MARTIN

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, there are 716 motor vehicle fatalities in New Jersey in 2007; and

WHEREAS, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975 and 2000; and

WHEREAS, the State of New Jersey will participate in the nationwide "Click It or Ticket" seat belt mobilization from May 19, 2008 through June 1, 2008 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

WHEREAS, the Division of Highway traffic Safety has set a goal of increasing the seat belt usage rate in the State from the current level of 91% to 93%; and

WHEREAS, a further increase in seat belt usage in New Jersey will save lives on our roadways; and

WHEREAS, the Jackson Township Police Department has submitted a grant application on behalf of Jackson Township to the New Jersey Division of Highway Traffic Safety for the "Click It or Ticket" CY 2008; and

WHEREAS, the Township Council has considered the request of the Jackson Township Police Department and feels that such enforcement would benefit Jackson Township; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Jackson, County of Ocean and State of New Jersey, the Director of Public Safety, Mathew Kunz, and Sgt. Brian Geoghegan of the Jackson Township Police Department are hereby authorized to submit a grant application on behalf of Jackson Township to the New Jersey Division of Highway Traffic Safety for the "Click It or Ticket Seat Belt Campaign". The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

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

DATED: 04-08-08

RESOLUTION 143R-08

TITLE: APPROVE PARTICIPATION WITH THE STATE OF NEW JERSEY IN A SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY (GRANT #P-4266)

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: MARTIN

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, the Jackson Township Police Department wishes to apply for funding a project under the Safe and Secure Communities Program CY 2008 (Grant #P-4266) in the amount of \$21,812.00; and

WHEREAS, the Jackson Township Council has reviewed the accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and Jackson Township Police Department for the purpose described in the application;

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

1. As a matter of public policy Jackson Township Police Department wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

- 5. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.
- 6. Copies of this resolution to State of New Jersey Department of Law & Public Safety/Div. of Criminal Justice, Administration, Chief Financial Officer, Captain R. Ferrarelli, and any other interested parties.

DATED: 04-08-08

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

RESOLUTION 145R-08

TITLE: APPROVE JACKSON TOWNSHIP SPECIAL COUNCIL MEETING MINUTES OF JANUARY 23, 2008

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: MARTIN

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

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

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

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

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

January 23, 2008

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

DATED: 04-08-08

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

RESOLUTION 146R-08

TITLE: ACKNOWLEDGE RECEIPT OF FY 2008 HIGHWAY TRAFFIC SAFETY PROJECT GRANT ENTITLED "VARIABLE MESSAGE SIGN BOARD PROJECT" FROM THE STATE OF NEW JERSEY, DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF HIGHWAY TRAFFIC SAFETY IN THE AMOUNT OF \$26,575.00

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: MARTIN

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, the Township of Jackson Police Department previously applied for the FY 2008 Highway Traffic Safety Project Grant entitled "Variable Message Sign Board Project" grant from the State of New Jersey, Department of Law and public Safety, Division of Highway Traffic Safety; and

WHEREAS, the State has awarded a grant to the Township of Jackson in the amount of \$26,575.00; and

WHEREAS, the grant will pay for the purchase of one (1) variable message sign board with options for traffic counts and speed surveys and one (1) laptop computer to be used to program the sign board; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Jackson, County of Ocean, State of New Jersey, to accept the Grant from the State of New Jersey. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

Copies of this resolution to State of New Jersey, Department of Law and public Safety, Division of Highway Traffic Safety, Township Administrator, Director of Public Safety, Chief Financial Officer, Sgt. Brian Geoghegan of the Jackson Township Police Department and any other interested parties.

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

DATED: 04-08-08

RESOLUTION 147R-08

TITLE: RESOLUTION APPROVING A DISABLED VETERAN EXEMPTION ON BLOCK 2101 LOT 12

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: MARTIN

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, the Department of Veteran Affairs determined that Patrick McBride at 562 Challenger Way, Block 2101 Lot 12 to have a service connected disability that is totally disabling effective 09/01/07 and has owned the above listed parcel since 04/23/07;

WHEREAS, Mr. McBride has made application to the Township as a totally disabled veteran, which has been approved by the Tax Assessor as of 03/10/08, and the Tax Collector previously cancelled the regular taxes for the first half of 2008 without including the first half 2008 added assessment taxes in the amount of \$119.52, and;

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

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

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

2008 - \$119.52 – 1st half 2008 Added Assessment taxes

2. The Tax Collector is directed to process a refund for any overpayment due to the cancellation of taxes and cancel the balance of 2008 taxes after they have been determined.
3. The parcel is to be exempted on the 2009 tax list.

Copy to: Tax Collector
Finance
Tax Assessor

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

DATED: 04-08-08

RESOLUTION 148R-08

TITLE: AUTHORIZE RENEWAL OF MOBILE HOME PARK LICENSE FOR THE YEAR 2008 TO MGM JACKSON, LLC T/A MAPLE GLEN MOBILE HOME PARK, BLOCK 8602, LOT 1 (BOWMAN & MILLER ROAD)

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: MARTIN

YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE

WHEREAS, MGM Jackson, LLC t/a Maple Glen Mobile Home Park has requested a renewal of its Mobile Home Park License for Calendar Year 2008 for property located at Bowman and Miller Road, a/k/a Block 8602, Lot 1, Jackson Township; and

WHEREAS, per Chapter 99 of the Jackson Code, said applicant has submitted an application in proper form, paid the required fees and has received approval from various municipal departments and agencies.

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

1. The application of MGM Jackson, LLC t/a Maple Glen Mobile Home Park for renewal of its Mobile Home Park License for the premises known as Bowman & Miller Road Block 8602, Lot 1, Jackson Township, is hereby approved.
2. The Township Clerk is hereby authorized to issue the aforesaid renewal to the applicant.
3. Said license is issued for a period commencing February 1, 2008 and ending January 31, 2009.
4. Said license is issued subject to any and all restrictions imposed by the Jackson Township Zoning Board of Adjustment and the Jackson Township Planning Board.
5. That upon the adoption of this resolution, the Township Clerk is authorized and directed to forward a certified copy of it to the Township Administrator and MGM Jackson, LLC, t/a Maple Glen Mobile Home Park.

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

DATED: 04-08-08

DISCUSSION AGENDA:

CLERK EDEN advised Council that the Jackson Township MUA would be performing a water main flushing starting April 9, 2008 for approximately ten (10) weeks.

CLERK EDEN advised the public of the School Board Election on Tuesday, April 15, 2008 from 11:00 AM to 9:00 PM

CLERK EDEN invited Administrator Del Turco to discuss the possibility of obtaining proposals in the event the school budget was defeated. Administrator Del Turco explained the previous school budget was defeated and if it should be defeated again this would allow them to immediately move to secure proposals because of the limited time frame. Councilman Martin asked if a RFP was necessary if it was under \$17.5K? Administrator Del Turco stated it may not be necessary but felt it wise and they could advertise on the web. Council President Updegrave agreed that it was a good idea to follow the procedure. Clerk Eden confirmed 10 days would be needed for the RFP.

**MOTION TO AUTHORIZE ADVERTISEMENT AND ACCEPTANCE OF RFP'S FOR A SPECIAL EXAMINER TO REVIEW SCHOOL BUDGET BY: STALLONE
MOTION SECONDED BY: INGRAM
YES: INGRAM, MARTIN, STALLONE, GUDAITIS & UPDEGRAVE**

CLERK EDEN stated Westlake Village requested a Title 39. Administrator Del Turco explained Westlake Village was a private senior community and had requested some law enforcement within their community and he felt it was necessary to pass a resolution to allow Jackson Police to conduct enforcement within their community. Councilman Stallone stated part of the agreement when Westlake went before the Planning Board was that they would be under Title 39 and the police could go in and issue summons and control traffic. It was agreed to have further discussion with the Police Department and Westlake.

PUBLIC HEARING, ANY TOPIC

RICHARD WILTON – 236 W VETERANS HIGHWAY: He asked the Mayor and Council to reconsider and withdraw their layoff plan application and not go to a third party

agency. He held up petitions signed by residents, inspectors and other individuals associated with them and who know of the work they do and offered additional signatures if needed. The type of personal, courteous service they provide would be missed with the 3rd party. Mayor Seda felt it was premature and they were having a meeting the following day. Mayor Seda explained the letter to the State was a plan and he met with Barry Olejarz and asked him to get a plan together to offset his budget. Mr. Wilton confirmed they were working on it. Council President Updegrave stated Administration and Legislation are separate and she had received several calls from the Building Department personnel regarding the possible layoff and wanted to make it clear that she had not been aware of it prior to receiving their calls. She read a statement advising them that no formal discussion has taken place and no decision had been made regarding the Building Department. No outside vendor was chosen or hired and felt the disclosure and printing of the information was irresponsible and thoughtless disregarding proper protocol in eliminating the human element and how hard it is to understand how a current Administrative process requiring legislative approval and action from the Town Council made it's way to print before there was any discussion between the Mayor and Council and she requested the Mayor allow the Construction Department to propose to the Mayor and Council a plan to reduce overhead before any actions are expected to be taken against the Construction Department. Mr. Wilton explained that he and fellow employees received the letter and next to their names it stated "vacate" and felt it was very serious. Mayor Seda stated the law required him to submit the layoff plan but it doesn't mean they have to go through with it and that's why he met with Barry so they could come up with another plan. Mr. Wilton had statistical information they prepared and he didn't want to get involved with numbers because some of the numbers were incorrect when looking over the budget. Council President Updegrave stated she didn't want to see anyone lose their jobs and wanted to look at every avenue before any actions were taken. Councilwoman Ingram asked that Council get copies and not just the Mayor.

CHARLOTTE MARSALA – 16 KINGS NORTH: She felt certain property shouldn't have been discussed prior to the executive session. Attorney Gilmore stated you could identify there was a request from a person to purchase their property but any negotiation would be discussed privately. She then asked about the water being flushed and stated many times when they flush it loosens up rust and other residue and if you use chlorine in your wash you will forever have a stained wash, and asked if someone could confirm if that was true or not. Clerk Eden offered to give her the MUA's phone number, as they were separate from the Township. Ms. Marsala was only concerned with finding out if the information was true or not so that people that use chlorine could be advised.

JOE BATTISTA – 11 HUMMINGBIRD WAY: Identified himself as a private plumbing contractor in business for over 20 years and stated the municipalities that outsource their inspectors were inept and they performed drive-by inspections and were based on dollars, on time and they don't take the time to go through things as they normally should. He offered to sit down with the Mayor and Council and go through the things he sees as a problem with outsourcing and offered his phone number.

SEAN GIBLIN – 515 SO. COOKSBRIDGE: He asked the Mayor how much revenue was brought in and the \$500K short fall? Mayor Seda stated \$1,365,698.05. Mr. Giblin stated the reduction of about \$4K from 2006 but the audit for 2007 showed an unanticipated revenue short fall of \$25K. He anticipated \$9million in unanticipated revenue but only came up short \$25K and that showed the Building Department and the residents of Jackson that they nearly fulfilled their entire obligation of unanticipated revenue to balance their budget regardless of any shortfall in the Building Department. He said the Mayor and Council have to fine tune their pencil so their anticipated revenue equals their expenditures instead of pointing their fingers at the Building Department who hasn't come up short since 2000 and another department actually increased. He said it was the Mayor's responsibility to come up with a balanced budget that included keeping the Building Department in place to continue providing the same service they've provided the community all these years. He said they don't hear complaints about water in basements or drainage problems and felt the Building Department should stay in place. The Mayor stated for many years the money made by the Building Department was used to offset future years budgets and that was how they could offset or hide those increases for so long and the previous Administrator took the money that was set aside. Mr. Giblin accused the Mayor of failing the residents of

Jackson and all he did for two years was blame everything on previous Mayors and felt the residents were tired of it.

RICHARD EGAN – 24 OVERLOOK DRIVE: He referred to random drug testing that Council President Updegrave spoke of at the last meeting that she would give everyone a notice that the testing people were present. She explained she would call the Mayor because when they get there at 6:30 they could begin their meeting and the drug testing company could come in during it. Mr. Egan explained by her calling someone gives him and other Council members an opportunity to come up with a reason why they couldn't make it. He questioned the Mayor's reasons for missing each of the drug tests that were performed. Attorney Gilmore intervened to restore order. Mr. Egan stated the Mayor is a public servant and the public has a right to know if the Mayor has a self induced medical condition or a natural medical condition. Attorney Gilmore explained there is no law that requires a public official, Senator, Congressman, etc. to take a drug test. Mr. Egan reminded Mr. Gilmore that Mayor Seda wrote the law. Councilman Stallone stated it wasn't a law and the office of the Mayor wasn't required to take a drug test. Mr. Gilmore reminded Mr. Egan they do not discuss anyone's medical condition and if he wanted to discuss it further it would have to be done outside the public forum because there are laws in the State regarding an individual's medical condition or medical issues. Mr. Egan asked how is the public to know if he is medically fit to be Mayor if he misses the drug tests? Attorney Gilmore acknowledged his comments and the discussion ended.

PAUL MAYEROWITZ – 91 CYPRESS POINT LANE: He didn't plan on speaking of drug testing but since it was brought up it struck him that the last 2 years the Council has heard many things about drug testing believing the resolution was passed for good reasons and others believed it was passed for political reasons and there were many individuals of the public that wonder if the Mayor would pass a drug test and the only reason the issue was being brought up was because of political gain and he was personally tired of hearing it and he would judge him and Council on what they do for the Township. But if he was sitting on a Council seat and this issue kept coming up he would want to find a way to put an end to it. It was within their power to increase or augment the number of drug screenings they have and suggested they have the company make another random visit and have the Mayor take the test and be done with it. He then asked when the budget would be presented. The Mayor stated it would be presented at the next Council meeting. He asked about the Township surplus that hovered around \$5 million, how did they choose that as the surplus number when you look at what the surplus number means he asked how it stays at that number and in years passed it was as high as \$8 million and other years lower and it kept fluctuating. Why is \$5.1 a magic number? Administrator Del Tuco stated two issues (a) try to return and reinvest and (b) also meet cash flow requirements. They are receiving a deduction in state aid and explained various things that come up and what they prepare for. Mr. Mayerowitz stated Marlboro is smaller than Jackson but their surplus was \$5.3million and they keep the cash flow for unplanned things. Mr. Mayerowitz hoped when they come up with the budget there was some rationale to why \$5 million was the right number. If the number needs to be higher it would hurt taxpayers but at least they would be covered. If the number should be lower it would be a one-time return to the taxpayers and would keep the tax budget flat or reduce it. And why a 12.5 % cushion is the appropriate number or should it be 15% or 5%? Councilwoman Ingram stated she had always seen it as a judgment call of about six months and confirmed the operating budget was about \$38,900,000. Mr. Mayerowitz confirmed that would amount to about \$2million and stated he never saw a township that had a 50% reserve and felt they needed to answer. Mr. Mayerowitz then asked how they characterize between surplus and reserve because when he looked at the numbers he found the surplus was about \$5million and the reserve about \$2.5million Administrator Del Turco discussed the type of accounting used based on a cash basis. Mr. Mayerowitz stated it was agreed that reserve and surplus position for the year end was where it should be. Administrator Del Turco stated it seemed appropriate and would like to go through it a little further to see what he was referring to because he knows there were other reserves in there such as receivable assets and a reserve for assets. He felt the Township was in a strong financial position even though there was the loss of State aid and gypsy moth spraying is over a half million dollars which is another reason for cash flow circumstances and the gypsy moth spraying has to be paid before the budget is struck.

MICHAEL KAFTON – 67 NO. LAKESIDE DRIVE: He read in the previous day's paper the Mayor was planning on shutting down the Building Department by August because of a decline in new home construction and planned on using a 3rd party agency. He asked the Mayor about the letter he sent to the State and the letters to the Building Department staff? The Mayor explained Mr. Olejarz was asked to present a balanced budget and opted not to because he felt he needed his staff in place because the building boom was coming. The Mayor stated he couldn't present the budget with the numbers being what they were less \$514K last year and at the rate things were going more will be lost this year and Mr. Olejarz knew a layoff would be coming based on the numbers. The Mayor stated he made no statements to the paper and it was just an article without quotes from him then stated if Jackson begins to grow they need to have people in place and that was why he looked at 3rd parties to see how they operated because if the lay-off takes place they will need people. Mr. Kafton spoke about fees that were charged for permits and suggested they look at them. He said when he was in office some fees were adjusted toward developers and with spring and summer upon us there would be many residents looking to put in decks and pools. Mr. Kafton asked how many people received a letter regarding the possible lay-off and Mayor Seda stated 16 of the 18 employees. Mr. Kafton stated the Mayor was turning the Building Department upside down at a time when it would be needed the most.

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

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

9:00 PM

RESPECTFULLY SUBMITTED,

COUNCIL PRESIDENT UPDEGRAVE

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

AME/klj