

**ON TUESDAY, APRIL 22, 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 (6:35PM)
COUNCIL VICE PRESIDENT GUDAITIS (absent)
COUNCIL PRESIDENT UPDEGRAVE

ATTORNEY STEVE FORAN
DEPUTY TWP CLERK KISTY

ALSO IN ATTENDANCE
ADMINISTRATOR DEL TURCO

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

CAUCUS AGENDA

Misc. Matters relating to Public Session Agenda

JTMUA/DEED of Water Easement – Independence Estates - Council President Updegrave stated the Mayor had signed off on the Deed and everything was in order

AFFORDABLE HOUSING

Council President Updegrave stated the Affordable Housing Attorney John Russo was present and was going to give a COAH update. Inaudible. Council President Updegrave confirmed Jackson had an additional burden and was one of the most impacted towns in the State. She stated he had been helping Jackson because he didn't want to see all the developable land in Jackson used to fulfill COAH obligations and she asked him to explain the third round obligation. Inaudible. Councilman Martin asked if the number was based on development that occurred in the early part of 2002-2004? Councilman Stallone asked about round two obligations and if Jackson was near having it satisfied and looking ahead to round three, if a developer was to come in, how would it impact the Township and asked why they wouldn't let them? Councilman Stallone asked about new figures for round three. Balance of this discussion inaudible.

Chapter 109-49(I)(3) Affordable Housing Rental Bonus in the PMURD – Not discussed

(Councilman Stallone stated he had to leave prior to the public meeting portion for a prior commitment.)

6:54PM

RESOLUTION 150R-08

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

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

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

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

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

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

DATED: 04-22-08

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

7:30PM RECONVENED PUBLIC MEETING

ROLL CALL:

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

ATTORNEY STEVE FORAN
DEPUTY TWP CLERK KISTY

ALSO IN ATTENDANCE
MAYOR SEDA
ADMINISTRATOR DEL TURCO

As Deputy 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.

COMMENTS BY THE TOWNSHIP COUNCIL MEMBERS:

COUNCILWOMAN INGRAM congratulated everyone that was about to receive awards and recognition and waived comment.

COUNCILMAN MARTIN spoke of a young boy that had a serious accident, their mounting medical expenses and lost wages for the parents and announced a benefit to be held in his honor on June 1st at 2:00pm at the Larson Road Fire Company #1. Any food donations and items to be auctioned off to help raise money would be greatly appreciated.

COUNCILMAN STALLONE thanked everyone for coming out and congratulated those receiving honors and waived comments.

COUNCIL VICE PRISIDENT GUDAITIS - absent

COUNCIL PRESIDENT UPDEGRAVE thanked everyone for coming and congratulated those receiving awards and recognition and waived comments.

PRESENTATION BY DIRECTOR OF PUBLIC SAFETY MATTHEW KUNZ**POLICE AWARDS**

Director of Public Safety, Matthew Kunz called Det. Cowit, Officer Anuario, Officer Mendez and Officer Vidalis and described an investigation of a resident possessing a dangerous substance in a school zone plus possession of a handgun. He advised the public of their outstanding job in apprehending the individual and presented them with a Command Citation Letter. He then called Officer Kucowski stating he had been called to Plumstead because of a suicidal male with a shotgun. Police from Jackson, Plumstead and the State Police worked together in conducting a criminal investigation and the suspect was found and because of his professional leadership he was awarded the Command Citation Letter. Director Kunz stated there were other officers receiving awards but they were unavailable and he would like to present them at a later date. The Mayor congratulated the officers and stated these were the types of acts they do on a daily basis because they love what they do and they do it well and expressed his appreciation on behalf of the residents of Jackson.

ORDINANCES, SECOND READING
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

PUBLIC HEARING OPENED - NO ONE CAME FORWARD.

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

**MOTION TO APPROVE ORDINANCE 13-08 ON SECOND READING,
ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED
NEWSPAPER AS REQUIRED BY LAW BY: STALLONE
MOTION SECONDED BY: MARTIN
YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE
ABSENT: GUDAITIS**

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: 04-22-08

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

PUBLIC HEARING OPENED - NO ONE CAME FORWARD.

MOTION TO CLOSE PUBLIC HEARING BY: STALLONE

MOTION SECONDED BY: MARTIN

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

MOTION TO APPROVE ORDINANCE 14-08 ON SECOND READING,

ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED NEWSPAPER AS REQUIRED BY LAW BY: MARTIN

MOTION SECONDED BY: INGRAM

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

**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.

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

DATED: 04-22-08

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"

PUBLIC HEARING OPENED - NO ONE CAME FORWARD.

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

**MOTION TO APPROVE ORDINANCE 15-08 ON SECOND READING,
ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED
NEWSPAPER AS REQUIRED BY LAW BY: STALLONE
MOTION SECONDED BY: MARTIN
YES: INGRAM, MARTIN, STALLONE & GUDAITIS
ABSENT: GUDAITIS**

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: 04-22-08

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

PUBLIC HEARING OPENED - NO ONE CAME FORWARD.

MOTION TO CLOSE PUBLIC HEARING BY: STALLONE

MOTION SECONDED BY: INGRAM

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

Council President Updegrave stated Councilman Gudaitis was sorry he couldn't attend but wanted to convey his pleasure that this Ordinance went through for the Chief of Police and stated it was long overdue.

MOTION TO APPROVE ORDINANCE 16-08 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED NEWSPAPER AS REQUIRED BY LAW BY: MARTIN

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

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.

	<u>SALARY RANGE</u>	
<u>TITLE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
INSERT:		
FULL TIME		
POLICE CHIEF	\$95,500	\$159,000
<hr style="width: 25%; margin-left: auto; margin-right: 0;"/> ANN MARIE EDEN, R.M.C. TOWNSHIP CLERK		
DATED: 04-22-08		

OPEN PUBLIC HEARING FOR RESOLUTION 157R-08

PUBLIC COMMENT-NO ONE CAME FORWARD

MOTION TO CLOSE PUBLIC PORTION FOR RESOLUTION 157R-08 BY: MARTIN

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

MAYOR SEDA called Matthew Kunz forward along with Toms River Police Chief Mastronardy and PBA Executive Vice President Steve Dunn who stated the PBA and the Chiefs Association were proud to present Chief Kunz with the Chief Tie Tack and a State Police Tie Tack. Frank Cipully from the Jackson PBA had been fighting for this for several years and thanked the Mayor and congratulated Matthew Kunz. Mitch Sklar stated on behalf of some 450 Police Chiefs of the NJ State Association of Chiefs of Police presented Mayor Seda and members of the Council with a token of their appreciation for making this very welcome move. Mayor Seda presented Matthew Kunz with the Chief Stars.

RESOLUTION 157R-08

TITLE: CONSENT TO THE APPOINTMENT OF MATTHEW KUNZ AS CHIEF OF POLICE

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: STALLONE

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

WHEREAS, pursuant to the Jackson Township Code, Chapter 3 Article IX, under the Mayor/Council Plan, the Township of Jackson shall have a Department of Public Safety; and

WHEREAS, pursuant to Ordinance No. 15-08, Chapter 3, Article IX, of the Administrative Code was amended to provide that the Department of Public Safety shall be

headed by a Department Head who shall be known and designated as the Chief of Police; and

WHEREAS, the Mayor, with the advice and consent of the Township Council, hereby appoints Matthew Kunz as Chief of Police for the Township of Jackson in accordance with the provisions of Chapter 3, Article IX, of the Jackson Township Administrative Code; and

WHEREAS, the Mayor has advised the Township Council that the base salary for the Chief of Police shall be the same as the base salary for the Public Safety Director.

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

1. That the Mayor with the advice and consent of the Township Council, does hereby appoint Matthew Kunz as Chief of Police for the Township of Jackson, effective May 13, 2008.
2. That the appointment of Matthew Kunz as Chief of Police is made on a provisional basis pending Department of Personnel certification.
3. That a certified copy of this resolution be forwarded to Matthew Kunz, Administration, Personnel, Chief Financial Officer and any other interested parties.

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

DATED: 04-22-08

2 minutes recess

PRESENTATION BY TOWNSHIP COUNCIL

CLEAN COMMUNITIES POSTER CONTEST

COUNCILWOMAN INGRAM congratulated all the children who participated and felt it was great having children promoting a theme about keeping the community clean. She stated in the 2nd grade category Ashley Koutras won first place and Nicole Burnside was the 2nd place winner. In the 3rd and 5th grade category Page Rigney won first place and Madelyn Poley won second place. First place winners received a \$50 gift certificate and the second place winners received a \$25 gift certificate, all for an ice cream party at Farleys. The first and second place winner's teachers each received a \$100 gift certificate to purchase supplies for their classrooms. Other children that were awarded ribbons for Honorable Mention were Kristen Grace Obrien, Sandra Zomora, Alaina Pobok, Gillian Durante, Olivia Rogers, Connor Lowrey, Jessica Whitteaker, Chelsea Czayskowski, Kamile Lukosiute, Isabel Hennings, Kimbey McDonald and Kaylynn Marie Zinsman. Mayor Seda thanked the coordinators Patricia Wood and Connie Sidor for their hard work and dedication. Pat Wood thanked him and stated, on behalf of herself and Connie this was one of the most rewarding things they've ever done and the most exciting. She stated there were over 400 volunteers participating in Clean Community Day and in two hours they picked up over three tons of garbage and recycling material. The Mayor advised the public there was another Clean Community Day coming up in October and encouraged everyone to get involved.

TOWNSHIP COUNCIL HONORING RESOLUTIONS

ADMINISTRATIVE PROFESSIONAL WEEK

Councilwoman Ingram stated the employees of Jackson Township do an outstanding job and read a resolution honoring all Administrative staff dedicating the week of April 20th through April 26th, 2008 Administrative Professionals Week.

CENTRASTATE MEDICAL CENTER

Councilwoman Ingram read a proclamation honoring Centrastate Medical Center for the extraordinary care when servicing the needs of the community.

PROCLAMATIONS BY MAYOR MARK A SEDA

NATIONAL PEACE OFFICER'S WEEK – MAY 11TH – MAY 17TH 2008 – re-scheduled to 05/08/08

SILVER STAR BANNER DAY – MAY 1ST 2008 – re-scheduled to 05/08/08

PUBLIC HEARING ON RESOLUTION 151R-08 ONLY

PUBLIC COMMENT – NO ONE CAME FORWARD

MOTION TO CLOSE PUBLIC HEARING ON RESOLUTION 151R-08 BY MARTIN:

MOTION SECONDED BY: INGRAM

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

RESOLUTION 151R-08

TITLE: AUTHORIZE 2008 EMERGENCY TEMPORARY APPROPRIATION #2

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: INGRAM

YES: INGRAM, MARTIN, STALLONE & UPDEGRAVE

ABSENT: GUDAITIS

WHEREAS, in accordance with the provisions of N.J.S.A. 40A:4-20 entitled, **EMERGENCY TEMPORARY APPROPRIATIONS**; in addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the governing body may, by resolution adopted by a 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year. The amount of such emergency temporary appropriations shall be included under the correct headings in the budget as adopted. If they are adopted after the introduction and approval of the budget and were not included in the budget as approved, they shall be included by amendment in the budget as adopted, except that no public advertisement or public hearings shall be required as to their adoption as amendments. A copy of each resolution making such emergency temporary appropriations shall be filed forthwith with the director.

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

The following annexed 2008 Emergency Temporary Appropriations of \$197,633.69 in addition to any previously approved emergencies cumulatively totaling \$10,841,820.26, is hereby made in compliance with the above referenced statute. Combined 2008 temporary (N.J.S.A. 40A:4-10) and Emergency Temporary (N.J.S.A. 40A:4-20) Appropriations aggregate to \$23,220,947.26.

1. This resolution shall take effect upon affirmative Council vote of the Township of Jackson Township.

2. Copies of this resolution to the Administrator, Chief Financial Officer, Auditor and (3) certified to the Director of the Division of Local Government Services.

DATED: 04-22-08

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

COUNCILMAN STALLONE excused himself from the remainder of the meeting.

BILLS AND CLAIMS

MOTION TO APPROVE BILLS AND CLAIMS BY: MARTIN

MOTION SECONDED BY: INGRAM

YES: INGRAM, MARTIN & UPDEGRAVE

ABSTAIN: MARTIN (RC SHEA) & UPDEGRAVE (DASTI, MURPHY, MCGUKIN)

ABSENT: GUDAITIS & STALLONE

Due to the need of a majority, RC Shea & Dasti, Murphy bills held until next Council Meeting.

CHECK#	VENDOR	AMOUNT
76658	JACKSON TOWNSHIP P/R ACCT	642,434.71
76659	JACKSON TOWNSHIP P/R ACCT	49,515.94
76771	JACKSON TOWNSHIP P/R ACCT	650,446.02
76772	JACKSON TOWNSHIP P/R ACCT	51,757.08
76773	A.C. MOORE, INC.	95.80
76774	ACTION PRINTING LLC	210.00
76775	ACTION OFFICE SUPPLIES INC.	184.60
76776	NEW EGYPT AGWAY	502.74
76777	IRVING ALBALA	1,176.16
76778	ALL IN ONE SEPTIC	190.00
76779	ALWAYS & FOREVER ENGRAVING LLC	188.04
76780	AMERICAN SPEEDY PRINTER CTR.	75.00
76781	VOID	-0-
76782	ASBURY PARK PRESS, INC.	754.40
76783	BAYWAY LUMBER	539.88
76784	BCMCAA	195.00
76785	BENCHMARK RESOLUTION SERVICES	8,840.00
76786	BEYER BROTHERS CORP	139.42
76787	BRICK STARTER & ALTERNATOR, INC.	445.00
76788	BRITTON INDUSTRIES INC.	600.00
76789	CABLEVISION	59.95
76790	CARLSON'S AUTOMOTIVE BODY	1,075.00
76791	CENTRAL JERSEY WASTE AND	70,854.50
76792	CLARK, CATON & HINTZ CORP.	1,318.25
76793	CONTRACTOR SERVICE	184.35
76794	CORE MECHANICAL, INC.	2,908.00
76795	COSTCO WHOLESALE 229	587.14
76796	COUNTY OF OCEAN DEPT. OF FINANCE	5,479,286.26
76797	DAYBREAK MARKETING SERVICES	241.00
76798	DEL-VEL CHEMICAL	125.76
76799	DEPTCOR/BUREAU OF	322.50
76800	DIAMOND COMMUNICATIONS, LLC	3,528.00
76801	DOLLY SCREEN PRINTING	594.00
76802	DOWNS FORD, INC.	280.43
76803	DRAEGER SAFETY DIAGNOSTICS, INC.	142.00
76804	DUNKIN DONUTS/BASKIN ROBBINS	93.41
76805	EAST COAST EMERGENCY LIGHTING	5,825.60
76806	EMTEC INC.	258.64
76807	FIRST AMERICAN REAL ESTATE TAX	24,285.83

76808	FIS TAX SERVICE	1,084.29
76809	GARDEN STATE HWY PRODUCTS, INC.	772.50
76810	GENERAL CODE PUBLISHERS CORP	2,941.42
76811	THE GRAND HOTEL	339.00
76812	HUNTER JERSEY PETERBILT	318.52
76813	IKON OFFICE SOLUTIONS	440.06
76814	INSTITUTE FOR PROFESSIONAL DEV	99.00
76815	JACKSON SR. CITIZENS CLUB, INC.	269.29
76816	JACKSON TWP. BOARD OF ED.	5,741,024.00
76817	JERSEY CENTRAL POWER & LIGHT	21,183.49
76818	A-1 JDK SPECIALTIES	111.00
76819	JDM PLANNING ASSOCIATES, LLC	715.00
76820	J.R. HENDERSON LABS, INC.	1,232.00
76821	LAKEWOOD AUTO SUPPLY INC.	646.44
76822	LANIGAN ASSOCIATES, INC.	210.00
76823	LEONARDS MECHANICAL	3,467.00
76824	LIFESAVERS INC.	485.43
76825	LOWE'S COMPANIES, INC.	108.03
76826	LOWE'S COMPANY INC.	220.38
76827	M & B SUPPLIES	44.58
76828	PATRICK MCBRIDE	6,706.76
76829	MCCRISTAL REPORTING SERVICE	950.00
76830	MERIDIAN OCCUPATIONAL HEALTH	170.00
76831	MAACM	35.00
76832	MORTON PAINT CENTER	155.00
76833	MULVANEY, CORONATO AND BRADY	3,333.34
76834	NAPCO/R.S. KNAPP CO., INC.	265.24
76835	NEXTEL COMMUNICATIONS	2,128.29
76836	N.J. DIV OF FIRE SAFETY	1,096.00
76837	NJSLM	150.00
76838	OCEAN COUNTY BOARD OF HEALTH	3,936.00
76839	OCEAN COUNTY RECYCLING	64.65
76840	OCEAN SOIL CONSERV. DISTR. NJ	1,350.00
76841	OCEAN COUNTY CLERK	8.00
76842	OCEAN COUNTY EQUIPMENT, INC.	987.01
76843	OC MUNICIPAL JOINT INS. UND	523,603.46
76844	OFFICE NEEDS	18.98
76845	BARRY G OLEJARZ	52.86
76846	PEDRONI FUEL COMPANY, INC.	19,755.29
76847	PENNINGTON SALES & SERVICE	252.86
76848	PINA M INC.	251.00
76849	PL CUSTOM BODY & EQUIPMENT	71.50
76850	REALTY APPRAISAL CO.	90,000.00
76851	RITTENHOUSE KERR FORD INC.	912.88
76852	R & R RADAR INC.	219.05
76853	RUBBERCYCLE	285.60
76854	RUSSELL SCIALPI	345.00
76855	SEELY EQUIPMENT & SUPPLY	303.21
76856	SENIORS WHO CARE, INC.	723.58
76857	SHERWIN WILLIAMS COMPANY, INC.	668.40
76858	SHOPRITE/PERLMART, INC.	97.97
76859	SHERI SILVERSMITH – SNR CNTR	61.44
76860	SINN, FITZSIMMONS, CANTOLI & WST	562.50
76861	SNAP-ON INDUSTRIAL	960.24
76862	STATE OF NEW JERSEY-PWT	104.75
76863	TEQUIPMENT.NET	76.70
76864	TOTAL LUBRICATION SVC. SUPPLY	4,504.00
76865	TRENTON BRAKES, INC.	564.14
76866	TREASURER, STATE OF NEW JERSEY	9,000.00
76867	TREASURER, STATE OF NEW JERSEY	19,084.00
76868	TREASURER, STATE OF NJ	60.00
76869	TROPICANA CASINO & RESORT	192.00

76870	MICHAEL CEPPALUNI DBA/UNITED	150.00
76871	USA MOBILITY WIRELESS, INC.	11.20
76872	VAN DERVEER TIRE & SERVICE CTR.	70.00
76873	VAN SANT SEWER SERVICE LLC	704.90
76874	VERIZON	2,328.76
76875	BILL WAGNER AND SON	304.48
76876	WAL-MART COMMUNITY	299.88
76877	W.B. MASON COMPANY	87.11
76878	WHITEMARSH CORP.	753.68
76879	RICHARD H WOODS, ESQ.	1,950.00
	TOTAL	13,476,698.55

CAPITAL

60689	CHARLES BERKELEY	510.00
60690	CLARK, CATON & HINTZ CORP.	2,162.00
60691	CONSELINA HAY & FEED	680.00
60692	DILWORTH PAXON	570.00
60693	ENFORSYS NJ INC.	35,000.00
60694	MICHAEL FOLEY, ESQ.	1,237.50
60695	FRENCH & PARRELLO ASSOC., PA	17,411.69
60696	GLUCK & ALLEN, LLC	850.00
60697	HECHT TRAILERS, LLC	1,508.85
60698	JDM PLANNING ASSOCIATES, LLC	1,170.00
60699	MARTIN W. LYNCH	900.00
60700	OWEN LITTLE & ASSOC. INC.	359.97
60701	LINDA L PIFF ESQ.	900.00
60702	REED & PERRINE SALES, INC.	5,085.60
60703	REHABCO, INC.	4,374.00
60704	SHERWIN WILLIAMS COMPANY, INC.	848.64
	TOTAL	73,568.25

34-35	DEV FEES-COAH	6,516.50
4453	DEVELOPERS	53,785.32
373-374	DOG	1,055.00
60771	GENERAL TRUST	17,072.67
61902-61926	PARKS REC	10,942.58
2130	SUBDIVISION	5,714.00

PRESENTATION OF THE CY2008 MUNICIPAL OPERATING BUDGET BY MAYOR MARK A. SEDA TO TOWNSHIP COUNCIL

MAYOR SEDA stated the 2008 Budget would provide essential programs and services. He stated it would provide \$500K for gypsy moth spraying and discussed the reduction of State aid and advised if the State aid was adjusted the budget may have to be adjusted accordingly. He discussed pension costs that have risen and pointed out several line items and announced there was a zero increase to Jackson taxes.

ORDINANCE FIRST READING – NONE AT THIS TIME

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

RESOLUTION 152R-08

TITLE: AUTHORIZE TAX OVERPAYMENT REFUNDS

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

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

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

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

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

OVERPAYMENT REFUNDS

April 22, 2008

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>YEAR-QTR</u>	<u>AMOUNT</u>
2101	12	Patrick McBride	2007 – 3 rd	915.21
			2007 – 4 th	2,913.11
			2008 – 1 st	2,878.44
12913	6	Irving Albala C/o Central Title Agency, Inc	2007 – 4 th	1,176.16
7701	31	FIS Tax Service	2008 – 1 st	1,080.92
18902	32	FIS Tax Service	2008 – 1 st	3.37
56.01	59.140	First American Real Estate Tax Services	2008 – 1 st	710.15
701	16	First American Real Estate Tax Services	2008 – 1 st	25.90
701	77	First American Real Estate Tax Services	2008 – 1 st	29.88
701	606	First American Real Estate Tax Services	2008 – 1 st	2,029.85
902	26	First American Real Estate Tax Services	2008 – 1 st	1,222.10
4004	10	First American Real Estate Tax Services	2008 – 1 st	1,799.03
4703	87	First American Real Estate Tax Services	2008 – 1 st	1.13
4711	17	First American Real Estate Tax Services	2008 – 1 st	249.00
6103	12	First American Real Estate Tax Services	2008 – 1 st	1,052.76
6110	2	First American Real Estate Tax Services	2008 – 1 st	1,227.72
6701	15	First American Real Estate Tax Services	2008 – 1 st	66.37
7206	5	First American Real Estate Tax Services	2008 – 1 st	1,139.24
7208	2	First American Real Estate Tax Services	2008 – 1 st	1,106.05
7701	20	First American Real Estate Tax Services	2008 – 1 st	1,085.94
8001	5.210	First American Real Estate Tax Services	2008 – 1 st	599.28
8001	5.26	First American Real Estate Tax Services	2008 – 1 st	532.92
8001	5.602	First American Real Estate Tax Services	2008 – 1 st	599.28
8001	5.747	First American Real Estate Tax Services	2008 – 1 st	571.13
8001	5.1012	First American Real Estate Tax Services	2008 – 1 st	662.63
9703	7	First American Real Estate Tax Services	2008 – 1 st	3,065.69
10001	17	First American Real Estate Tax Services	2008 – 1 st	1,180.25
12921	1	First American Real Estate Tax Services	2008 – 1 st	963.27
12921	5	First American Real Estate Tax Services	2008 – 1 st	1,018.58
13201	2	First American Real Estate Tax Services	2008 – 1 st	130.65
18503	38	First American Real Estate Tax Services	2008 – 1 st	1,230.53
21801	1.17	First American Real Estate Tax Services	2008 – 1 st	553.42
23108	44	First American Real Estate Tax Services	2008 – 1 st	1,433.08

Total Amount: \$33,253.04

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

DATED: 04-22-08

**RESOLUTION 153R-08
TITLE: APPROVE BINGO/RAFFLE LICENSE**

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

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-1198 Jackson Ice Hockey
- #RA-1199 Robert Wood Johnson University Hospital
- #RA-1200 Robert Wood Johnson University Hospital
- #RA-1201 Saint Aloysius Church
- #RA-1202 Saint Aloysius Church
- #RA-1203 Saint Aloysius Church
- #RA-1204 Saint Aloysius Church

2. Copies of the Resolution to interested parties.

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

DATED: 04-08-08

**RESOLUTION 154R-08
TITLE: AUTHORIZE SPECIAL PROJECTS ENGINEER, CMX, PERFORM NECESSARY ENGINEERING SERVICES RELATED TO ROAD IMPROVEMENTS TO COOK ROAD**

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

WHEREAS, the Township of Jackson has been awarded State Aid by the New Jersey Department of Transportation in the amount of \$175,000.00 for improvements to Cook Road; and

WHEREAS, the Township Council previously awarded through a fair and open process a contract for Special Engineering Services to CMX; and

WHEREAS, pursuant to the terms and conditions of the contract, the Township Council must authorize an appropriation to perform said work; and

WHEREAS, the Township Council is desirous to commence with this project by assigning professional engineering services to Special Projects Engineer, CMX , in an amount not to exceed \$34,000.00 as per the attached proposal; and

WHEREAS, the Chief Financial Officer has certified that sufficient funding exists for this purpose in an appropriation under Account #C-04-55-813-000-928 (Bond Ordinance #09-07); and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, requires that the resolution and contract be made available for public inspection.

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 Special Projects Engineer, CMX, is hereby authorized to commence with engineering services for road improvements to Cook Road.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to agreements with CMX.
3. That these contracts are awarded as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a)(I) of the Local Public Contracts Law and N.J.S.A. 19:A-20.4 of the Local Play to Play Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately.
6. That a certified copy of this resolution shall be provided by the Township Clerk to Administration, Chief Financial Officer, Municipal Engineer, Daniel Burke, P.E., Thomas Carter, Purchasing Agent, CMX and any other interested parties.

DATED: 04-22-08

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

RESOLUTION 155R-08

TITLE: AUTHORIZE CONTRACT AWARD TO METICULOUS LANDSCAPING, INC. FOR ATHLETIC FIELD MAINTENANCE COMMENCING IMMEDIATELY AND ENDING DECEMBER 31, 2008

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

WHEREAS, Jackson Township previously advertised for the receipt of bids on April 16, 2008 at 10:00 a.m. for the project entitled “Athletic Field Maintenance”; and

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

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

VENDOR	BASE BID
1. Meticulous Landscaping, Inc.	\$61,000.00
2. Greenleaf Landscape Systems	\$64,890.00

WHEREAS, the Township Purchasing Agent and Director of Public Works have reviewed the bids and requested authorization to award a contract for Athletic Field Maintenance commencing immediately and ending December 31, 2008; and

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

WHEREAS, the Township Purchasing Agent and Director of Public Works have determined that Meticulous Landscaping, Inc., 360 Route No. 9, Unit 1, Waretown, New Jersey 08758 submitted the lowest bid responsible bid; and

WHEREAS, the Mayor, Township Purchasing Agent and Director of Public Works has recommended that the bid for Athletic Field Maintenance be awarded to Meticulous Landscaping, Inc.; and

WHEREAS, the Chief Financial Officer has certified that sufficient funding will be available for this purpose upon the adoption of the 2008 Municipal Operating Budget under Account No. 8-01-28-375-000-029; and

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

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

1. The Township hereby authorizes a contract award to Meticulous Landscaping, Inc. for Athletic Field Maintenance in the amount of \$61,000.00 (see attached Schedule "A"). The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.
2. Copies of this resolution to Township Administrator, Director of Public Works, Chief Financial Officer, Purchasing Department, Meticulous Landscaping, Inc. and any other interested parties.

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

DATED: 04-22-08

RESOLUTION 156R-08

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE LEASE OF A PORTION OF THE LEGLER LANDFILL SITE TO THE OCEAN COUNTY MODELERS FOR USE OF A FLYING FIELD FOR THEIR CLUB MEMBERS

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: INGRAM

YES: INGRAM, MARTIN & UPDEGRAVE

ABSENT: GUDAITIS & STALLONE

WHEREAS, the Township of Jackson previously entered into a five (5) year lease agreement (with an option to renew for an additional five years) with the Ocean County Modelers on June 1, 1998; and

WHEREAS, the Ocean County Modelers have requested the Township's approval to continue with said lease agreement for five (5) years with an option to renew for an additional five (5) years thereafter; and

WHEREAS, the Ocean County Modelers are a non-profit organization who have requested the exclusive use of a portion of the Legler Landfill site for a flying field and related support area; and

WHEREAS, said organization has been welcomed at the Lakehurst Naval Base for more that 15 years; and

WHEREAS, the Township desires to grant a five-year lease to said organization based on their having adequate insurance and based on their operation of said facility in accordance with the procedures of the Academy of Model Aeronautics; and

WHEREAS, said lease shall be subject to the organization's receiving any appropriate and required approvals from the Finance Commission, the Department of Environmental Protection of the State of New Jersey and the Ocean County Soil Conservation District as well as any and all other governmental approvals; and

WHEREAS, it is now the desire of this governing body to grant a five-year lease with an automatic five-year renewal to said organization.

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

1. That the Township Council of Jackson Township hereby formally grants a five-year lease to the Ocean County Modelers, a non-profit organization for their exclusive use of a portion of the Legler Landfill site as shown on the attached "Figure 1A".

2. Said lease shall be automatically renewable for an additional five years unless the Township gives notice within 60 days of the expiration of that lease that they do not desire to renew that agreement.

3. The within lease is subject to the lessee's receiving approval from any and all local, county and State agencies for the use of said former landfill site for said purposes.

4. That upon the adoption of the within resolution, the Clerk is authorized and directed to forward a certified copy of it to the Ocean County Modelers.

DATED: 04-22-08

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

DISCUSSION AGENDA:

DEPUTY CLERK KISTY – Next regularly scheduled Township Council meeting will be held on Thursday, May 8, 2008 (due to the upcoming Non-partisan Municipal Election scheduled for May 13, 2008)

DEPUTY CLERK KISTY – Deputy Clerk Kisty – Township Council to establish Budget Workshop dates. Council President Updegrave stated they first needed to take a look at the defeated school budget that was due by May 19th and had requested quotes for an Auditor to review the budget. She stated the workshops would be after they finish with the school budget.

PUBLIC HEARING, ANY TOPIC

BOBBI RIVIERE-10 PINE VALLEY ROAD: She asked what happens with bills when Council abstains? Councilman Martin explained they would be carried to the next meeting.

SHARI WILLIAMS-4 COLUMBINE DR.: She stated at the last Rent Control Board meeting there were changes to the Rent Control Ordinances and rumored to be on the agenda for tonight and was happy it wasn't because the Rent Control Board didn't have an opportunity to look at it. She would contact Juan Bellu and Attorney Rumpf to see what was discussed. She was recently elected to the Board at Fountainhead. Councilman Martin explained they were going to hold a meeting with all the mobile home parks and apartment dwellers so they could comment on some of the proposed changes and were trying to find a meeting room large enough to accommodate everyone. He offered to discuss some information with her after the meeting.

SEAN GIBLIN-515 S. COOKS BRIDGE ROAD: He asked Councilwoman Ingram about awarding Meticulous Landscaping a contract for the athletic field maintenance and referred to her campaign promise to share services with the Board of Education and asked if that was included in the contract? She stated no because only IT, vehicle maintenance and employees such as grant writer were discussed. Mr. Giblin questioned some areas that were looked at and felt no money was saved. Ms. Ingram explained they saved about \$120K. He then asked Ms. Ingram about her business advertised in the newspaper and if she was licensed to run a business from her home. She explained her office is located at 525 Jack Martin Blvd., Brick NJ and that, on occasion, she does take work home with her like anyone else but does not see clients at her residents. He asked if she prepared tax returns for any member of the Council and she answered no and when he asked if she lent any money to the Mayor or Council members she explained it was none of his business. Mr. Giblin asked Council President Updegrave about Pay-to-Play Ordinances she planned to introduce and she confirmed they were done. Mr. Giblin asked Attorney Foran if he was familiar with the recent article in the paper about fines being owed to the Town and if there was any validity to it or just politics and if it was true what was the procedure? Mr. Foran explained an Open Public Records request was filed which they are looking into and the outcome should be available within a couple weeks. Mayor Seda spoke of the timing of the ad and if it was intended to hurt him he could deal with it but felt it was unfair to attack his family or friends. Mr. Giblin asked if they were calling for an exam for the Police Chief? Mayor Seda stated it was opened up to Captains and two of the four submitted their application and an exam wasn't necessary when only looking at two. Mr. Giblin felt he should have opened it up to Lieutenants. Council President Updegrave stated many members of the Police Department were present and nobody appeared disgruntled. He then addressed the members of the Council for chastising him and his running mates for not introducing a budget and asked the Council not to adopt the budget until after the May

election is announced when the newly elected members could set their own agenda because they were the ones who would set the direction for the next two years and not two people that won't be there in two months and asked the Attorney if that was legal?

PAUL MAYEROWITZ-91 CYPRESS POINT LANE: He stated the residents have heard many times about the Township undertaking projects only to hear they forgot to apply for permits or call the DEP, etc. and felt the Mayor shouldn't know every detail about building codes, COAH regulations etc. but the town employed many highly paid professionals and paid Township employees that were responsible for making recommendations and it appeared the Mayor got wrong info from those individuals. The public had yet to hear how the errors happened and how the individuals and the process failed the residents and that nobody requested a report even though the Council had the authority to initiate such actions and could also request the Mayor to do the same. He stated that was the wisdom in putting together an advisory board for EMS and didn't understand why they didn't see the wisdom in doing it now and how it could prevent problems in the future. The Mayor stated Mr. Mayerowitz never asked him for any report but had always welcomed him. Mr. Mayerowitz stated he would give the Mayor an itemized list that he could answer in detail on how the professionals failed him. He then asked Council about the request Mr. Giblin made asking Council not to adopt the budget until the new Council was elected. He asked if the Council passed the budget and a tax levy was struck could the Council, at any point after the budget was approved, amend it? Attorney Foran stated once the tax is set it's set. He then asked if the new Council came up with a way to reduce a zero budget further and if they lowered expenditures and increased revenues, what would happen to excess revenue generated? Councilwoman Ingram stated people are welcomed to recommend cuts during the budget workshops. He asked what the new Council could do within their power? Mayor Seda stated if any line item was reduced, the money would go back into surplus and although they wouldn't feel it in 2008 it would be felt in 2009. Mr. Mayerowitz stated he came to hear the budget presentation and still didn't know the tax rate for next year. Mayor Seda stated it depended on what the State did. Administrator Del Turco stated the books were available now in the Clerk's office. Mr. Mayerowitz asked about the ad Mr. Giblin referred to and felt it was deplorable and irresponsible for a newspaper to print such a thing and regardless if it was true or not because there was a better way to handle it.

DAN PENNINGTON-3 LONDON DRIVE: He stated the Mayor lectures everyone and treats residents like idiots. He stated the Council's job was to check the Executive's power especially when the Executive was a criminal. Mayor Seda stated he wanted Mr. Pennington's accusation to show on the record. Mr. Pennington told the Mayor he had alienated everyone and then advised Council that come Jackson Day they are going to have a mosquito problem because his little pet project that cost the Township \$15,000.00 was breeding mosquitoes because it's a swamp now and suggested he send someone to look at it. He stated there were five (5) gallon drums of hydraulic fluid and antifreeze that should be checked out. He then referred to the Jackson Clean Up Day they were congratulating everyone earlier and what a great program it was but when he drove down Brewers Bridge Road he saw the garbage was still there. Council President Updegrave stated she received several emails and Public Works took immediate action on those reports. He felt if they wanted a re-election project they should have at least finished it. He felt they all didn't know how to run the town or how to be responsible let alone how to be re-elected if that was their goal and felt they've failed Jackson residents by calling them stupid and by taking advantage of them.

MICHAEL KAFTON-67 N. LAKESIDE DRIVE: He asked the Mayor how many shirts with his name on them were ordered for Clean Community Day? The Mayor stated 410 shirts and the grant money paid for it. He stated the coordinators designed the program and put it together and he supported their efforts and approved the shirts they designed. Mr. Kafton stated he applied for a grant to be spent on playgrounds and materials to clean yet he chose to have his name put on 410 tee shirts. The Mayor felt with all the other issues going on all he could come up with was tee shirts. Mr. Kafton stated he didn't have to try to come up with anything because all he had to do was open the newspapers to see he was doing a good job in messing up his administration. He stated he's been involved with Jackson all his life and politics is a very dirty game and if the ad wasn't true then why were there so many fines? Mayor Seda insinuated that Mike Kafton was responsible for the ad

that appeared in the paper and Mr. Kafton denied having anything to do with it. The Mayor stated there were 29,000 building inspections performed last year and he didn't interact with that department that way. Mayor Seda invited Dan Burke to the microphone and asked him if he went to the Mayor and asked him about his father and issuance of a violation.

DANIEL BURKE-TOWNSHIP ENGINEER: He explained he went to him about 6-8 months ago and the Mayor told him to deal with it as he would any other resident in Town. Mr. Kafton then asked Mr. Burke if he advised the Mayor that permits were required for Johnson Park, ball fields or basketball courts? He stated yes and explained permits weren't needed for Johnson Park basketball court because they weren't digging beyond the 5' limit, however the company excavated 10' and when the landfill cap was disturbed they stopped. Mr. Burke stated the articles that appeared in the paper were anything but the truth and it was only half the story. The press is insinuating members of the Township were not doing their jobs and they refuse to print the truth and only choose to print what they want. Councilwoman Updegrave explained his time at the microphone had ended and Mr. Kafton stated he sat in her seat before and when the public got up to speak he gave them the courtesy to speak and he felt that same courtesy had not been given to him because each time he spoke he's been interrupted and stated they were disrespectful to him. He then asked Mr. Burke if he advised the Mayor if permits were required on certain work being performed because there was a fine of \$15,000.00 the Town had to pay and it appeared the professionals told him he needed a permit. He then directed his question to Councilwoman Ingram because she never answered Mr. Giblin's question if she ever lent the Mayor money and she again refused to answer. He explained she had told him in the past that she did and now she refuses to answer. He asked why she abstained on the Mayor's salary and she stated it was because she was his father's accountant. Mr. Kafton asked if she ever gave the Mayor \$5K or \$15K and she stated on the record that she did not.

PATRICIA WOOD-556 N. COUNTY LINE ROAD: She stated the Grant was something that was automatically given by the State and they did not apply for it. When she was asked to look into it she found the previous administration in 2003, 2004, 2005 and 2006 never spent the grant money. She researched it and spoke with the Director of Finance and was granted an extension and everything purchased was listed on the paper she provided. They made sure every dime was spent properly and it went toward educating the Jackson school children and looking to do more projects with the high school and helped start a recycling program and anyone was welcome to review the report located in the Public Works building. As for the issue on Brewers Bridge Road, they received calls from those residents that wanted to participate and they were asked to use clear plastic bags and leave them by the road and they would be picked up. She committed to having trucks out the following day to pick them up.

JOYCE CLADEK-1195 BUTTERFLY ROAD: She spoke about the access road at Johnson Park and that it wasn't just a clean up as the public was lead to believe but over 30 trucks loaded with dirt were brought in and she stated when she mows her lawn she doesn't use bulldozers and pipes and nobody was buying his story. The Mayor explained JCP&L held a road clearing permit to service the lines under the roadway. He contacted JCP&L and asked if they would allow Jackson to make improvements to the road and they agreed. She stated Councilman Stallone actually said he put pipes in and until then nobody knew it and wanted it noted on the record what really happened. She then asked questions about the dog park and if a fee or license was required? Mayor Seda stated there was no fee but dogs must be licensed. She worried about kids that take dogs to the park and some problems they might run into and asked how they would know if a dog was licensed or had their shots? Council President Updegrave explained the rules and regulations will be posted but hadn't been finalized yet. Ms. Cladek asked if they would separate large and small dogs and neutered and non-neutered dogs? Mayor Seda stated the Animal Control Officer and park security would be patrolling the park but he noted her concerns and suggestions. Councilwoman Ingram stated owners should be responsible.

DAN PENNINGTON-3 LONDON DRIVE: He corrected Ms. Updegrave stating the pens were up and then asked if anyone knew how to go about a recall petition and how many signatures were required. Mayor Seda stated he could obtain information in the Clerk's Office and confirmed there was a process.

JOHN GASKILL-25 N. LAKESIDE AVENUE: He asked if there was any progress made when they met with the Building Department? Mayor Seda explained they put together a few proposals and were making recommendations and still finalizing it before he gets it. He then asked about open space and if it could be opened for bow hunting. Mayor Seda stated some land had regulated use but he could check into it. Councilman Martin didn't think hunting was an approved use. Mr. Gaskill stated anyone coming to the microphone should be treated with respect.

PAUL MAYEROWITZ-91 CYPRESS POINT LANE: He stated it was a shame Mr. Burke didn't get a chance to explain in detail all the concerns that were brought up over the last few months. He thanked the Mayor for inviting him to speak with him but Mr. Mayerowitz felt he would be better off going to Mr. Burke for explanations given which he could understand. He then asked about an article in the Tri Town newspaper regarding the fire station consolidation because on April 16th they received bids and asked if it occurred? Mayor Seda explained the ones that bid didn't have sufficient fire background. He gathered recommendations and the Town would call bidders and ask them to resubmit. He then stated he recommended the Town investigate installing leased billboard space along properties the Town owned along I-95 and asked if they could legally do so. The Mayor explained they were waiting for \$1.6 million for green acres money and any discussion regarding the property may hold up receiving the final payment from the State so they need to wait for that before going forward. There was another \$450K they were waiting for regarding another piece of property. Mr. Mayerowitz wanted to be sure he got credit for the idea.

STEPHANIE BROWN-310 S. NEW PROSPECT ROAD: She asked the Mayor about the shirt and stated his name shouldn't be on them because the efforts were for the Township and not for the Mayor personally. She asked if he would have laughed at her husband if he came up to the microphone like he did when Mr. Kafton questioned him about the shirts? Mayor Seda stated it would have been more genuine for her husband to ask about the shirts rather than Mr. Kafton. He then stated Mr. Kafton had stopped plows on the road to take a picture with them before they continued. She stated every time someone comes to the microphone with a legitimate comment, he always turns it around to blame or criticize Mr. Kafton or a previous administration but never takes responsibility himself and she stated she was asking about the shirts and not Mr. Kafton's photo shoot and it was like being in school yard instead of a Council meeting and it needs to stop. He stated he answered her question. She added if he claimed "the buck stops here" then it has to stop because it's ridiculous.

SHARI WILLIAMS-4 COLUMBINE DRIVE: She stated they should go back to timing each speaker so others had a chance to say what they came to say without waiting an hour and individuals could come up a second time if they wanted but everyone should have a chance at their turn without it turning into a filibuster. She then stated it was good to see young people getting involved in politics but there are rules and decorum that should be followed and if individuals felt they were being treated disrespectfully they shouldn't be disrespectful in return.

MICHAEL KAFTON-67 N. LAKESIDE DRIVE: He thanked Ms. Wood for the information she gave him and then asked what the cost of the shirts was. Mayor Seda stated it cost a lot less than what it cost for him to stop a plow truck to take a picture. Mr. Kafton explained he actually did plow 5' and then read the literature that was given to him and nowhere did it state shirts were permissible when spending grant money. The Mayor guessed they may have cost \$10 each and Mr. Kafton stated that was \$4,000.00 that could have been better spent on something else instead of shirts with his name on them.

SEAN GIBLIN-515 S. COOKS BRIDGE ROAD: He asked how many inspections took place in 2006? Mayor Seda didn't know how many inspections were done in 2006 but in 2007 there were about 29,000. He asked about the budget he was preparing to present on Friday and if it would include the Building Dept. He said it would.

SHARI WILLIAMS-4 COLUMBINE DRIVE: She read the information regarding the clean up grant money and advised it stated gloves and protective clothing and although she

didn't agree that Mayor Seda's name should have been on them, shirts were considered protective clothing and served to warn people that were passing by that there was a clean up going on.

JOHN GASKILL-25 N. LAKESIDE DRIVE: He read that Toms River gave Lakewood a large sum of money to offset their low income housing requirement and asked if there was a chance Jackson could participate in something like that and dodge some of the low income housing requirements? Mayor Seda stated they maxed out their RCA credit and now had to build on site and work with developers to have the units built. He asked if any of the plans included layoffs for the Building Department? Mayor Seda confirmed about 2 or 3 showed a reduction in staff but they didn't know how far it would be reduced yet and a lot depends on the work they would be doing in the next couple weeks. Mr. Gaskill wished the department luck in getting a lot of permits.

MOTION TO CLOSE PUBLIC HEARING ON ANY TOPIC BY: MARTIN

MOTION SECONDED BY: INGRAM

YES: INGRAM, MARTIN & UPDEGRAVE

ABSENT: GUDAITIS & STALLONE

MOTION TO ADJOURN BY: MARTIN

MOTION SECONDED BY: INGRAM

YES: INGRAM, MARTIN & UPDEGRAVE

ABSENT: GUDAITIS & STALLONE

9:38PM

RESPECTFULLY SUBMITTED,

COUNCIL PRESIDENT UPDEGRAVE

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

AME/klj