

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

PLEDGE OF ALLEGIANCE

ROLL CALL:

COUNCILMAN MARTIN
COUNCILWOMAN RIVERE
COUNCILWOMAN UPDEGRAVE (absent)
COUNCIL VICE PRESIDENT REINA
COUNCIL PRESIDENT KAFTON

ATTORNEY GILMORE
TOWNSHIP CLERK EDEN

ALSO IN ATTENDANCE

ADMINISTRATOR DEL TURCO

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

CAUCUS AGENDA

JACKSON DAY ORDINANCE

COUNCIL PRESIDENT KAFTON stated the Director of Recreation requested an ordinance be created to ban bikes, scooters and skateboards in Johnson Park during Jackson Day and Clerk Eden added that Mr. Eisenstein would like to see this ordinance enforced every Jackson Day. Attorney Gilmore stated they could do it by resolution and noted most recreation ordinances have rules and regulations for operation. Council President Kafton stated many residents visit Johnson Park with their bikes and wouldn't want them to think they couldn't ride their bikes at other times. Administrator Del Turco stated the Director wanted it outlined that there would be a specific area to park their bikes and that no bikes were permitted on the park playgrounds. Council Vice President Reina stated they should also add pets because he attended a function where dogs roamed around on the fields noting there is a dog park for dogs and they shouldn't be on the fields or recreation area and Councilman Martin agreed. Mr. Kafton agreed the ordinances in place should be enforced and Clerk Eden stated the resolution could be ready on the 22 of July.

STREET VACATION-SEAMEADOW AVENUE

PRESIDENT KAFTON stated there was a resident that would like to vacate a paper street on Seameadow Avenue so they could continue with an application to build a warehouse. Administrator Del Turco stated vacating the street would increase the value of the property and suggested to Mr. Gilmore to have the appraiser take a look at it. Council President Kafton stated it could be looked at but didn't feel it would amount to much money and felt the neighbors should be considered and all adjoining property owners should be in agreement. Attorney Gilmore discussed many factors to be considered. Council President Kafton recapped the issues before them and agreed adjoining property owners should be informed to give their opinions.

COUNCILWOMAN RIVERE discussed going into Executive Session and starting the meetings between 7:15-7:30 because it was unfair to have the public sitting idle and felt it was good that they discuss issues and hoped they could continue discussing them as they come up. Councilman Martin stated Caucus was good to have all members discuss matters on the agenda openly so everyone knows where they were headed and it allowed Council to discuss openly and legally among themselves and explain things that others may not be in full understanding of or feel comfortable about. Councilwoman Rivere stated the public had asked them to discuss matters openly but there were many disadvantages that outweigh it and stated many residents work and couldn't get to the

meetings at 6:30. Mr. Kafton felt they already have a discussion agenda and could bring things up during that time rather than ask the public to come at 6:30 and sit until 7:30 to start the meeting and then sit again through the end of the meeting that could be quite late. Councilman Martin used the Bond ordinances as example to stress his point and Mr. Kafton stated they have the opportunity to discuss ordinances when they come up and felt it was an inconvenience to the residents and the consensus was to open the meeting and go into Executive Session and then at go into the public portion at 7:30. Attorney Gilmore explained when they come out of Executive Session they could bring up their comments during council comments. Clerk Eden stated she would amend the notice in the paper and suggested they could have their discussions before the public portion. Council President Kafton asked to add the Building Department to the discussion agenda for this evenings meeting. Council Vice President Reina stated they have two weeks between meetings to gather all the information they needed and they should be able to take necessary action.

6:50PM EXECUTIVE SESSION

RESOLUTION 247R-08

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

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: MARTIN

YES: MARTIN, RIVERE, REINA & KAFTON

ABSENT: UPDEGRAVE

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

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

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

1. The public shall be excluded from discussion concerning the hereinafter-specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - a) Personnel/Professionals
 - b) Litigation/Potential Litigation: Update - court's decision on Recreation Ordinance. Update – Equity Builders vs. Twp. of Jackson. Update: Commodore Pointe Litigation
 - c) Potential Land Sale/Land Acquisition: Update: acquisition of property located on Diamond Rd (Estate of Helen Peters)
 - d) Contracts/Agreements:
3. It is anticipated that the subject matter discussed may be made public upon its conclusion or final disposition.

DATED: 07-08-08

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

7:35PM RECONVENE PUBLIC MEETING

PLEDGE OF ALLEGIANCE

ROLL CALL:

COUNCILMAN MARTIN
COUNCILWOMAN RIVERE
COUNCILWOMAN UPDEGRAVE (absent)
COUNCIL VICE PRESIDENT REINA
COUNCIL PRESIDENT KAFTON

ATTORNEY GILMORE
TOWNSHIP CLERK EDEN

ALSO IN ATTENDANCE
ADMINISTRATOR DEL TURCO

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

COMMENTS BY THE TOWNSHIP COUNCIL MEMBERS:

COUNCILMAN MARTIN thanked everyone for coming and thanked those who attended the Fourth of July celebration, making it one of the best they ever had.

COUNCILWOMAN RIVERE stated she had a wonderful time at the Johnson Park Fourth of July celebration and enjoyed the fireworks. She sent a letter to Mayor Seda thanking him and sent a letter to the Editor of the Jackson Times. She then stated she proposed eliminating the Caucus from the meeting and go back to starting the public portion of the meeting to 7:30PM. Attorney Gilmore clarified the motion would be to have the meeting commence at 6:30PM for the purpose of going into Executive Session and the public portion would not start until 7:30PM. Council President Kafton explained for the public's edification that they were doing away with the Caucus portion of the meeting and would begin the public meeting at 7:30PM. They thought it was inconvenient for the public to come and wait for Council to come out of Executive Session and anything that would have been discussed in the Caucus would be added to the discussion agenda of the regular meeting.

MOTION TO AMEND PUBLIC MEETINGS TO OPEN 6:30PM FOR EXECUTIVE SESSION AND 7:30 FOR PUBLIC SESSION BY: RIVERE

MOTION SECONDED BY: REINA

YES: MARTIN, RIVERE, REINA & KAFTON

ABSENT: UPDEGRAVE

COUNCILWOMAN UPDEGRAVE (absent)

COUNCIL VICE PRESIDENT REINA stated he also attended the Independence Day celebration and thought it was great that so many attended and what a great way to get to meet your neighbors. He thanked everyone for coming and wished them a safe trip home.

COUNCIL PRESIDENT KAFTON thanked the Recreation Department, Public Works and Police for their support and help in making the Fourth of July celebration a great success. He stated he was adding the Building Department to the discussion agenda so he could speak about it then.

BILLS AND CLAIMS

MOTION TO APPROVE BILLS AND CLAIMS BY: MARTIN

MOTION SECONDED BY: RIVERE

YES: MARTIN, RIVERE, REINA & KAFTON

NO: REINA & KAFTON (NJ LAWN & IRRIGATION)

ABSENT: UPDEGRAVE

ABSTAIN: MARTIN (JUAN BELLU & ASSOC.)

COUNCIL VICE PRESIDENT REINA stated he's been following the papers over the past couple months and he couldn't understand how contracts were awarded to vendors that owe the township large sums of money. Attorney Gilmore explained the public bidding process. Mr. Reina stated it wasn't fair to the taxpayers to use taxpayer dollars to pay companies that don't pay their own bills. Councilman Martin asked the Attorney if it was legal to withhold money until a job was complete? Mr. Reina stated it wasn't a question if the work was done or not but awarding contracts to vendors when they are in debt to the town. Attorney Gilmore explained they have a legal obligation to pay for work that has been done. Mr. Reina agreed they had a legal obligation to pay for completed work but they also have a legal obligation to collect money that is owed to the town. Attorney Gilmore stated he would have to do some research to see if they could put wording into the contract about a bidders owing the township money and disqualify them from bidding. Councilwoman Rivere stated a low bidder should be awarded the contract but we should not award a contract to someone that owes the town money because the township is facing a financial crisis. Councilman Martin felt the Attorney could research it further and see if they could change their notice to bidders to prohibit anyone who has an outstanding fine to do any work for the town. Attorney Gilmore stated the other issue regardless of awarding a contract or not but what action could be taken on collecting outstanding fines. Mr. Kafton stated when any vendor bids, they need to see if they owe any outstanding money and felt they should pass a resolution and present it at the next meeting.

COUNCILMAN MARTIN asked Attorney Gilmore if they could legally withhold payment to a particular vendor and Mr. Gilmore explained if the work was performed and verified it should be paid. Councilman Martin stated they should look at changing how they do business because he didn't want to invite a lawsuit and cast his vote accordingly.

COUNCILWOMAN RIVERE stated they legally have to pay the bills if the services were provided and asked Mr. Gilmore about voting options. He stated she could say yes, no or abstain and if the majority votes yes, anyone abstaining would count in favor of the majority and named some exceptions. Councilman Martin agreed things need to be changed in the future but for now, the bill should be paid since the work was done and Ms. Rivere agreed expressing her desire to prevent this in the future.

COUNCIL VICE PRESIDENT REINA cast his vote explaining the reason he was voting no on NJ Lawn and Irrigation was because the Council was being asked to be fair and reasonable to someone that has outstanding fines and people may lose their jobs because of people like that.

COUNCIL PRESIDENT KAFTON stated the Township needed to make a statement that if you have outstanding fines you should not be awarded contracts in Jackson Township and cast his vote to not pay NJ Lawn and Irrigation and yes to all others.

ATTORNEY GILMORE stated the vote was two-two and NJ Lawn and Irrigation will not be paid.

Clerk Eden questioned the wording of the resolution discussed and Attorney Gilmore stated there were several issues to be considered which could be discussed at another time.

<u>CAPITAL</u>		
CHECK#	VENDOR	AMOUNT
60759	A.C. SCHULTES	22,000.00
60760	AFFORDABLE BACKYARD SUPPLIES	8,355.00
60761	DASTI, MURPHY, MCGUKIN, ET. ALS	224.00
60762	FAIRLITE ELECTRIC SUPPLY CO.	2,055.00
60763	FRENCH & PARRELLO ASSOC., PA	4,449.45
60764	GILMORE & MONAHAN	2,308.80
60765	JAMMER DOORS INC.	1,975.00
60766	REMINGTON, VERNICK & VENA ENG.	1,162.50
60767	SECURITAS SECURITY SYSTEMS	10,998.53

TOTAL 53,578.28

60757 T & M (replacement of 60757) 526.00
60758 JDM PLANNING ASSOC. 1,170.00

CHECK#	VENDOR	AMOUNT
77363	A-1 MIST SPRAYERS RESOURCES	7,483.63
77364	A.C. SCHULTES	2,867.00
77365	VOID	-0-
77366	ASBURY PARK PRESS, INC.	2,052.52
77367	JUAN BELLU & ASSOC.	2,062.00
77368	BEYER BROTHERS CORP.	305.91
77369	BRITTON INDUSTRIES INC.	1,000.00
77370	THE CAMBRIA COMPANIES	375.27
77371	VOID	-0-
77372	CANYON SPRING WATER	160.55
77373	CARLSON'S AUTOMOTIVE BODY	1,000.00
77374	CITTA, HOLZAPFEL & ZABARSKY	1,336.57
77375	CLAYTON'S TREE NURSERY & AGWAY	81.40
77376	CONTRACTOR SERVICE	431.46
77377	RICHARD J CONDON & ASSOCIATES	350.00
77378	CORE MECHANICAL, INC.	2,062.70
77379	DASTI, MURPHY, MCGUCKIN, ET ALS	5,011.97
77380	DELTA DENTAL PLAN OF NJ INC.	20,675.43
77381	DEL-VEL CHEMICAL	1,354.70
77382	DEPTCOR/BUREAU OF	3,745.38
77383	DIAMOND COMMUNICATIONS, LLC	3,528.00
77384	DOWNNS FORD, INC.	733.39
77385	EAGLE MAINTENANCE SUPPLY INC.	1,109.50
77386	EXCAVATING MATERIALS &	1,866.00
77387	FALCON PRINTING & GRAPHICS, INC.	105.00
77388	FERGUSON ENTERPRISES, INC.	506.17
77389	EDWARD D FIORE	1,350.97
77390	FIRE TECH EQUIPMENT CORP.	1,780.00
77391	FIRST AMERICAN REAL ESTATE TAX	27,741.75
77392	FOSTER & COMPANY, INC.	1,519.54
77393	VOID	-0-
77394	GILMORE & MONAHAN, P.A.	26,009.58
77395	G.T.B.M. INC.	297.00
77396	HENRY GOSSARD DBA/H & D FIRE	320.00
77397	HELENA CHEMICAL COMPANY	6,787.50
77398	MARK & MELISSA HOWE	771.08
77399	HUNTER JERSEY PETERBILT	199.00
77400	IKON OFFICE SOLUTIONS	672.20
77401	INDUSTRIAL WELDING SUPPLY INC.	55.20
77402	MARTON TRUCKS INC.	359.06
77403	JACKSON TWP. BOARD OF ED	4,000.00
77404	VOID	-0-
77405	VOID	-0-
77406	JERSEY CENTRAL POWER & LIGHT	61,289.25
77407	DAVID JOHNSON, JR.	122.08
77408	JESSE KALAPO	37.36
77409	MICHAEL KELLY	2,235.36
77410	LAKEWOOD AUTO SUPPLY INC.	25.26
77411	LANGUAGE SERVICES ASSOC.	44.10
77412	LARSON FORD, INC.	500.61
77413	P.O. DONALD LASKO	961.95
77414	LFG SPECIALITIES, LLC	3,613.67
77415	SUSAN LOTITO	840.00

77416	MAIN STREET TITLE TRUST ACCT	444.63
77417	MAZZA RECYCLING, INC.	50,000.00
77418	MONMOUTH COUNTY POLICE ACADEMY	10.00
77419	MOTOROLA	12,610.10
77420	N.J.R.P.A.	400.00
77421	NOREIKA GAS INC.	339.87
77422	NORMAN'S GLASS & AUTO SVCS, INC.	221.20
77423	OCEAN COUNTY RECYCLING	622.75
77424	OCEAN COUNTY CLERK	256.00
77425	OFFICE NEEDS	1,416.74
77426	PAPER MART INC.	1,559.60
77427	PEDRONI FUEL COMPANY, INC.	51,185.92
77428	PENNINGTON SALES & SERVICE	427.24
77429	PEPCO ENERGY SERVICES, INC.	3,737.21
77430	PHILADELPHIA TURF CO.	205.29
77431	PITNEY BOWES, INC.	30.58
77432	REMINGTON, VERNICK & VENA ENG.	3,216.90
77433	RITTENHOUSE KERR FORD INC.	115.84
77434	RUBBERCYCLE	201.60
77435	BRIAN E. RUMPF	1,680.00
77436	SAMSON METAL SVCS, INC.	1,342.84
77437	SECURITAS SECURITY SYSTEMS	150.00
77438	JOHN J. SHEEHY	500.00
77439	SHOPRITE/PERLMART, INC.	361.79
77440	PHILIP M & SANDRA SIVERSTEIN	45.32
77441	SPRINT	442.93
77442	NJSHBP	258,203.10
77443	TOLL @ WESTLAKE LP	11.87
77444	TRENTON BRAKES, INC.	195.00
77445	TREASURER, STATE OF NJ	300.00
77446	MICHAEL CEPPALUNI DBA/UNITED	330.00
77447	UNUMPROVIDENT	7,727.85
77448	USA MOBILITY WIRELESS, INC.	11.20
77449	VAN SANT EQUIPMENT	57.28
77450	VAN DERVEER TIRE & SERVICE CTR.	70.00
77451	ROBERT p & CONSETTA VENTO	374.90
77452	VERIZON WIRELESS	1,520.28
77453	VOID	-0-
77454	VERIZON	1,862.92
77455	VETERINARY SURG. & DIAG. SPEC.	142.81
77456	WALTER R EARL CORP.	387.03
77457	W.B MASON COMPANY	387.71
77458	WELLS FARGO HOME MORTGAGE INC.	2,231.20
77459	WEST-THOMSON CORPORATION	360.00
	TOTAL	607,425.57
77360	CMF, INC.	131.25
77361	WESTLAKE MEWS TENNANTS ASSOC.	300.00
77362	JDM PLANNING ASSOCIATES, LLC	455.00
41-42	DEV FEES-COAH	2,756.00
4595-4626	DEVELOPERS	84,085.02
60783	GENERAL TRUST	4,068.05
61990-62011	PARK REC	11,952.06
60781	GENERAL TRUST	131.25
4638	DEVELOPERS	45,760.25
7626	VOID	-0-

MONTH END

CHECK	VENDOR	AMOUNT
77358	JACKSON TOWNSHIP P/R ACCT	650,995.82
77359	JACKSON TOWNSHIP P/R ACCT	51,888.81
77358	VOID	-0-
775358	VOID	-0-
	TOTAL	702,884.63
4594	DEVELOPERS	23,062.50
60782	GENERAL TRUST	2,250.00
61989	PARKS REC	1,263.88

ORDINANCES, SECOND READING: NONE AT THIS TIME

ORDINANCE FIRST READING**29-08**

TITLE: BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT APPROPRIATING \$1,952,250 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,854,637 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, NEW JERSEY

**MOTION TO APPROVE ORDINANCE 29 -08 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, JULY 22, 2008 BY: MARTIN
MOTION SECONDED BY: RIVERE
YES: MARTIN, RIVERE, REINA & KAFTON
ABSENT: UPDEGRAVE**

COUNCILMAN MARTIN asked Administrator Del Turco the time period this bond would be paid off, debt services and the phone system? Mr. Del Turco explained the equipment for the Department of Public Works, phone equipment, land acquisition, recycling equipment and debt service was about \$200K per year for approximately 9 years. Councilwoman Rivere questioned about bonding for things that go beyond the life of what they're bonding? Mr. Del Turco clarified the equipment they were bonding for and that it would be approximately 9 years. Councilman Martin asked him to talk a little about the phone equipment. Administrator Del Turco explained the current phone system went back to 1990 and the recent service problems and explained the fiber optic cables laid years ago were not functioning 100% and communication was compromised. He also explained when they negotiated the Cablevision contract it was agreed that Cablevision would provide the underground piping. They are also looking to link the Municipal Building and the Police Department to prevent future outages. Council President Kafton asked Mr. Del Turco when DPW purchased equipment last and he stated it was about 3 years ago and a number of pieces of equipment were needed. Council Vice President Reina discussed the underground work being done and wanted assurance that the conduit Cablevision was installing would be enough to last for the next 15 years. Administrator Del Turco stated some of the work was in preparation for the future. Council President Kafton stated this was only the first reading and they have time before the next meeting to determine what equipment is essential and Mr. Del Turco stated the Council would be able to review all items before anything was purchased even if the ordinance was approved on second reading.

BOND ORDINANCE NO. 29-08

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT APPROPRIATING \$1,952,250 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,854,637 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, NEW JERSEY

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. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Township of Jackson, in the County of Ocean, New Jersey (the "Township"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$1,952,250, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$97,613 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq.. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets and the Reserve for Building Department Facilities.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$1,854,637, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of:

- i) Improvement of various roadways throughout the Township, with a total appropriation and estimated cost of \$750,000, estimated maximum amount of bonds or notes therefor of \$712,500, and an average period of usefulness of 10 years;
- ii) The acquisition and implementation of a Telephone/Data System Upgrade, with a total appropriation and estimated cost of \$318,450, estimated maximum amount of bonds or notes therefor of \$302,527, and an average period of usefulness of 5 years;
- iii) Acquisition of capital equipment for the Department of Public Works, including, but not limited to the following: a Backhoe; a Light Tower; two (2) John Deere Diesel Leaf Vacs; two (2) stainless steel dump truck bodies; a Toro Motor with rear discharge; two (2) Tipper Units with leach traps; Trailer-Cross Country equipment; a Case Dozer; a Skid Steer Loader; Custom Car Trailer; Gator Utility Vehicle, a John Deere Tractor; and a John Deere Loader, with a total appropriation and estimated cost of \$525,000, estimated maximum amount of bonds or notes therefor of \$498,750, and an average period of usefulness of 5 years;
- iv) Acquisition and implementation of a Hydraulic System Transfer Station, with a total appropriation and estimated cost of \$336,000, estimated maximum amount of bonds or notes therefor of \$319,200, and an average period of usefulness of 15 years;
- v) Acquisition of a Risograph, with a total appropriation and estimated cost of \$22,800, estimated maximum amount of bonds or notes therefor of \$21,660, and an average period of usefulness of 5 years;

together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Township Clerk, as finally approved by the governing body of the Township.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$1,854,637, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$1,952,250, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$1,952,250 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$97,613 down payment for said purposes.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 8.64 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,854,637 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$350,375 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Township are used to finance, on an interim basis, costs of said improvements or purposes, the Township reasonably expects such costs to be paid or reimbursed with the proceeds of obligations

issued pursuant hereto.

Section 6. 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 Township Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Township for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and, unless paid from other sources, the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Date: _____

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 **July 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 July, 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.

I, Ann Marie Eden, Municipal Clerk of the Township of Jackson in the County of Ocean, hereby certify that the above is a true copy of an Ordinance adopted by the Township Council on the 22nd day of July, 2008.

DATED: 07-08-08

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

30-08

TITLE: BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO 10-06, PROVIDING FOR VARIOUS IMPROVEMENTS, IN ORDER TO EXPAND THE SCOPE OF IMPROVEMENTS TO INCLUDE VARIOUS ROAD IMPROVEMENTS, AUTHORIZED IN AND BY THE TOWNSHIP OF JACKSON

**MOTION TO APPROVE ORDINANCE 30-08 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, JULY 22, 2008 BY: MARTIN
MOTION SECONDED BY: RIVERE
YES: MARTIN, RIVERE, REINA & KAFTON**

ABSENT: UPDEGRAVE

ADMINISTRATOR DEL TURCO stated they planned on using left over funds from a previous job toward additional upcoming road improvements.

BOND ORDINANCE 30-08

BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 10-06, PROVIDING FOR VARIOUS IMPROVEMENTS, IN ORDER TO EXPAND THE SCOPE OF IMPROVEMENTS TO INCLUDE VARIOUS ROAD IMPROVEMENTS, 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. 10-06 on June 12, 2006 (the "Prior Ordinance"), providing for the various improvements; and

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

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

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

(ii) Various road improvements, including, but not limited to, Citadel Drive and Cook Road, together with all purposes necessary, incidental or apparent thereto, with at total appropriation and estimated cost of \$272,500, estimated maximum amount of bonds or notes therefore of \$259,523.81 and an average period of usefulness of ten (10) years.

Section Two. The aggregate appropriation (\$1,207,500), the aggregate debt authorization (\$1,150,000), the aggregate down payment (\$57,500), and other authorizations set forth in the Prior Ordinance remain unchanged and are hereby confirmed.

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

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

Date: _____

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 **July 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 July, 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.

I, Ann Marie Eden, Municipal Clerk of the Township of Jackson in the County of Ocean, hereby certify that the above is a true copy of an Ordinance adopted by the Township Council on the 22nd day of July, 2008.

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

DATED: 07-08-08

PUBLIC HEARING OPENED, RESOLUTIONS ONLY

PAUL MAYEROWITZ-91 CYPRESS POINT LANE: He asked if there were any changes from 2007 with regard to Resolutions 252R-08, 253R-08 and 254R-08. Council President Kafon stated 254R-08 had a change for Township Clerk but the others were unchanged.

**MOTION TO CLOSE PUBLIC HEARING, RESOLUTIONS ONLY BY: MARTIN
MOTION SECONDED BY: RIVERE
YES: MARTIN, RIVERE, REINA & KAFTON
ABSENT: UPDEGRAVE**

RESOLUTION 251R-08

**TITLE: AUTHORIZE CHANGE ORDER NO. 1 TO THE CONTRACT
BETWEEN THE TOWNSHIP OF JACKSON AND UNIQUE LANDSCAPING OF
NJ, INC. IN THE AMOUNT OF \$4,500.00 TO AN ADJUSTED CONTRACT
PRICE IN THE AMOUNT OF \$31,050.00**

**MOTION TO APPROVE BY: MARTIN
MOTION SECONDED BY: RIVERE
YES: MARTIN, RIVERE, REINA & KAFTON
ABSENT: UPDEGRAVE**

ADMINISTRATOR DEL TURCO explained at the last meeting, Unique Landscaping was awarded the contract for pavers between the basketball and tennis courts at Johnson Park and there was a request to put in a 30' walkway.

WHEREAS, the Township has the need to have additional work performed in the paver project at Johnson Park; in particular, paving approximately 350 square feet at the entrance to the basketball courts; and

WHEREAS, in accordance with New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq and N.J.A.C.5:34 et seq), differences to original contracts must be made through the change order process; and

WHEREAS, the Township desires to have said work performed by Unique Landscaping as part of the contract awarded previously through the public bidding process by Resolution 218R-08.

NOW, THEREFORE, BE IT RESOLVED, the Township Council of the Township of Jackson, County of Ocean, State of New Jersey does hereby authorize the Purchasing Agent to amend the contract with Unique Landscaping from the original \$27,030 to \$31,530 (account no. C-04-55-998-000-902) for said work to be performed.

A copy of this resolution shall be forwarded to the Municipal Administrator, Director of Public Works, Director of Recreation, Township Engineer and Purchasing Agent.

DATED: 07-08-08

TOWNSHIP CLERK

RESOLUTION 254R-08

TITLE: APPROVE 2008 SALARIES – OFFICE OF THE TOWNSHIP CLERK

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: MARTIN

YES: MARTIN, RIVERE, REINA & KAFTON

ABSENT: UPDEGRAVE

WHEREAS, it is necessary for the Township Council of the Township of Jackson to adopt a resolution establishing the annual salaries of the Township Clerk’s Office for the year 2008 in accordance with the Annual Salary Ordinance;

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

1. The salaries according to the attached “Schedule A” effective July 1, 2008 be approved as the salaries to be paid to the respective employees listed thereon.
2. Copies of this resolution to Chief Financial Officer, Township Administrator, Personnel Officer and any other interested parties.

SCHEDULE A

<u>DEPARTMENT</u>	<u>MONTH DAY YEAR SALARY</u>
<u>LONG.</u>	

TOWNSHIP CLERK

Ann Marie Eden, Township Clerk	81,821
Janice Kisty, Deputy Clerk	3,500
Arlene Letnik, Clerk, Food Handlers	1,370
Larry Sealy, Clerk PT	12.50/hr.
Patricia Van Clef, Affirmative Action Officer	1,250
Brenda Gregory, Clerk	
Board of Health	1,370

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

DATED: 07-08-08

RESOLUTION 256R-08

TITLE: AUTHORIZE THE SUBMISSION OF A “NO COST” EQUIPMENT GRANT FOR ONE (1) COMMAND MODULAR FOR THE OFFICE OF EMERGENCY MANAGEMENT

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: MARTIN

YES: MARTIN, RIVERE, REINA & KAFTON

ABSENT: UPDEGRAVE

WHEREAS, the Jackson Township Office of Emergency Management has requested authorization to submit a grant application to the U.S. Department of Homeland Security for approval to acquire one (1) NOMAD C4XSB Crisis Incident

Command and Resource Management System by submitting a “no cost match” grant application entitled “Commercial Equipment Direct Assistance Program (CEDAP); and

WHEREAS, funding in the amount of \$49,000.00 is available to the Township of Jackson requiring “a no cost” match on the part of Jackson Township; and

WHEREAS, this equipment is designed to operate as an instantaneous Emergency Operations Center (EOC) and will assist the Township’s Office of Emergency Management during emergency situations; and

WHEREAS, the Township Council wishes to indicate its support of the grant application.

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

1. The grant application to be submitted to the U.S. Department of Homeland Security for funding for one (1) NOMAD C4XSB Crisis Incident Command and Resource Management System through the “Commercial Equipment Direct Assistance Program (CEDAP) is hereby authorized by the Township council.

2. That upon the adoption of this Resolution, the Clerk is authorized and directed to forward a certified copy of it to Barry Olejarz, OEM Coordinator, Township Administrator, Chief Financial Officer and any other interested parties.

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

DATED: 07-08-08

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

RESOLUTION 248R-08

TITLE: AUTHORIZE TAX OVERPAYMENT REFUNDS

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: REINA

YES: MARTIN, RIVERE, REINA & KAFTON

ABSENT: UPDEGRAVE

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

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

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

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

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

TOWNSHIP OF JACKSON

OVERPAYMENT REFUNDS

July 8, 2008

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>YEAR-QTR</u>	<u>AMOUNT</u>
4604	27	Robert P & Concetta Vento	2007 – 3 rd	\$ 374.90

4702	45	Philip M & Sandra Silverstein	2008 – 2 nd	45.32
5903	11	Jesse Kalapos	2007 – 3 rd	37.36
7701	53	Edward D Fiore	2007 – 2 nd	1,350.97
11404	5	Mark & Melissa Howe	2007 – 3 rd	771.08
12912	6	Main Street Title Trust Account	2007 – 3 rd	444.63
15001	26	Wells Fargo Home Mortgage	2008 – 2 nd	2,231.20
19501	28	David L Johnson, Jr C/o Levin, Shea & Pfeffer, PA	2007 – 3 rd	122.08
19907	1	Toll @ Westlake LP	2007 – 1 st	.99
			2007 – 2 nd	.99
20001	1	Toll @ Westlake LP	2007 – 1 st	4.95
			2007 – 2 nd	4.94
56.01	59.24	First American R E Tax Service	2008 – 2 nd	716.92
56.01	59.196	First American R E Tax Service	2008 – 2 nd	714.91
701	16	First American R E Tax Service	2008 – 2 nd	25.90
2604	28	First American R E Tax Service	2008 – 2 nd	1,599.58
3401	38	First American R E Tax Service	2008 – 2 nd	1,687.04
4706	39	First American R E Tax Service	2008 – 2 nd	1,823.67
5204	19	First American R E Tax Service	2008 – 2 nd	1,888.42
5601	46	First American R E Tax Service	2008 – 2 nd	1,768.67
5702	48	First American R E Tax Service	2008 – 2 nd	1,329.27
5904	2	First American R E Tax Service	2008 – 2 nd	987.40
5904	7	First American R E Tax Service	2008 – 2 nd	1,142.25
6016	9	First American R E Tax Service	2008 – 2 nd	1,117.11
7206	17	First American R E Tax Service	2008 – 2 nd	1,201.57
7601	33	First American R E Tax Service	2008 – 2 nd	1,225.70
7702	10	First American R E Tax Service	2008 – 2 nd	1,152.30
8001	5.26	First American R E Tax Service	2008 – 2 nd	532.91
8001	5.90	First American R E Tax Service	2008 – 2 nd	569.11
8001	5.260	First American R E Tax Service	2008 – 2 nd	672.75
8203	17	First American R E Tax Service	2008 – 2 nd	1,075.68
8304	7	First American R E Tax Service	2008 – 2 nd	1,075.68
17501	21	First American R E Tax Service	2008 – 2 nd	851.90
21103	3	First American R E Tax Service	2008 – 2 nd	1,061.79
21103	6	First American R E Tax Service	2008 – 2 nd	985.28
21801	69	First American R E Tax Service	2008 – 2 nd	7.92
21801	72	First American R E Tax Service	2008 – 2 nd	1,865.40
8001	5.643	First American R E Tax Service	2008 – 2 nd	662.62

Total Amount: \$33,131.16

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

DATED: 07-08-08

**RESOLUTION 249R-08
TITLE: APPROVE BINGO/RAFFLE LICENSE**

**MOTION TO APPROVE BY: RIVERE
MOTION SECONDED BY: REINA
YES: MARTIN, RIVERE, REINA & KAFTON
ABSENT: UPDEGRAVE**

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

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

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

JACKSON MEMORIAL BAND PARENTS
 #RA-1217, #RA-1218 AND #RA-1219
 N.J. AMUSEMENT ASSOCIATION SCHOLARSHIP FUND
 #RA-1220 AND #RA-1221

2. Copies of the Resolution to interested parties.

DATED: 07-08-08

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

RESOLUTION 250R-08

**TITLE: RESOLUTION AMENDING DESIGNATING OFFICIAL
 DEPOSITORIES AND AUTHORIZED MUNICIPAL OFFICIALS TO SIGN
 CHECKS FOR DISBURSEMENT OF FUNDS FOR CALENDAR YEAR 2008**

MOTION TO APPROVE BY: RIVERE

MOTION SECONDED BY: REINA

YES: MARTIN, RIVERE, REINA & KAFTON

ABSENT: UPDEGRAVE

WHEREAS, under the provisions of state regulations (N.J.S.A. 40A:5-1) entitled Local Fiscal Affairs Law, the Township of Jackson in accordance with N.J.S.A.40A:5-14 hereby establishes Legal Depositories for public monies for the calendar year 2008. Further, recent amendment to N.J.S.A. 40A:5-15.1 entitled "Securities which may be purchased by local units" provide added flexibility to secure high yield investments while safe guarding Municipal assets.

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. The following banks or institutions approved by the Department of Banking and Insurance under the Government Unit Depository Protection Act (GUDPA) or other authorized investment vehicles authorized by the State of New Jersey are hereby designated as official depositories of Township funds for the calendar year 2008:

- A. Ocean First
- B. Commerce Bank
- C. TD Banknorth
- D. MBIA Municipal Investors Service Corp.
- E. PFM Asset Management, LLC
- F. Wachovia Bank, N.A.
- G. New Jersey Cash Management Fund
- H. JP Morgan Chase Bank, N.A.
- I. Investors Savings Bank
- J. The Bank

2. Authorized signatories herewith described below are established by Appointing Resolution and/or Salary Ordinance as approved by the Governing Body. Effective authority for authorized signatories will be established on or about July 8, 2008 nunc pro tunc. Wire or electronic transfer of Municipal funds for the purpose to meet payment obligations (Eg. investments, payroll, debt service, vendor, state & federal taxes) are hereby granted to the Chief Financial Officer or assistant subject to ratification by the Governing Body.

3. Disbursements from all checking accounts except as otherwise noted herein shall be signed by any two (2) of the following four (4) authorized individuals to include at minimum each check to bear one original signature. The Mayor and President of the Council may designate a facsimile signature as subject to approval:

Mayor Mark Seda

President of the Council, Michael Kafton
 Municipal Administrator, Phil Del Turco
 Chief Financial Officer, Sharon Pinkava

Authorized Checking Accounts

A. Current Fund	17006000013
B. Capital Fund	17006000021
C. Parks & Recreation	17006000047
D. Dog Fund	17006000062
E. Public Assistance	17006000070
F. Handicap Trust Fund	17006000138
G. Subdivision Trust Fund	17006000146
H. General Trust Fund	17006000054
I. Payroll Account	17006000039
J. Open Space Trust Fund	17006000302
K. Builders Escrow	6855050050
L. Police Outside Employment	6855861407
M. Affordable Housing 3 rd Round	17006002571
N. Developers Fees-COAH Trust Fund	17006002589
O. Builders Escrow	7867229796

4. All disbursements from the Jackson Township “Tax Collector Trust” checking account (Account No. 17006000088) shall be made by checks signed by any one (1) of the following three (3) individuals:

- A. Tax Collector, Michael Campbell
- B. Chief Financial Officer, Sharon Pinkava
- C. Administrator, Phil Del Turco

5. All disbursements from the Jackson Township Building Department “Building Fees” checking account (Account No. 17006000104) shall be made by checks signed by any one (1) of the following three (3) individuals:

- A. Construction Code Official, Barry Olejarz
- B. Technical Assistant to the Construction Official, Vera Dzumyk
- C. Chief Financial Officer, Sharon Pinkava

6. All disbursements from the Jackson Township “Housing Division Fees” checking account (Account No. 17006002480) shall be made by checks signed by (1) of the following (3) individuals.

- A. Supervisor of Code Enforcement, John Grillo
- B. Principal Clerk Typist, Christie McDonald
- C. Chief Financial Officer, Sharon Pinkava

7. All disbursements from the Jackson Township “Engineering and Inspection” checking account (Account No. 17006000096) shall be made by checks signed by any one (1) of the following three (3) individuals:

- A. Zoning Officer, Jeffrey Purpuro
- B. Planning Board Secretary, Janice Kisty
- C. Chief Financial Officer, Sharon Pinkava

8. All disbursements from Jackson Township’s consolidated “Zoning Board of Adjustment” checking account (Account No. 17006000120) for use by Planning, Zoning and Tree Forester activities shall be made by checks signed by any one (1) of the following three (3) individuals:

- A. Zoning Officer, Jeffrey Purpuro
- B. Planning Board Secretary, Janice Kisty
- C. Chief Financial Officer, Sharon Pinkava

9. All disbursements from the Jackson Township Court General checking account (17006000161) and the Jackson Township Court Bail checking account (17006000179) shall be made by checks signed by any two (2) of the following four (4) individuals:

- A. Municipal Court Judge, Daniel F. Sahin
- B. Municipal Court Administrator, Erin J. DiCristina
- C. Deputy Court Administrator, Heidrun Parise
- D. Acting Deputy Court Administrator, Michael Nicoletti

10. All disbursements from the Jackson Township Industrial Commission checking accounts (17006000153) shall be made by checks signed by any two (2) of the following two (2) authorized individuals:

- A. Mayor, Mark Seda
- B. Chief Financial Officer, Sharon Pinkava

11. Any disbursement checking accounts not specifically authorized by this resolution shall be considered null and void. All funds in said accounts shall be immediately transferred into the Current Fund account. Any individual attempting to establish or use an unauthorized account shall be subject to criminal prosecution as provided for by law and/or disciplinary action as provided by Administrative Code.

12. It is the policy of Jackson Township to maximize its investment earnings potential while preserving capital in secured investment programs authorized by the State of New Jersey’s Fiscal Affairs Law. The governing body of Jackson Township permits the Chief Financial Officer to:

- a) Secure State and Local approved interest bearing checking funds protected through collateralized securities authorized by the Government Unit Depository Protection Act.
- b) Promote a diverse authorized Investment program approved by the State of New Jersey as subject to market conditions through various bank and agency acquisitions to include:

- Guaranteed bonds and obligations of the United States of America
- Government Money Market Funds
- Any Federal Agency or Instrumentality authorized by Congress
- Jackson Township Board of Education Bonds or Obligations
- Obligations permitted by the Division of Investments
- Local Government Investment pools (E.g. NJ Class, NJ/ARM)
- New Jersey Cash Management Fund
- Authorized Repurchase Agreements

All Municipal investments will meet rigid State and local standards to protect Jackson Township’s taxpayers. Investments will be selected based upon a criterion to include guarantee as to the preservation of the principal, liquidity and maturity management to ensure cash conversion for needed Municipal expenditures.

13. Certified copies of this resolution to Municipal Administrator, CFO, Auditor, all Department Heads and any other interested parties.

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

DATED: 07-08-08

RESOLUTION 255R-08
TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE DRAW DOWN ON THE CASH BOND POSTED BY CREATIVE PROPERTIES, INC. FOR PROPERTY KNOWN AS BENNETTS POINTE A/K/A BLOCK 83, LOT 44.01

MOTION TO APPROVE BY: RIVERE
MOTION SECONDED BY: REINA
YES: MARTIN, RIVERE, REINA & KAFTON
ABSENT: UPDEGRAVE

WHEREAS, Cash Bonds in the amount of \$17,065.60 have been posted with the Township and despite repeated correspondence the developer has failed to pay the invoices owed to the Township Engineer (T&M Associates) for inspection work;

WHEREAS, Daniel Burke, P.E., has recommended that the Township draw down against the Cash Bond for Bennetts Pointe; and

WHEREAS, the Township Council desires to act upon the recommendation of Daniel Burke, P.E.;

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

1. The Cash Bonds in the amount of \$17,065.60 will be used to pay T&M Associates any outstanding invoices for inspection work;
2. That upon the adoption of this Resolution, the Clerk is authorized and directed to forward a certified copy of it to the Developer, Township Engineer, Township Attorney, Administration and the Chief Financial Officer.

DATED: 07-08-08

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

RESOLUTION 257R-08
TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO ATLAS JV., LLC. OF THE PERFORMANCE BOND ISSUED FOR WILLIAMSBURG AT JACKSON, A/K/A BLOCK 138.02, LOTS 6-10 & 13-15

MOTION TO APPROVE BY: RIVERE
MOTION SECONDED BY: REINA
YES: MARTIN, RIVERE, REINA & KAFTON
ABSENT: UPDEGRAVE

WHEREAS, Williamsburg at Jackson has requested a Release of the Performance Guarantee, which consists of \$111,213.00 in the form of a Performance Bond #99383 issued by Frontier Insurance Company and Cash Bond in the amount of \$12,357.00, pertaining to Williamsburg at Jackson, a/k/a Block 138.02, Lots 6-10 & 13-15, Jackson Township; and

WHEREAS, Albert D. Yodakis of T&M Associates, Township Engineer, has reviewed and approved the release of said performance bond in letter report dated June 23, 2008, which letter report is made a part hereof; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Jackson, County of Ocean and State of New Jersey, that the Performance Guarantee, which consists of Performance Bond #99383 issued by Frontier Insurance Company in the amount of \$111,213.00 and Cash Bond in the amount of \$12,357.00, heretofore posted with the Township may and hereby is released. It is recommended that considering the age of this project, the 2-year maintenance bond will be waived. This bond will be released on the condition that the applicant:

1. Reimburses the Township for the cost of any and all outstanding construction inspection fees and the cost of any and all other charges as per Township ordinance for the release of said performance guarantees.

Copies of this resolution to Administration, Finance, Applicant/Developer, Township Engineer, Jackson Board of Education Transportation Department, Attn: Dolores and the Department of Public Works, Attn: Connie Sidor.

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

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

DATED: 07-08-08

RESOLUTION 258R-08

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO HORIZON 2000 DEVELOPMENT CORPORATION OF THE PERFORMANCE BOND ISSUED FOR GRANDE AUTUMN, SECTIONS 1 & 2 A/K/A BLOCK 99.01, LOT 33

**MOTION TO APPROVE BY: RIVERE
MOTION SECONDED BY: REINA
YES: MARTIN, RIVERE, REINA & KAFTON
ABSENT: UPDEGRAVE**

WHEREAS, Horizon Development Corporation has requested a Release of the Performance Guarantee, which consists of \$277,290.00 in the form of a Performance Bond #103400 issued by Garden State Indemnity Company and Cash Bond in the amount of \$30,810.00, pertaining to Grande Autumn, a/k/a Block 99.01, Lot 33, Jackson Township; and

WHEREAS, Albert D. Yodakis of T&M Associates, Township Engineer, has reviewed and approved the release of said performance bond in letter report dated June 23, 2008, which letter report is made a part hereof; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Jackson, County of Ocean and State of New Jersey, that the Performance Guarantee, which consists of Performance Bond #103400 issued by Garden State Indemnity Company in the amount of \$277,290.00 and Cash Bond in the amount of \$30,810.00, heretofore posted with the Township may and hereby is released. It is recommended that considering the age of this project, the 2-year maintenance bond will be waived. This bond will be released on the condition that the applicant:

1. Reimburses the Township for the cost of any and all outstanding construction inspection fees and the cost of any and all other charges as per Township ordinance for the release of said performance guarantees.

Copies of this resolution to Administration, Finance, Applicant/Developer, Township Engineer, Jackson Board of Education Transportation Department, Attn: Dolores and the Department of Public Works, Attn: Connie Sidor.

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

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

DATED: 07-08-08

RESOLUTION 259R-08

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO HORIZON 2000 DEVELOPMENT CORPORATION OF THE PERFORMANCE BOND ISSUED FOR SMITHS RUN I A/K/A BLOCK 99.01, LOTS 31 & 32.01

MOTION TO APPROVE BY: RIVERE
MOTION SECONDED BY: REINA
YES: MARTIN, RIVERE, REINA & KAFTON
ABSENT: UPDEGRAVE

WHEREAS, Horizon Development Corporation has requested a Release of the Performance Guarantee, which consists of \$161,164.62 in the form of a Performance Bond #103390 issued by Garden State Indemnity Company and Cash Bond in the amount of \$17,907.18, pertaining to Smiths Run I, a/k/a Block 99.01, Lots 31 & 32.01, Jackson Township; and

WHEREAS, Albert D. Yodakis of T&M Associates, Township Engineer, has reviewed and approved the release of said performance bond in letter report dated June 23, 2008, which letter report is made a part hereof; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Jackson, County of Ocean and State of New Jersey, that the Performance Guarantee, which consists of Performance Bond #103390 issued by Garden State Indemnity Company in the amount of \$161,164.62 and Cash Bond in the amount of \$17,907.18, heretofore posted with the Township may and hereby is released. It is recommended that considering the age of this project, the 2-year maintenance bond will be waived. This bond will be released on the condition that the applicant:

1. Reimburses the Township for the cost of any and all outstanding construction inspection fees and the cost of any and all other charges as per Township ordinance for the release of said performance guarantees.

Copies of this resolution to Administration, Finance, Applicant/Developer, Township Engineer, Jackson Board of Education Transportation Department, Attn: Dolores and the Department of Public Works, Attn: Connie Sidor.

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

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

DATED: 07-08-08

RESOLUTION 260R-08
TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO JOSEPH REID CONTRACTING OF THE MAINTENANCE BOND ISSUED FOR REID WOODS, A/K/A BLOCK 75.28, LOT 16

MOTION TO APPROVE BY: RIVERE
MOTION SECONDED BY: REINA
YES: MARTIN, RIVERE, REINA & KAFTON
ABSENT: UPDEGRAVE

WHEREAS, Joseph Reid Contracting has requested a Release of the Maintenance Guarantee, which consists of \$3,791.00 in the form of a Cash Bond, pertaining to Reid Woods, a/k/a Block 75.28, Lot 16, Jackson Township; and

WHEREAS, Michael G. Miller of T&M Associates, Township Engineer, has reviewed and approved the release of said maintenance bond in letter report dated June 18, 2008, which letter report is made a part hereof; and

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

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

Guarantee, which consists of a Cash bond in the amount of \$3,791.00, heretofore posted with the Township may and hereby is released on the condition that the applicant:

1. Reimburse the Township for the cost of any and all outstanding construction inspection fees and the cost of any and all other charges as per Township ordinance for the release of said maintenance guarantees.

Copies of this resolution to Administration, Finance, Applicant/Developer and Township Engineer.

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

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

DATED: 07-08-08

**RESOLUTION 261R-08
TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY,
NEW JERSEY AUTHORIZING RELEASE TO WAWA, INC., OF THE
MAINTENANCE BOND ISSUED FOR WAWA, STORE #309 A/K/A BLOCK
82.01**

**MOTION TO APPROVE BY: RIVERE
MOTION SECONDED BY: REINA
YES: MARTIN, RIVERE, REINA & KAFTON
ABSENT: UPDEGRAVE**

WHEREAS, Whispering Hills, Inc., has requested a Release of the Maintenance Guarantee, which consists of \$6,693.25 in the form of a Maintenance Bond #104720888 issued by Travelers Casualty and Surety Company of America, pertaining to Wawa, Store #309 a/k/a Block 82.01, Lot 1, Jackson Township; and

WHEREAS, Michael G. Miller, of T&M Associates, Township Engineer, has reviewed and approved the release of said maintenance bond in letter report dated June 25, 2008, which letter report is made a part hereof; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Jackson, County of Ocean and State of New Jersey, that the Maintenance Guarantee, which consists of Maintenance Bond #104720888 issued by Travelers Casualty and Surety Company of America in the amount of \$6,693.25, heretofore, posted with the Township may and hereby is released on the condition that the applicant:

This resolution of release is further contingent upon the applicant/developer reimbursing the Township for the cost of any and all outstanding construction inspection fees and the cost of any and all other charges as per Township ordinance for the release of said performance guarantees.

Copies of this resolution to Administration, Finance, Applicant/Developer and Township Engineer

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

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

DATED: 07-08-08

RESOLUTION 262R-08

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO HORIZON 2000 DEVELOPMENT CORPORATION OF THE PERFORMANCE BOND ISSUED FOR LEESVILLE HEIGHTS, SECTION II A/K/A BLOCK 96.01, LOT 23.15

**MOTION TO APPROVE BY: RIVERE
MOTION SECONDED BY: REINA
YES: MARTIN, RIVERE, REINA & KAFTON
ABSENT: UPDEGRAVE**

COUNCIL VICE PRESIDENT confirmed with Administrator Del Turco that all work had been completed, verified and approved and Administrator Del Turco confirmed it was.

COUNCIL PRESIDENT KAFTON asked if letters are sent to property owners notifying them of the release of these bonds? Mr. Del Turco stated it was standard practice.

WHEREAS, Horizon Development Corporation has requested a Release of the Performance Guarantee, which consists of \$111,117.74 in the form of a Performance Bond #99333 issued by Frontier Insurance Company and Cash Bond in the amount of \$35,920.00, pertaining to Leesville Heights, Section II, a/k/a Block 96.01, Lot 23.15, Jackson Township; and

WHEREAS, Albert D. Yodakis of T&M Associates, Township Engineer, has reviewed and approved the release of said performance bond in letter report dated June 23, 2008, which letter report is made a part hereof; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Jackson, County of Ocean and State of New Jersey, that the Performance Guarantee, which consists of Performance Bond #99333 issued by Frontier Insurance Company in the amount of \$35,920.00 and Cash Bond in the amount of \$35,920.00, heretofore posted with the Township may and hereby is released. It is recommended that considering the age of this project, the 2-year maintenance bond will be waived. This bond will be released on the condition that the applicant:

1. Reimburses the Township for the cost of any and all outstanding construction inspection fees and the cost of any and all other charges as per Township ordinance for the release of said performance guarantees.

Copies of this resolution to Administration, Finance, Applicant/Developer, Township Engineer, Jackson Board of Education Transportation Department, Attn: Dolores and the Department of Public Works, Attn: Connie Sidor.

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

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

DATED: 07-08-08

DISCUSSION AGENDA:

BUILDING DEPARTMENT

COUNCIL PRESIDENT KAFTON stated there was an issue of closing the Building Department from the Mayor's office and stated the new Council had not received all the pertinent documentation and requested they forward all information to the newly formed Citizens Budget Advisory Committee for review and allow 30 days to submit their report. He wanted to remove all politics and allow them to speak with employees of the Building Department and the public. He then requested the Mayor extend the August 1st layoff

date for 30 days to allow adequate time for the Committee to present their findings. Councilman Martin suggested Laura Borys and Barry Olejarz provide documentation with their proposals to keep the Building Department open. Mr. Kafton stated that whatever requests were made by the various departments it too should be provided. Clerk Eden stated at the last meeting it was agreed to carry their decision to the July 22nd meeting and Mr. Kafton asked that they hold off on that date in order to allow the Budget Committee enough time to review. Councilwoman Rivere stated she didn't have a problem with it and asked Attorney Gilmore for his comment. Attorney Gilmore gave a legal opinion. Council Vice President Reina wanted to be sure the Committee would be able to interact with the employees of the town in their review process because he didn't want them held up since 30 days isn't a long time. Attorney Gilmore stated they should first get the information so they could start the process and then advise the Mayor that the Council was requesting permission for the Advisory Committee to speak with employees and Department Heads regarding proposals and other information and set up appointments. Mr. Kafton stated they would put their request in writing. Councilman Martin offered to meet with Barry Olejarz and Laura Borys. George Gilmore clarified the motions in order to proceed and Councilman Martin asked if the Mayor were to withhold information could the Council compel him and Attorney Gilmore stated they were entitled to the information and reminded them, in this form of government, the Mayor is in charge of Department Heads and employees.

SHARE INFORMATION /PASS INFORMATION TO THE CITIZENS BUDGET ADVISORY COMMITTEE-30 DAY PERIOD TO DO THAT AND PROVIDE COUNCIL WITH SAME INFORMATION GIVEN TO THE B.A.C. MOTION BY: MARTIN

MOTION SECONDED BY: RIVERE

YES: MARTIN, RIVERE, REINA & KAFTON

ABSENT: UPDEGRAVE

COUNCIL PRESIDENT KAFTON stated this wouldn't have taken so long if the Mayor was present and felt it might be to the public's advantage to have the Mayor present at the meetings so they could conduct business.

Clerk Eden reminded Council Ordinance 26-08 it was carried to the 22nd and asked if they wanted to carry it indefinitely because she needed to advertise it and advise prior notice would be given for 2nd reading. Councilman Martin stated they have to carry the Resolution awarding the contract as well. Mr. Gilmore explained they could carry the ordinance to end of 2008 and with regard to the Resolution awarding the contract, a bidder's submission is valid for 60 days and if not awarded during that time the bid would be voided if the bidder is not willing to accept.

MOTION TO CARRY ORDINANCE 26-08 INDEFINATELY IN CY2008 BY: MARTIN

MOTION SECONDED BY: RIVERE

YES: MARTIN, RIVERE, REINA & KAFTON

ABSENT: UPDEGRAVE

MOTION TO CARRY RESOLUTION AWARDING A CONTRACT FOR 3RD PARTY PLAN REVIEW & INSPECTION SERVICES FOR 60 DAYS BY MARTIN

MOTION SECONDED BY: RIVERE

YES: MARTIN, RIVERE, REINA & KAFTON

ABSENT: UPDEGRAVE

PUBLIC HEARING, ANY TOPIC

PAT WOOD-AFSCME PRESIDENT-She congratulated the Council stating she was looking forward to working with them and added nobody should fear getting up to speak and everyone had the right to their opinions. She asked what would happen to the Building Department come August 1st? Council President Kafton stated the Mayor had the choice to move forward and if there was no 3rd party in place it would be turned over

to the State and they would decide whether to accept it or not. If they didn't accept it, it would be reverted back to the town and it would have to stay the way it was. Councilman Martin asked Mr. Gilmore for his legal opinion and he stated they would be heading into a significant crisis. The lay off notices would take affect August 1st, request could be made to the Mayor to extend it 30 days so they could review it, if it doesn't then the DCA has the obligation to take over the department but didn't see how they could force the State to do it and there was no way of knowing what the outcome would be. He didn't know if they had the manpower but could look to utilizing existing staff but since there were so many scenarios he couldn't tell. He hoped it would be resolved before it hit a crisis point. Pat Wood stated they felt slighted by the Mayor because he never contacted them to see if they had ideas and gave the Council a couple examples that might help. She stated a Principal Accountant was hired in the Finance Department, which was not covered under the AFSCME salary guide that covers many positions. One title is a Principal Account Clerk and went to the DOP's website for a job description and found they were basically the same and the accountant had a degree and paid over \$50K but an existing employee with 10-14 years experience doing the same work would be paid under the contract for \$36K stating hiring was done at the top and not at the bottom. She confirmed that Ann Marie Eden began as a Clerk and now the Township Clerk and named a couple others that have advanced. She stated the change order for paving Johnson Park cost \$32K and stated they have 60 Public Works employees that could have done a beautiful job with about \$5K. She offered to sit down with the Council to discuss other cost saving ideas with them.

COUNCIL PRESIDENT KAFTON: He stated they have a Citizens Budget Advisory Committee and felt the information provided would be beneficial since they would be going over it as well as future budgets.

DORA KARKER-JACKSON ESTATES: She read a resolution passed in July of 2004 regarding an adult mobile home park. Council President Kafton stated the resolution referred to Fountain Head Mobile Home Park and changing it to an adult park. He saw a benefit to that because Fountain Head being a family park brought a lot of children to the school system and by making it an adult park stopped the future amount of children coming in thus saving the taxpayers money. She stated he overturned a judge's decision to keep Fountain Head a family park because there weren't enough affordable homes. Council President Kafton apologized if she felt their decision wasn't what she wanted but when the matter came up four years ago they conferred with the Township Attorney and were given the go ahead and he felt it was in the best interest of Jackson. Mr. Kafton committed to look into it. Councilman Martin explained they referred the matter to the Rent Leveling Board attorney. She confirmed she lives in a senior park and was speaking on behalf of the children because she felt they were being discriminated against.

GREG AURIEMMA-SIERRA CLUB (CHAIRMAN): He stated the Appellate Court overturned Mr. Kafton's ordinances to require developers to allow for open space when overdeveloping an area and asked if they planned on appealing it? Mr. Kafton stated during Executive Session they discussed pursuing it further in Court and proposed a motion to appeal it to a higher court. Attorney Gilmore clarified what they would be seeking. Mr. Auriemma stated the Sierra Club was in the process of joining Jackson Township challenging the Courts decision on the Jackson tree ordinance. Attorney Gilmore asked if his organization would be willing to participate and he said he would be very surprised if they didn't. He said he was proud to be a part of the largest citizen based environmental organization in the country and proud to join hands with Jackson in preserving the quality of life.

**MOTION TO FILE AN APPEAL TO HIGHER COURT REGARDING
OVERTURNED RECREATION/OPEN SPACE ORDINANCE AND TO
PREPARE RESOLUTION FOR NEXT MEETING BY: MARTIN
MOTION SECONDED BY: RIVERE
YES: MARTIN, RIVERE, REINA AND KAFTON
ABSENT: UPDEGRAVE**

COUNCIL PRESIDENT KAFTON explained for the public's edification that in 2003 the Township Committee passed an Ordinance that required developers who were

building 10 or more homes to put a certain amount of money in the Open Space or Recreation Fund, per home built, or build and provide recreation for that development. It was challenged and they lost in a lower court but in Little Egg Harbor the same ordinance won which the Builders Association appealed and it was later overturned and now the State Supreme Court has been requested to listen to Jackson's appeal. This would help Jackson a great deal because builders don't care what burden it places on a township and they need to make developers accountable.

RICHARD EGAN-24 OVERLOOK DRIVE: He stated he agreed with Mr. Kafton regarding the Mayor's salary. He stated the Mayor interprets kindness as weakness and felt this sets the tone that the residents aren't going to put up with irrational spending and fiscal disasters that he puts on Jackson. He discussed the \$500K for video cameras to watch turf fields that we didn't need in the first place stating the Mayor is going to drive the township into the ground. It's not his business to drive it into the ground and then get to walk away in two years. If you take away his money he felt he would open his eyes and you can't show weakness with this man. They had the opportunity to change it and they let it get away. He said the money that was squandered away for video equipment to watch turf fields, was taken from the police department just to watch turf fields. He said they had to stop spending any more of the money in the bond stating the town will be paying for turf fields for 30 years when they'll be worn out in 10. He said enough is enough and stated he didn't have the courtesy to attend when the Governor of the State was here and left it to the Administrator to make his apologies.

COUNCIL PRESIDENT KAFTON stated the purpose of his vote was for the hundreds of people that approached him throughout the town and sent emails and called his office to voice their frustration because the people of Jackson have had enough.

PAUL MAYEROWITZ-91 CYPRESS POINT LANE: He stated at the last Council meeting they approval the CCT TV award for \$539K and he spoke against it because he didn't understand it and even after the vendor explained it he still didn't understand why they approved it. He did his own research and called the Department of Treasury, Division of Purchasing to asked if it was logical to only allowed 10 days for vendors to respond to a technical proposal that required a vendor to survey 100 acres and found out the average was 19 days. He referred to Old Bridge that went out to bid three times and each time rejected the bid because the cost estimate was too high or there was an insufficient number of bidders. They finally accepted the contract on the fourth try because there were at least three bidders. He stated none of those three companies were solicited nor did they submit one. He stated one firm that came down to look at the sight, withdrew, because they felt placing a system so early in the pre-design phase may be detrimental to the overall intent and expectation of the desired system. They felt Jackson didn't have the specifications developed far enough along for them to give Jackson a price and the Township Purchasing Agent translated that to mean the scope of the job was too large for them to handle which was not the case. He read the specifications and all it said was to install a CCT TV security system for the Justice Complex Athletic Fields and select areas in the Public Works yard with components being DVRs, camera or power supplies for facial recognition but failed to include camera resolution, storage space for DVD or length of record retention, software management or capabilities. It stated the area size and that the equipment had to interact with the Police Department equipment and understand Jackson's infrastructure. Mr. Mayerowitz asked to be given the evaluation and justification for the request for the CCT TV system plus paperwork from the Police Department, Public Works, Administrator and Mayor and Telecommunication Board and the only department that submitted anything was the Police Department and they specifying where they needed the CCT TV cameras noting the areas were criticized by the judicial system. He felt they presented great justification and reasoning but there was nothing in the bid proposal asking for anything for the Police Department. He learned only the Purchasing Department evaluated the proposal and felt they lacked the expertise to evaluate a CCT TV surveillance system and confirmed that Finance only confirmed the funds were there. He looked at the winning bid and priced out the cameras and DVRs and the bid proposal accounted for \$30K of a \$540K bid and no other details on what the remaining \$510K was for and concluded the \$510K wasn't identified or all the information wasn't provided to him on his OPRA request. The proposal called for DVRs and the winning bid was for NVRs and asked how the change

came about and why wasn't it identified in the proposal? He discussed the funding and stated at the Meet the Mayor night when the Mayor was asked about the funding the Mayor explained it was coming from the Bond Ordinance. Mr. Mayerowitz looked at Bond Ordinance 09-07 which was for \$7 million for the turf fields that only allowed \$170K for security equipment noting the award was \$540K and finance certified it and confirmed the funds were coming from the Capital budget but he was unable to find it. He didn't understand how the Council could award a contract for areas not included in the bid? He said the process was broken and asked Attorney Gilmore if what they did was legal by awarding a contract for the Police Department without publicly bidding on that contract and then addressed Administrator Del Turco stating the process was broken and they can't spend a half million dollars on the basis of the evaluation they have. He stated nobody on the Information Technology Committee was ever asked about this project and there are people on that advisory board that were knowledgeable when it comes to CCT TV surveillance cameras. They have to fix the process, and determine if they have to re-bid the contract and if it was awarded legally.

COUNCIL PRESIDENT KAFTON stated Mr. Mayerowitz brought up some valid points and all questions should be addressed. He wanted to know where the funding was coming from since it affects future budgets, questions regarding the legality of the contract needs to be reviewed, if it could be turned over to the Information Technology Committee for review and decide where they were going from here and getting those questions answered would be in the best interest of Jackson and requested it by the next Council meeting.

COUNCIL VICE PRESIDENT REINA addressed Mr. Gilmore if they could stop what was passed at the June 24th meeting and stated if the bid submitted was not in compliance with the bid specifications then there was the possibility of doing that. He didn't see the bid proposal or the specifications and would have to do a comparison. Mr. Reina asked what could be done to stop the contract from progressing? Mr. Gilmore asked Administrator Del Turco if the notice was given to proceed, which he felt it was but would check. Mr. Gilmore stated it was an Administrative function and not a Legislative function and asked Mr. Mayerowitz to provide him with his information and assured the governing body would have answers by the next meeting. Mr. Reina asked Councilman Martin about the specs and what was it that he saw that allowed him to vote yes? Mr. Martin stated he conferred with Administrator Del Turco and the Purchasing Agent that it was fully conforming to the bid specifications and addressed appropriately and assured sufficient funds were available and felt it was protecting their investment to the fields and Public Works and felt comfortable moving forward. Mr. Reina asked if he was comfortable that it was coming out of a bond and not fully funded? Mr. Martin stated that information now presented came as a surprise and he would look into it. Council President Kafton asked Mr. Del Turco if the \$170K was coming from the bond, where was the balance coming from? Mr. Del Turco stated he would get with the CFO since she certified the funds were there but believed they were from 2007. Councilman Martin stated he was told the funds were fully available and Mr. Del Turco explained once the CFO certifies the funds are fully available then the project is approved but a good part of it was coming from the 2007 ordinance and he would review it further.

MOTION TO HOLD ANY FURTHER ACTION ON CCT TV CONTRACT UNTIL A REPORT IS RECEIVED REGARDING THE LEGALITY OF THE CONTRACT BY: REINA

MOTION SECONDED BY: RIVERE

YES: MARTIN, RIVERE, REINA & KAFTON

ABSENT: UPDEGRAVE

COUNCILWOMAN RIVERE stated she always had a problem with only one bid and asked the attorney if they have to accept the bid and he stated if the bid was in compliance with the bid specifications and within the estimate of the cost then yes and then suggested that Council Vice President Reina modify his motion. Administrator Del Turco stated according to bid contract law you can reject bids for only certain things but not because you only received one bid. She stated she could accept the fact that only one bid came in for the basketball court but it seems they have consistently come in with only one bid and that is where she had a problem. Council President Kafton stated he would

like to see that a project going out for bids be given the maximum time for the bid process and confirmed there are times when only one bid is presented but felt every effort should be given to solicit more than one. Councilman Martin agreed and confirmed he was given every assurance it was in this case. Mr. Kafton then stated the IT Committee wasn't advised and Mr. Del Turco stated in recent meetings they haven't been widely attended and Mr. Mayerowitz wasn't present and he's reached out to Mr. Connor to reconvene. Mr. Mayerowitz stated he didn't receive a notice of a meeting and if he did, he would have attended plus Mr. Conner hadn't responded to his emails requesting meeting dates. Council President Kafton confirmed Mr. Mayerowitz sits on the Budget Advisory Board and would be studying the Building Department and suggested they give him all information.

MICHELE BADO-534 CHANDLER ROAD: She congratulated everyone and asked if they could bring back the egg timer and look into getting new microphones? Council President Kafton stated they may bring it back but they were undecided at this time. Administrator Del Turco stated some efforts are being made but some problems still exist with the microphones on the dais because of where they are placed. She asked if the public could be polled again about the form of government that gives the Mayor enormous power plus, as an employee of the Township she would not be permitted to speak to a Council member and felt as an American she should be able to speak to anyone she wished. Mr. Kafton stated the form of government was up to the people of Jackson and the best they can do is work together in harmony in the best interest of the residents and any form of government has its pluses and minuses. If the residents felt they wanted to change the form of government they could revisit it after a period of five years from the last change. He agreed they were off to a rocky start and felt it would get smoother as time goes on. Ms. Bado asked if she could speak with anyone on Council at a public function and was assured by Attorney Gilmore that she could do so without fear of retaliation. Mr. Kafton welcomed all Jackson residents to bring comments and issues to the Council and Council Vice President Reina stated he agreed with Mr. Kafton and asked the public to allow them the opportunity to show the new Council will work together for the good of the people. Ms. Bado asked if they could make some changes to the Administrative Code to keep this type of government but make some changes but Councilman Martin stated it had to do with the Falkner Act and not the Administrative Code. She then asked about a situation where a vendor would work privately for a resident of Jackson and when they come to the Building Department for a permit they could be denied because of outstanding fines and asked Mr. Gilmore if there was a way that could happen since the average resident isn't aware of who owes what to the town and Mr. Gilmore stated no because whether or not a vendor owes the township money they can't interfere with his right to conduct business but the Township would be within its right to take them to Court to collect their money.

JOHN GASKILL-25 NO LAKESIDE AVENUE: He asked if bids would include their corporate officers so that an individual that owes the township money couldn't shut down and open another business and have fines linked to the corporate officers as well as the individual corporations so they can't create shadow companies? Council President Kafton felt it was an interesting question and asked the attorney whoever was supplying a bid sign a certified letter stating that they or subsidiaries do not have outstanding fines with Jackson Township and if it was found that they do it would void their contract. Attorney Gilmore stated they could add it but suggested it may not be legal and would look into it by the next meeting. Council Vice President Reina stated in New York they have something like that and he liked it and was in favor Jackson doing it. Mr. Gaskill suggested they could create a database so when a bid package comes in they are required to identify their corporate officer and have their names added to a list. Attorney Gilmore stated there was a current disclosure of ownership clause and anyone that owns 10% or more must disclose that information. Mr. Gaskill questioned a rumor he heard regarding 3rd party vendors that agree among themselves to be a low bidder and Mr. Gilmore stated if that was occurring it would be considered collusion between bidders and is against the law and the State Attorney General's office goes after those allegations aggressively. Mr. Gaskill stated there are two major companies, one of which has our contract, and warned that when their contract comes up for renewal to expect a sizeable increase in the percentage of the fees. Council President Kafton asked for any documentation he had so

they could get it to the Citizens Advisory Committee. Administrator Del Turco explained there is a collusion clause in all contracts.

ELAINE LEIGHTON-OLLIE BURKE ROAD: She stated she wants to keep the Building Department and since the State was in trouble she didn't see how they could help. She wants to keep the builders responsible and without a township Building Department there was no protection and was willing to pay the fees. She then stated trees were important for many reasons and it's important to protect open space. She saw no sense letting a company do business for Jackson Township when they owe a great deal of money in fines.

TIM JONES-14 HARVEST CT.: He addressed Administrator Del Turco suggesting they contacted whoever runs the auditorium at Jackson or Liberty High School they would help make improvements to Jackson's current sound system for free. He spoke of COAH and was against how they handled it and the Solar Avenue project. He asked how the zoning got changed from R15 without notifying anyone because when he bought his home he was told the land around him was green acres and would never get built on? They took 11 acres and plan on sticking something far worse in it. He was apposed to Mr. Russo's comments at a previous meeting that there was no good options when it comes to COAH and wanted Jackson to be proud of what they do and right now he's not proud. He said he would like to see them build homes that were under \$800K and make them more affordable for first time home owners of low to middle income. The township gave the Planning Board a piece of land and dumped the problem in their hands. Council President Kafton confirmed the matter was with the Planning Board and then stated there was a law that surrounding neighbors should be notified. Mr. Jones stated the town didn't need more rental properties but affordable homes for first time home owners. He also stated that the low to moderate income affordable housing as first agreed has now become very low to low income and that increases the burden on Jackson. Attorney Gilmore stated he disagrees with how COAH goes about having a town fulfill COAH obligations.

COUNCIL PRESIDENT KAFTON explained the entire town was affected by COAH and agreed they were being treated unfairly and how it affects many things and was tough to deal with. He asked Mr. Bressi to see if he could shed some light on his concerns.

KEN BRESSI-264 DIAMOND ROAD: He stated they couldn't speak on a live applications. Mr. Kafton asked Clerk Eden when they proposed to sit down with John Russo? She stated it was August 12th. He said the Council needs to be advised and they discussed meeting with Mr. Russo at the next Council meeting on July 22nd during the Executive session and then be available for the public portion. Mr. Bressi agreed with Mr. Gilmore with his feelings regarding COAH and how frustrating it was. He confirmed for Mr. Kafton that many residents were not within 200 feet and therefore were not notified but the Association at Harmony Farms was notified and he discussed Mr. Russo's recent presentation but couldn't speak on an open application. He spoke of some problems with recording meetings and some legal matters that arise from not being heard and criticized the money spent on basketball courts and security cameras. Council President Kafton stated they have to address the audio problems. Mr. Del Turco will give it priority. Mr. Bressi stated the residents that have come to the Planning Board meetings have been patient and maintained decorum and he appreciated it and then welcomed Mr. Reina aboard.

JOHN WINFREY-48 HICKORY HILL ROAD: He gave his background and expressed how he would like to bring in new residents to Jackson that want to enjoy the same life style he's enjoyed and not warehouse them in a development that may be no better than where they come from.

JOHN SUTTLES-403 MEADOWOOD ROAD: He agreed with the previous sound system complaints and then addressed Mr. Reina and commended him on withholding payment to vendors that owe Jackson money and stated it was a common business practice and resolves many disputes. He then stated it was the people that make up the government and not the form of government itself. He disagreed with their decision regarding the Mayor's salary but respected their opinion for voting as they did. He also agreed with Mr. Kafton because he was absolutely right based on his explanation. He

stated, after only two weeks, he could see the changes and how government is working and for those that don't agree suggested they wait another 6 to 8 weeks and they'll see a big change.

MARY BETH BEICHERT-7 HICKORY HILL ROAD: She was speaking on behalf of neighboring communities surrounding the Solar Avenue project and not just those at Harmony Hill. She applauded the Council for having a Citizen Advisory Committee for finance because it gives individuals a chance to help their community and stated residents around the Solar Avenue project were not afforded that right because many don't know what's going on and they weren't aware of the zoning change. She asked Mr. Kafton why they chose that particular area? He stated when he went out of office it was in the beginning stages of looking at that area and didn't know what's happened since then and now as a new Council they will look into. He stated the area was chosen because it fit COAH's criteria regarding transportation within a community and local to stores. She debunked his explanation because the bus transportation was for those that commute to New York plus there were no sidewalks for people to get to stores safely. She stated it was unethical that they made a decision in Executive session that affects so many lives and misled them and didn't inform them so they could appeal it until it was a done deal. Mr. Kafton stated it was in the paper and had been told people within 200 feet should have been advised. She felt Mr. Russo was useless and insulting to the people that ask questions. Mr. Kafton asked her to be patient and let them do what they can.

JOSEPHINE REDMAN-71 HICKORY HILL: She stated the present Council may not have initiated the fiasco facing Jackson in meeting their COAH obligation but they are responsible for the hardships being forced on the residents in the future who want to preserve the quality of life and insure what prevails is in the best interest of Jackson. She stated it doesn't just affect her community but all of Jackson. She asked what impact this will cause to police, ambulance, school, environmental concerns, etc. Mr. Kafton stated COAH is very difficult for towns to deal with and the State requires it of them. She stated Mr. Russo threatens they will be sued if they don't go through with it and has instilled fear in the residents. Mr. Kafton stated it was not a done deal and it must go before the Planning Board and it can be voted down and assured her the Council will be brought up to speed as quickly as possible.

HOPE GILMORE-5 MELON DRIVE: She was concerned about what the impact of all these families would do to the schools? Mr. Kafton stated it places a huge burden on the school because 1 in 5 units must be created for affordable housing and building projects like Solar Avenue places a far less impact on the school system and was the lesser of two evils in the end. She stated whichever way they go it would have an impact on the schools and wants them to remember that. Mr. Gilmore states no town wants this because of the burden it places on the towns and with State aid being cut from schools but COAH is being forced on the residents. Councilman Martin stated it's an issue they don't want to have to deal with but they are doing their very best.

MRS. CHAMRA-12 HARVEST CT.: She asked about the 322 homes being built off Hope Chapel Road and if they taking care of COAH? Mr. Kafton stated they have no approvals now. Mr. Bressi stated Diamond Estates is an open application and moved to November 17th but they have no approvals yet. The only thing that was approved was 70 units in an adult community and was agreed that whatever ruling came down regarding COAH they had to adhere to it and the 3rd round COAH is the time when all residents should band together and he disagreed with Councilman Martin when he stated it affects the whole State and named several towns that don't have the impact that COAH has on Jackson. Mr. Bressi corrected Mr. Kafton that transportation, shopping, etc. were not requirements of COAH but CIS in order for them to receive funding. Mrs. Chamra stated it was 1323 units and now it's down to 287 and when they take away 222 units the State will take care of them, which she'll discuss later. She stated people within 200 ft. were notified and in January Mr. Russo sent a letter giving a history of how everything has occurred and in November he went before the Planning Board to present the project and stated there was no objection from the public and she stated that was because residents didn't know. In January they went before the zoning board and again there were no

objections because nobody knew about it and didn't get the certified letter until February and only those within 200 ft. The homeowners association got the letter and were in contact with the builders much before that and were completely in with the builders and it wasn't until she spoke with them and reminded residents of Harmony Farms at which time they got together with the builders and had a meeting. She stated she was concerned about the Solar Avenue project and listened to complaints and concerns from residents about crime and vandalism including rapes and murders and thought their concerns were exaggerated but has learned this level of low income of the proposed residents of the rental units and listened to the builders in how they will perform credit checks and later perform bed checks to control the guests that come and go has made her increasingly concerned about her safety as well as her family and those that live in neighboring communities that already have to contend with the activities at The Regency and Woodmere and referred to the recent stabbing at Woodmere plus other drug related violent crimes. She stated the Mayor informed her there are times when only 8 officers patrol Jackson per shift and asked how could the residents in these communities be assured crime won't increase? She was among a group that was told by Mr. Russo that neighboring residents will suffer with this project which she felt was an insensitive comment and she now asked why was this project placed in an already problematic area and an established neighborhood without giving those residents a thought? She asked the Council to look into it. Councilman Martin stated the Council was told the company would do credit and background checks but never heard the bed check comment.

JOE ALBANY-EAST BIRD VILLAGE ROAD: He stated the intersection at Leesville Road and Freehold Road was a very dangerous intersection and understood they were County roads. It was reported there were 27 accidents in a two-year period and since then he's witnessed a dozen accidents. He heard the woman say she didn't see the light and he couldn't understand how someone couldn't see a double blinking light? He said they can't wait for Mitch Leigh to complete his project and asked the Council to go to the County and say something has to be done. He feared the police coming to his home to report that there's been an accident and then discussed the various speed limits on those streets and asked for their help. Council President Kafton asked Administrator Del Turco if the Traffic Department could take a look at that area and reach out to the County. Mr. Albany stated the speed limit on Freehold Road was 50 mph and suggested making it 40 mph and then discussed a situation at the intersection on 571. He then questioned the schools tax rate and Council President Kafton clarified but there were still some questions and Mr. Albany offered to gather more information so his question would be clearer.

JOSEPH BRILL-100 BURIFIELD ROAD: He stated the term affordable housing was a joke. His development should have been part of Westlake's affordable housing and he's not in a COAH building but under HUD. He referenced the 200 ft. notification and stated the 118 homeowners in front of his building were never notified there was an affordable housing development behind them. He asked them to get his building back under affordable housing like it should be so people could continue to live there because their rent keeps going up and soon he and some others would have to move but they don't know where they could afford to go. He then stated the town was taking away the freedom of the residents of the Mews because of the entrance gate and if the residents of the Mews are not in their apartment when visitors arrive they have no way of knowing they're there when the bell rings if they were sitting outside. He committed to handcuffing himself to the gate if they proceeded to put in gates.

KEN BRESSI-DIAMOND ROAD: He referred to Mrs. Chamra's comments regarding an application being reviewed with no objection from the public because they were notified. He stated it was a courtesy review and didn't submit their application until later at which time the notice was sent out. He assured the public that no action was taken.

TIM JONES-14 HARVEST CT.: He clarified that he was notified January 2008 when the applicant began the process but was not notified when the Council approved changing the zone. He had no knowledge of the zones being changed until a year later when the developer submitted his application. He stated the town was notified of the new cell

tower when it was published in the paper but were never advised the town was changing the R15 to AH6. Council President Kafton asked Attorney Gilmore about a zone change and thought it had to go before the Planning Board for review and any notification had to be sent out? Attorney Gilmore stated in order to change a zoning ordinance there has to be a first reading of an ordinance and sent to the Planning Board for their review and recommendation and notices given to adjacent property owners and he didn't recall a zone change in 2007 and if there was an amendment or adoption of the Master Plan they wouldn't receive notices. Mr. Jones referred back to the Council meeting minutes of January 3rd of 2007 when the change was made. Mr. Kafton stated he would look into it.

MRS. SELZNICK-61 BALTUSROL: She asked if the townships were getting together to fight in court about the excessiveness of affordable housing? Council President Kafton confirmed towns were getting together in an class action law suit against COAH and the obligations put on each town. She asked the attorney about the expense and Attorney Gilmore stated litigation could be expensive but there were many municipalities coming together. He explained COAH began because of a lot requirement in Mt. Laurel and the complaints that came about. He said there were legal grounds to challenge and up to the Judge and the municipalities are required to take action without knowing what the final results of the lawsuit would be. Mr. Gilmore stated if a bank wants to open up in Jackson they are required to pay a \$185K COAH fee and they can't understand why because they want to employ local residents and bring in business to Jackson and stated the Court would argue for the builders that can't afford to pay what they are required and the town is forced to give them more units to help them out financially. She agrees every town should provide affordable housing but was against what's happening. She then addressed Mr. Brill stating Westlake was originally a gated community and that Westlake North was also a gated community stating the township voted against opening up the other gate. Mr. Kafton stated all of Westlake needed to get together to find a solution that is agreeable to everyone.

RICHARD ZAUNER-109 NO COUNTY LINE ROAD: He addressed Council and wished them well. He stated he's lived in Jackson for 62 years. He discussed the audio system and a number of things to consider and offered to help. He discussed the accidents that have occurred on Freehold Road and many strange things that happened in that area and mentioned many Indian artifacts were found in that area. He said the high school has talented kids that could work with the town and fix their audio as well as the technical school. He discussed people ignoring the no food or drinks sign on each meeting room door and stated if they don't enforce it they should remove them. He added there were road improvements going on in front of his home and the number of speeders suggesting the town could get a lot of money by issuing tickets. He wished them all well.

TODD PORTER-38 CYPRESS POINTE: He stated he was against the egg timer coming back because everyone should be able to speak without restriction because it didn't make sense to keep getting back in line to finish speaking on matters they came to address. Council President Kafton stated the timer was only intended to allow everyone their first time to speak and get back up if they had more to say.

RICHARD ZAUNER-1098 NO COUNTY LINE ROAD: He stated the reason for the egg timer began because someone filibustered endlessly.

**MOTION TO CLOSE PUBLIC HEARING ON ANY TOPIC BY: MARTIN
MOTION SECONDED BY: RIVERE
YES: MARTIN, RIVERE, REINA & KAFTON
ABSENT: UPDEGRAVE**

MOTION TO ADJOURN BY: RIVERE
MOTION SECONDED BY: MARTIN
YES: MARTIN, RIVERE, REINA & KAFTON
ABSENT: UPDEGRAVE

11:40PM

RESPECTFULLY SUBMITTED,

COUNCIL PRESIDENT UPDEGRAVE

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

AME/klj