

**ON TUESDAY, DECEMBER 9, 2008, AT 6:40 P.M., THE JACKSON TOWNSHIP  
COUNCIL HELD IT'S MEETING IN THE MUNICIPAL BUILDING**

**PLEDGE OF ALLEGIANCE  
ROLL CALL**

**COUNCILMAN MARTIN  
COUNCILWOMAN RIVERE (absent)  
COUNCILWOMAN UPDEGRAVE  
COUNCIL VICE PRESIDENT - VACANT  
COUNCIL PRESIDENT KAFTON**

**ATTORNEY FORAN  
TOWNSHIP CLERK EDEN**

**ALSO IN ATTENDANCE  
ADMINISTRATOR DEL TURCO  
CODE ENFORCEMENT OFFICER JOHN GRILLO**

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.

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**RESOLUTION 419R-08  
TITLE: RESOLUTION FOR EXECUTIVE SESSION TO AUTHORIZE  
TOWNSHIP COUNCIL TO ENTER INTO CLOSED DISCUSSIONS  
CONCERNING MATTERS AS NOTED BELOW**

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

**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: Environmental concerns regarding property located along W. County Line Road – CME Litigation
  - c) Potential Land Sale/Land Acquisition: Inquiry to sell property located off of Butterfly Road to the Township of Jackson
  - d) Contracts/Agreements: DPW Storage Bldg-Garden State Iron
3. It is anticipated that the subject matter discussed may be made public upon its conclusion or final disposition.

**DATED: 12-09-08**

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

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**7:30 PM RECONVENE PUBLIC MEETING**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**COUNCILMAN MARTIN**  
**COUNCILWOMAN RIVERE** (absent)  
**COUNCILWOMAN UPDEGRAVE**  
**COUNCIL VICE PRESIDENT - VACANT**  
**COUNCIL PRESIDENT KAFTON**

**ATTORNEY FORAN**  
**TOWNSHIP CLERK EDEN**

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

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.

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**PRESENTATION**

**POLICE CHIEF KUNZ** presented Officer William Campbell with the departments' Life Saving Ribbon for saving the life of a small child. He then honored three officers with the Meritorious Police Ribbon for their outstanding performance and gave awards and ribbons to several other police officers. He promoted John Giovanetti to Sgt. and gave a brief history of his many accomplishments and awards and then gave recognition to retired Special Police Officer and Telecommunication Officer, Felix Sherilli and congratulated him on being with the department since 1966.

**COUNCIL PRESIDENT KAFTON** commended all Jackson Police officers for their outstanding work in keeping the community safe.

**COUNCIL PRESIDENT KAFTON** invited Mr. Genovese of the Budget Advisory Committee to speak. Mr. Genovese gave a brief overview of his meeting with Administrator Del Turco stating the committee will be involved in the process of providing information for the 2009 budget. Mr. Kafton stated the board would be working with the Mayors' office to get a budget together that will hopefully avoid a tax increase.

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**COMMENTS BY THE TOWNSHIP COUNCIL MEMBERS:**

**COUNCILMAN MARTIN** thanked everyone for coming and congratulated all Jackson officers. He thanked the Budget Advisory Committee for their assistance. He stated the tree lighting and Toy Land was a big success and wished everyone a happy holiday.

**COUNCILWOMAN RIVERE** (absent)

**COUNCILWOMAN UPDEGRAVE** thanked the officers for all they do in keeping residents safe. She enjoyed the tree lighting and Toy Land and stated the performance by the Commission for the Disabled was greatly appreciated. She wished everyone a safe trip home.

**COUNCIL VICE PRESIDENT - vacant**

**COUNCIL PRESIDENT KAFTON** stated the tree lighting was great and thanked the Commission for the Disabled for their hard work and added all holiday events went very well. He thanked the Jackson Police and all volunteers for the work. He stated there were some changes being introduced and thanked the Planning Board for their hard work.

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**BILLS AND CLAIMS**

MOTION TO APPROVE BILLS AND CLAIMS BY: MARTIN  
 MOTION SECONDED BY: UPDEGRAVE  
 YES: MARTIN, UPDEGRAVE & KAFTON  
 ABSENT: RIVERE  
 ABSTAIN: MARTIN (JUAN BELLU & WILLIAM ALLMANN), UPDEGRAVE  
 (DASTI, MURPHY & MCGUCKIN) AND KAFTON (OLLIE CONSTRUCTION)

CHECK#	VENDOR	<u>CAPITAL</u>	AMOUNT
60911	JACKSON TOWNSHIP P/R ACCT		3,814.28
		TOTAL	3,814.28

<u>CAPITAL</u>			
60912	BAYWAY LUMBER		10,000.00
60913	BOULEVARD PRO		16,159.66
60914	CARPET SHOWCASE		26,643.36
60915	DASTI, MURPHY, MCGUCKIN, ET ALS		1,288.00
60916	DILWORTH PAXSON, LLP		25,361.00
60917	EARLE ASPHALT COMPANY		241,559.38
60918	GILMORE & MONAHAN, P.A.		1,195.10
60919	GOOD FRIEND ELECTRIC SUP., INC.		2,681.11
60920	GRIFFITH ELECTRIC SUPPLY CO.		8,755.05
60921	THE HOME DEPOT		310.47
60922	PL CUSTOM BODY & EQUIP.		135,647.00
60923	REMINGTON, VERNICK & VENA ENG.		90.00
60924	SAM AND PAUL DRYWALL, INC.		9,840.00
60925	SHERWIN WILLIAMS COMPANY, I NC.		103.65
60926	THOMAS ROBERTSON AND COMPANY		4,240.00
60927	WALTER R EARLE CORPORATION		3,999.00
60928	WEST JERSEY AIR CONDITIONING &		28,750.00
60929	THE YETKA CORP.		146,574.68
60930	YOUR WAY CUSTOM HARDSCAPING		4,300.00
		TOTAL	667,497.46

78544	A.C. MOORE, INC.		102.45
78545	ACTION OFFICE SUPPLIES INC.		66.56
78546	AMERICAN TRANSMISSION		1,600.00
78547	ASBURY PARK PRESS, INC.		966.56
78548	BEARCAT CUSTOM CYCLES, LLC		569.48
78549	JUAN BELLU & ASSOC.		873.87
78550	BESAM AUTOMATED ENTRANCE		227.16
78551	BOARD OF FIRE COMMISSIONERS		115,673.00
78552	BOARD OF FIRE COMMISSIONERS		273,147.87
78553	BOARD OF FIRE COMMISSIONERS		709,094.75
78554	BOARD OF FIRE COMMISSIONERS		416,494.12
78555	DANIEL J. BURKE		94.33
78556	CDW GOVERNMENT, INC.		125.91
78557	CENTRAL JERSEY WASTE AND		78,354.50
78558	CITTA, HOLZAPFEL & ZABARSKY		617.50
78559	CLARK, CATON & HINTZ CORP		703.87
78560	CLAYTON BLOCK CO., INC.		709.19
78561	CMF, INC.		3,000.00
78562	COMMERCE BANK		929,356.00
78563	COSTCO WHOLESALE 229		96.44
78564	DASTI, MURPHY, MCGUCKIN, ET ALS		2,208.00
78565	DELTA DENTAL PLAN OF NJ INC.		20,176.51

78566	DELL MARKETING LP	798.82
78567	DEL-VEL CHEMICAL	1,293.50
78568	DEPTCOR/BUREAU OF	783.25
78569	DOWNS FORD, INC.	389.25
78570	EARL ASPHALT COMPANY	141,556.14
78571	STEVEN EISENSTIEN	136.78
78572	EMERGI-CLEAN INC.	536.00
78573	EMTEC INC.	8,470.64
78574	EXCAVATING MATERIALS &	246.00
78575	EYEMED VISION CARE/FAA INC.	590.13
78576	FERGUSON ENTERPRISES, INC.	107.33
78577	FIRST CHOICE CATERERS	1,187.50
78578	GILMORE & MONAHAN, PA	20,650.28
78579	GOOD FRIEND ELECTRIC SUP. INC	53.24
78580	GPANJ	96.00
78581	JOHN GRILLO	81.08
78582	HENRY GOSSARD DBA/H & D FIRE	212.50
78583	SHELDON J. HOFSTEIN	75.00
78584	HUNTER JERSEY PETERBILT	173.81
78585	IKON OFFICE SOLUTIONS	497.00
78586	INDUSTRIAL WELDING SUPPLY INC.	55.20
78587	INSTITUTE FOR PROFESSIONAL DEV	297.00
78588	MARTON TRUCKS INC.	338.51
78589	JKSON CNTR FOR FOOT & ANGLE	47.00
78590	JACKSON TWP. BOARD OF ED	4,294.80
78591	JACKSON TWP. GENERAL TRUST FUND	45.00
78592	VOID	-0-
78593	VOID	-0-
78594	JERSEY CENTRAL POWER & LIGHT	56,269.66
78595	JERZ MECHANICAL INC.	300.00
78596	J.R. HENDERSON LABS, INC.	380.00
78597	THE J'S LETTERING, INC.	300.00
78598	KIM A PASCARELLA, ESQ.	2,000.00
78599	JANICE KISTY	70.00
78600	K & L CONSTRUCTION COMPANY	112.56
78601	LAKEWOOD AUTO SUPPLY INC.	539.91
78602	LAWMEN SUPPLY CO., OF NJ INC.	451.78
78603	LOWE'S COMPANIES, INC.	44.55
78604	MAZZA RECYCLING, INC.	59,424.74
78605	METICULOUS LANDSCAPING, INC.	4,357.00
78606	MONMOUTY COUNTY POLICE ACADEMY	50.00
78607	MOTOROLA	6,299.17
78608	MULVANEY, CORONATO AND BRADY	3,333.34
78609	MUN. COURT ADMIN. ASSN. O.C.	240.00
78610	NJ NATIONAL SAFETY COUNCIL	100.00
78611	NJ TURFGRASS ASSOC.	125.00
78612	OCEAN COUNTY RECYCLING	1,633.40
78613	OCEAN COUNTY CLERK	72.00
78614	OFFICE NEEDS	457.29
78615	PEDRONI FUEL COMPANY, INC.	12,129.00
78616	TOM CLANCY	960.00
78617	ROBERTA RIVERE	202.75
78618	VINCENT RUBIO	468.94
78619	RUTGERS UNIVERSITY	205.00
78620	SAFE-T-SITE	1,888.00
78621	SHOPRITE/PERLMART, INC.	210.71
78622	CONNIE SIDOR	55.00
78623	THE SPORTS CONNECTION, INC.	234.00
78624	SPRINT	416.00
78625	NJSHBP	256,407.31
78626	STATE TOXICOLOGY LABORATORY	490.00
78627	ROBIN STALEY	153.28
78628	T & B SPECIALTIES INC.	174.00

78629	TOTAL LUBRICATION SVC & SUPPLY	4,098.30
78630	TRENTON BRAKES, INC.	126.74
78631	MICHAEL CEPPALUNI DBA/UNITED	70.00
78632	UNITED REFRIGERATION	3,975.44
78633	UNUMPROVIDENT	7,138.81
78634	USA MOBILITY WIRELESS, INC.	11.20
78635	VAN SANT EQUIPMENT	168.82
78636	VAN SANT SEWER SERVICE LLC	361.80
78637	VERIZON	163.56
78638	VETERINARY SURG. & DIAG. SPEC.	218.08
78639	W. B. MASON COMPANY	589.13
78640	WEST-THOMSON CORP.	245.00
78641	WHITEMARSH CORP.	1,577.00
78642	PATRICIA WOOD	55.00
78643	ZEP MANUFACTURING COMPANY	544.50

**TOTAL 3,167,167.60**

78471	VOID	-0-
78541	JACKSON TOWNSHIP CAPITAL FUND	533,212.14

CHECK #	VENDOR	AMOUNT
65-67	DEV FEES-COAH	3,575.55
4909	DEVELOPERS	4,691.25
4910-4929	DEVELOPERS	59,831.59
389	DOG	69.60
60815	GENERAL TRUST	1,225.71
60819	GENERAL TRUST	1,000.00
62310	PARKS REC	731.13
62311-62316	PARKS REC	4,622.05
9135	VOID	-0-
9136	OPEN SPACE	140,682.96

**ORDINANCES, SECOND READING**

**45-08**

**TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 21901, LOT 18 AND BLOCK 21913, LOT 3 TO CDR WHITESVILLE, LLC, IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(5)**

**PUBLIC HEARING OPENED – NO ONE CAME FORWARD**

**MOTION TO CLOSE PUBLIC HEARING BY: MARTIN**

**MOTION SECONDED BY: UPDEGRAVE**

**YES: MARTIN, UPDEGRAVE & KAFTON**

**ABSENT: RIVERE**

**MOTION TO APPROVE ORDINANCE 45-08 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED NEWSPAPER AS REQUIRED BY LAW BY: UPDEGRAVE**

**MOTION SECONDED BY: MARTIN**

**YES: MARTIN & UPDEGRAVE**

**ABSENT: RIVERE**

**ABSTAIN: KAFTON**

**ORDINANCE NO. 45-08**

**AN ORDINANCE OF THE TOWNSHIP OF JACKSON,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,**

**AUTHORIZING THE SALE OF BLOCK 21901, LOT 18 AND BLOCK 21913, LOT 3 TO CDR WHITESVILLE, LLC, IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(5)**

**WHEREAS**, the Township of Jackson is the owner of Block 21901, Lot 18 and Block 21913, Lot 3, which are undersized lots under the current ordinances of the Township; and

**WHEREAS**, it is the desire of the governing body to sell said property; and

**WHEREAS**, the Township Appraiser has established \$9,500.00 as the fair market value for Block 21901, Lot 18 and \$3,000.00 as the fair market value for Block 21913, Lot 3 property; and

**WHEREAS**, N.J.S.A. 40A:12-13.2 requires the Township to first offer said property to the adjoining property owners for purchase; and

**WHEREAS**, there is only one adjoining property owner and they were duly notified of the asking price of \$9,500.00 for Block 21901, Lot 18 and \$3,000.00 for Block 21913, Lot 3; and

**WHEREAS**, the adjoining property owner, CDR Whitesville, LLC has agreed to purchase Block 21901, Lot 18, from the Township of Jackson for the sum of \$9,500.00 and to purchase Block 21913, Lot 3 for \$3,000.00; and

**WHEREAS**, N.J.S.A. 40A:12-13(b)(5) provides for the authorization of said transfer of property by ordinance.

**NOW, THEREFORE, BE IT ORDAINED**, by the governing body of the Township of Jackson, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** That in accordance with the requirements of N.J.S.A. 40A:12-13(b)(5), the governing body does hereby authorize the sale of Block 21901, Lot 18 and Block 21913, Lot 3, to CDR Whitesville, LLC, said property being undersized, and the adjoining property owner, CDR Whitesville, LLC, having agreed to purchase said property for the fair market value of said property.

**SECTION 2.** That the Mayor and Township Clerk are hereby authorized to execute any and all documents to transfer title to Block 21901, Lot 18 to CDR Whitesville, LLC, for the sum of \$9,500.00 and to transfer title to Block 21913, Lot 3 for the sum of \$3,000.00. CDR Whitesville, LLC, shall be responsible for the payment of the Township's costs in conveying said property (i.e. attorneys' fees, publication costs, recording fees and appraisal fees).

**SECTION 3.** A condition of the transfer of Block 21901, Lot 18 and Block 21913, Lot 3, to CDR Whitesville, LLC, is that this property must be consolidated with the adjoining property, currently owned by CDR Whitesville, LLC.

**SECTION 4.** This ordinance shall take effect after second reading and publication as required by law.

**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 November 25, 2008, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 9<sup>th</sup> day of December, 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.

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**ANN MARIE EDEN, RMC**  
**TOWNSHIP CLERK**

**DATED: 12-9-08**

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**ORDINANCE FIRST READING**

**46-08**

**TITLE: BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 17-07 ADOPTED ON MAY 22, 2007, PROVIDING FOR THE ACQUISITION OF REAL PROPERTY AND THE DEVELOPMENT AND IMPLEMENTATION OF**

**THE TOWNSHIP'S AFFORDABLE HOUSING PLAN, IN ORDER TO INCREASE THE ALLOCATION OF THE APPROPRIATION TO COSTS PERMITTED UNDER N.J.S.A. 40A:2-20, AUTHORIZED IN AND BY THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, NEW JERSEY**

**MOTION TO APPROVE ORDINANCE 46-08 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, DECEMBER 23, 2008 BY: UPDEGRAVE  
MOTION SECONDED BY: MARTIN  
YES: MARTIN, UPDEGRAVE, & KAFTON  
ABSENT: RIVERE**

**ORDINANCE 46-08**

**BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 17-07 ADOPTED ON MAY 22, 2007, PROVIDING FOR THE ACQUISITION OF REAL PROPERTY AND THE DEVELOPMENT AND IMPLEMENTATION OF THE TOWNSHIP'S AFFORDABLE HOUSING PLAN, IN ORDER TO INCREASE THE ALLOCATION OF THE APPROPRIATION TO COSTS PERMITTED UNDER N.J.S.A. 40A:2-20, 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") adopted Bond Ordinance No. 17-07 on May 22, 2007 (the "Prior Ordinance") authorizing the acquisition of real property and the development and implementation of the Township's Affordable Housing Plan; and

**WHEREAS**, the Township has determined that the \$325,000 allocation of the \$750,000 appropriation authorized by the Prior Ordinance for purposes permitted under N.J.S.A. 40A:2-20 is insufficient and desires to increase such allocation by \$350,000, to an aggregate amount of \$675,000, without increasing the aggregate appropriation or debt authorization for said purposes, by amendment of the Prior Ordinance.

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

Section One. Section 5(d) of the Prior Ordinance is hereby amended to read as follows:

(d) An aggregate amount not exceeding \$675,000 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.

Section Two. The aggregate appropriation of \$750,000, the aggregate debt authorization of \$675,000, the aggregate down payment of \$75,000, and other authorizations of 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..

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Jackson, in the County of Ocean, State of New Jersey, held on December 9, 2008, and will be considered for second reading and final passage at the regular meeting of said

Governing Body to be held on the 23<sup>rd</sup> day of December, 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.

**ANN MARIE EDEN, RMC  
TOWNSHIP CLERK**

**DATED: 12-9-08**

**47-08**

**TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF BLOCK 20701, LOT 4 IN ACCORDANCE WITH N.J.S.A. 40A:12-5(a)(1)**

**MOTION TO APPROVE ORDINANCE 47-08 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, DECEMBER 23, 2008 BY: UPDEGRAVE  
MOTION SECONDED BY: MARTIN  
YES: MARTIN, UPDEGRAVE & KAFTON  
ABSENT: RIVERE**

**TOWNSHIP OF JACKSON  
ORDINANCE NO. 47-08**

**AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF BLOCK 20701, LOT 4 IN ACCORDANCE WITH N.J.S.A. 40A:12-5(a)(1)**

**WHEREAS**, Randolph and Mary Anne Kubacz are the assessed owners of Block 20701, Lot 4; and

**WHEREAS**, Randolph and Mary Anne Kubacz wish to donate the subject property to the Township of Jackson; and

**WHEREAS**, N.J.S.A. 40A:12-5(a)(1) authorizes a municipality to accept property as a gift by the adoption of an ordinance authorizing the acquisition of the same.

**NOW, THEREFORE, BE IT ORDAINED**, by the governing body of the Township of Jackson, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** That the governing body does hereby authorize the acquisition of Block 20701, Lot 4 from Randolph and Mary Anne Kubacz. This property is being acquired by the Township of Jackson pursuant to N.J.S.A. 40A:12-5(a)(1) as a gift from Randolph and Anne Marie Kubacz.

**SECTION 2.** That the Mayor and Municipal Clerk are hereby authorized to execute any and all documents necessary for the acquisition of the subject property from Randolph and Anne Marie Kubacz.

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

**SECTION 4.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 5.** This ordinance shall take effect after second reading and publication as required by law.

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Jackson, in the County of Ocean, State of New Jersey, held on December 9, 2008, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 23<sup>rd</sup> day of December, 2008, at 7:30 p.m., or as soon

thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 95 W. Veterans Highway, Jackson, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

DATED: 12-9-08

ANN MARIE EDEN, RMC  
TOWNSHIP CLERK

**48-08**

**TITLE:**

**AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 3 OF THE TOWNSHIP CODE, ENTITLED "ADMINISTRATION OF GOVERNMENT," ARTICLE XII, "DEPARTMENT OF COMMUNITY ENFORCEMENT" SO AS TO CREATE A NEW SECTION 3-70A, ENTITLED "PROCEDURES FOR COLLECTION OF FINES"**

**MOTION TO APPROVE ORDINANCE 48-08 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, DECEMBER 23, 2008 BY: MARTIN  
MOTION SECONDED BY: UPDEGRAVE  
YES: MARTIN, UPDEGRAVE & KAFTON  
ABSENT: RIVERE**

**TOWNSHIP OF JACKSON  
ORDINANCE NO. 48-08**

**AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 3 OF THE TOWNSHIP CODE, ENTITLED "ADMINISTRATION OF GOVERNMENT," ARTICLE XII, "DEPARTMENT OF COMMUNITY ENFORCEMENT" SO AS TO CREATE A NEW SECTION 3-70A, ENTITLED "PROCEDURES FOR COLLECTION OF FINES"**

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

**SECTION 1.** Chapter 3 of the of the Township Code of the Township of Jackson, entitled "Administration of Government," Article XII, "Department of Community Enforcement," is hereby amended and supplemented so as to create a new § 3-70A, entitled "Procedures for collection of fines," which shall read in its entirety as follows:

**§ 3-70A. Procedures for collection of fines.**

Whenever the construction official, or appropriate subcode official, issues a notice of violation of the Uniform Construction Code, the following procedural steps shall be followed. It is intended that these internal procedures supplement, and be used in conjunction with, State regulations and not supersede said regulations.

- A. Unless public health and safety demands otherwise, a "Notice of Violation" shall allow thirty (30) days for compliance. This compliance period may be extended by the Construction Official if the violator makes a good faith effort to effectuate compliance.
- B. Unless State regulations require the immediate issuance of a penalty, upon the failure to correct the violation prior to the expiration of the compliance period provided in subparagraph A, a fine shall be assessed in the manner provided in State regulations.

- C. The amount of the fine assessed shall be in accordance with State regulations.
- D. If the fine is not paid within thirty (30) days of assessment, the Construction Official shall refer the matter to the Township Council to authorize collection pursuant to N.J.S.A. 2A:58-10 et seq. through the Township Attorney.
- E. The Clerk shall keep a list of violators upon whom fines have been reduced to judgment. Prior to the execution of any purchase order, the Chief Financial Officer shall check the list of outstanding judgments. If the person, or entity, due monies under the purchase order has an outstanding judgment, then the Chief Financial Officer shall refer the matter with appropriate documentation, to the Township Attorney for institution of necessary action to collect upon the outstanding judgment.

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

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 4.** This ordinance shall take effect after second reading and publication as required by law and in accordance with N.J.S.A. 40:69A-181(b).

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Jackson, in the County of Ocean, State of New Jersey, held on **December 9<sup>th</sup>, 2008**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **23<sup>rd</sup> day of December, 2008**, at 7:30 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 95 W. Veterans Highway, Jackson, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

**DATED: 12-9-08**

**ANN MARIE EDEN, RMC  
TOWNSHIP CLERK**

**CLERK EDEN** explained Resolutions 423R-08 and 428R-08 were being removed from the agenda.

**PUBLIC HEARING OPENED, RESOLUTIONS ONLY-NO ONE CAME FORWARD**

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

**RESOLUTION 424R-08  
TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO K-LAND NO. 11., OF THE PERFORMANCE BOND ISSUED FOR HAMPSHIRE HILLS, SEC. 7, A/K/A BLOCK 35.10+, LOTS VARIOUS**

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

**WHEREAS**, K-Land No. 11, has requested a Release of the Performance Guarantee, which consists of \$166,967.73 in the form of a Performance Bond #SO5748 issued by First Indemnity of America Insurance Company and Cash Bond in the amount of \$18,551.97, pertaining to Hampshire Hills, Sec. 7 a/k/a Block 35.10+, Lots Various, Jackson Township; and

**WHEREAS**, Albert D. Yodakis, P.E. of T&M Associates, Township Engineer, has reviewed and approved the release of said performance bond in letter report dated November 20, 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 #SO5748 issued by First Indemnity of America Insurance Company in the amount of \$166,967.73 and a Cash Bond in the amount of \$18,551.97, heretofore posted with the Township may and hereby is released on the condition that the applicant:

1. Post a Maintenance Bond with the Township in the amount of \$92,759.85, subject to the review and approval of the Township Attorney. Said Maintenance Bond shall run for a period of two (2) years; and
2. This resolution of release is further contingent upon the applicant/developer reimbursing the Township for the cost of any and all outstanding construction inspection fees and the cost of any and all other charges as per Township ordinance for the release of said performance guarantees.
3. 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.

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

**DATED: 12-09-08**

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**RESOLUTION 425- NOT USED**

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**RESOLUTION 426R-08**

**TITLE: A RESOLUTION OF THE TOWNSHIP COUNCIL SUPPORTING THE PROPOSED CHANGES TO THE PINELANDS COMPREHENSIVE MANAGEMENT PLAN AND LAND USE DESIGNATIONS**

**MOTION TO APPROVE BY: UPDEGRAVE**

**MOTION SECONDED BY: MARTIN**

**YES: MARTIN, UPDEGRAVE & KAFTON**

**ABSENT: RIVERE**

**COUNCIL PRESIDENT KAFTON** asked Mr. Bressi to explain. Mr. Bressi stated this was the first step by the Pinelands to help stop density growth. Mr. Kafton agreed. Councilwoman Updegrave thanked Mr. Bressi and the Planning Board for their hard work.

**WHEREAS**, the Mayor and Township Council have recently learned of the proposed changes to the Pinelands Comprehensive Management plan, as well as the proposed re-designation of certain land uses within the Pinelands areas, which would affect areas of Jackson Township; and

**WHEREAS**, the proposed changes to the Comprehensive Management Plan would include additional clustering provisions in order to preserve contiguous forest areas which

are currently under fragmented ownership and subject to individual development applications; and

**WHEREAS**, the Mayor and Jackson Township Council have also learned that a proposed land use designation change is being considered by the Commission, which change would affect the RG-2 Zoning district of the municipality; and

**WHEREAS**, for many years Jackson Township has raised concerns regarding environmentally sensitive lands located within the RG-2 Zoning district; and

**WHEREAS**, it has been a number of years since this zoning designation was reviewed by the Pinelands Commission; and

**WHEREAS**, as proposed changes would effectively re-designate the RG-2 District as well as a portion of the PM Zoning District of Jackson Township to a “Forest Area” Zone; and

**WHEREAS**, the Mayor and Jackson Township Council fully supports these changes; and

**WHEREAS**, the Mayor and Township Council, while supporting these changes, and for the same reasons, opposes any effort to grandfather any proposed or approved development which has not yet been constructed as the environmental considerations remain and there is no valid basis to “grandfather” developments which will cause a degradation of this environmentally sensitive area; and

**WHEREAS**, the proposed changes and re-designation will also have a positive effect on the future of the “Joint Base New Jersey”, Military Installation, the recently combined Lakehurst Naval Air station, McGuire Air Force Base, and Fort Dix in that less residential density will be permitted in areas in close proximity to the military facilities which are scheduled to undergo an increase in operations;

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Township of Jackson County of Ocean, State of New Jersey, that the Township hereby supports the proposed changes to the Pinelands Comprehensive Management Plan and the re-designation of certain land use districts, including the RG-2 Zoning District and PM Zones of Jackson Township.

**BE IT FURTHER RESOLVED** that copies of this resolution will be forwarded to Administration, Finance, Township Attorney, Mr. John Stokes, Executive Director, NJ Pinelands Commission, Mr. Norman Tomasello, Acting Chairman, NJ Pinelands Commission, Jackson Planning Board, Municipal Engineer, Dan Burke and any other interested parties.

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

**DATED: 12-09-08**

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**RESOLUTION 427R-08**

**TITLE: AUTHORIZE PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL ALCOHOLIC BEVERAGE CONSUMPTION LICENSE NO.1511-33-027-002 FROM VICTORIA BRODER, INC. TO JACKSON CROSSING ALE & SPIRITS, INC.**

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

**WHEREAS**, application has been made by Jackson Crossing Ale and Spirits, Inc. as transferee of Plenary Retail Alcoholic Beverage Consumption License No. 1511-33-027-002 for a person to person transfer from Victoria Broder, Inc. t/a Scorpio’s Steak House for premises to continue to be located at 21 South Hope Chapel Road, Units 101-103, Jackson, New Jersey; and

**WHEREAS**, written consent to such transfer signed by the present holder of the license has been made and filed with the Township Clerk and the applicant has paid all necessary transfer fees to the Township; and

**WHEREAS**, the applicant has submitted proof of publication as required by the rules and regulations of the Division of Alcoholic Beverage Control; and

**WHEREAS**, the Jackson Township Police Department conducted the required investigations and confirmed that nothing was revealed that would prohibit the transfer of said license to Jackson Crossing Ale and Spirits, Inc.

**WHEREAS**, the source of funds for the purchase of the license has been disclosed in accordance with the rules and regulations of the Division of Division of Alcoholic Beverage Control.

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

1. That the Township Council of Jackson Township hereby formally authorizes the transfer of Plenary Retail Alcoholic Beverage Consumption License No. 1511-33-027-002 presently held by Victoria Broder, Inc. t/a Scorpio’s Steak House to Jackson Crossing Ale and Spirits, Inc. for premises to be continued to be located at 21 South Hope Chapel Road, Units 101-103, Jackson, New Jersey.
2. This license is currently “inactive” and within ten days of the date that the license becomes active, the licensee is required to file an amendment to the application which indicates the date the license became active.
3. This resolution shall become effective upon the presentation of the Plenary Retail Alcoholic Beverage Consumption License to the Township Clerk for formal transfer.
4. That upon the adoption of this resolution, the Clerk is authorized and directed to forward a certified copy of it to the Director of the Division of Alcoholic Beverage Control.

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

**DATED: 12-09-08**

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**RESOLUTION 428R-08-NOT USED**

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

**RESOLUTION 411R-08**

**TITLE: RESOLUTION AUTHORIZING THE TRANSFER OF VARIOUS MOTOR VEHICLES NO LONGER NEEDED FOR PUBLIC USE TO (A) JACKSON TOWNSHIP BOARD OF EDUCATION, (B) JACKSON VOLUNTEER FIRE COMPANY STATION 55 AND (C) CASSVILLE VOLUNTEER FIRE COMPANY STATION 56**

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

**MAYOR REINA** stated he made an error when he stated one vehicle was going to OEM and it had since been corrected and wanted to explain 55 and 56 were in need of a vehicle for a fire police program.

**WHEREAS**, the Jackson Township Board of Education, Jackson Volunteer Fire Company Station 55 and the Cassville Volunteer Fire Company Station 56 is in need of motor vehicles to be utilized by their respective agencies; and

**WHEREAS**, Jackson Township currently has a 1998 Jeep under Vehicle Identification No. 1J28S2W219709, a 1999 Chevrolet Lumina under Vehicle Identification No. 21WL52KX9225297 and a 1999 GMC Jimmy under Vehicle Identification No. 1GKDT13W9X2540478 which are all no longer needed for public purposes and are hereby declared a surplus; and

**WHEREAS**, the Local Public Contracts Law allows for the transfer of property no longer needed for public use to a Board of Education for a nominal consideration.

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

1. That the Township Council of Jackson Township hereby formally authorizes the conveyance of the following vehicles to the following agencies:

a) 1998 Jeep under Vehicle Identification No. 1J28S2W219709 to be transferred to the Jackson Township Board of Education

b) 1999 Chevrolet Lumina under Vehicle Identification No. 21WL52KX9225297 to be transferred to the Cassville Volunteer Fire Company Station 56.

c) 1999 GMC Jimmy under Vehicle Identification No. 1GKDT13W9X2540478 to be transferred to the Jackson Volunteer Fire Company Station 55.

2. As set forth in the preamble hereto, said vehicles are deemed surplus property no longer needed for public use and are now being conveyed to the Board of Education, Jackson Volunteer Fire Company Station 55 and Cassville Volunteer Fire Company Station 56 for a nominal consideration.

3. That upon the adoption of this resolution, the Clerk is authorized and directed to forward a certified copy of it to the Township Administrator, Chief Financial Officer, Director of Public Works, Motor Pool , Jackson Township Board of Education, Jackson Volunteer Fire Company Station 55, Cassville Volunteer Fire Company Station 56, and any other interested parties.

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

**DATED: 12-09-08**

**RESOLUTION 420R-08**

**TITLE: RESOLUTION AUTHORIZING THE ISSUANCE OF A DUPLICATE TAX SALE CERTIFICATES PURSUANT TO CHAPTER 99 PUBLIC LAWS OF 1997**

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

**WHEREAS**, the Tax Collector of this municipality has previously issued tax sale certificates to CCTS Tax Lien II, LLC, which certificates are dated October 17, 2008 covering premises commonly known and referred to as listed below as set out on the municipal tax map then in use which certificates bear the numbers listed below and said certificates were not recorded in the County of Ocean, and;

**WHEREAS**, the Purchaser of the tax sale certificates listed below has indicated to the Tax Collector that they have not assigned the certificates, and have lost or otherwise misplaced the original tax sale certificates and have duly filed the appropriate Affidavit of Loss with the Tax Collector, a copy of which is attached hereto;

Certificate #	Block	Lot	Assessed To	Property Location
08-00018	2603	23	Austin, William	522 W Commodore Blvd
08-00034	5804	52	Principe, Salvatore & Maria	2 Everett Drive
08-00041	5902	17	Schwartz, John	11 Pennsylvania Ave
08-00049	7104	3	Montana, Christopher & Joan	91 Valley Road
08-00050	7104	26	Liquori, Timothy	37 Bryant Drive
08-00055	7215	22	Benedict, Stephen M & Judith A	3 Oregon Ave
08-00057	7706	9	Swallick, Kenneth & Tamara	17 Princeton Drive
08-00069	8001	5.667	Mandella, Steve & Tina	256 Azalea Circle
08-00070	8001	5.755	Santangelo, Filomena	24 Eucalyptus Court
08-00087	14001	4	Corman, Bernard & Donna W.	227 Jackson Pines Rd
08-00095	18201	17	Geleden Limited Liability Co	1366 W Veterans Hwy

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Jackson in the County of Ocean and State of New Jersey,

that the Tax Collector of the municipality be and is hereby authorized, upon receipt of the appropriately executed and notarized Loss Affidavit, to issue the appropriate tax sale certificates to the said purchaser covering the certificates lost as previously described, all in accordance with the requirements of Chapter 99 of Public Laws of 1997.

**BE IT FURTHER RESOLVED** that a copy of this resolution and the Loss Affidavit be attached to the duplicate certificate to be issued to said purchaser and that said duplicate certificate shall be stamped or otherwise have imprinted on them the word "Duplicate" as required by law.

Copy to: Tax Collector

**DATED: 12-09-08**

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

**RESOLUTION 421R-08**

**TITLE: CANCELLATION OF RESIDUAL BUDGET APPROPRIATIONS FOR MISCELLANEOUS GRANTS PER THE ATTACHED SPREADSHEET**

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

**COUNCILWOMAN UPDEGRAVE** she hoped when they look at all departments they don't overlook any grant money the Township desperately needs.

**WHEREAS**, under the provisions of N.J.S.A.40A:4-60, any unexpended balance of appropriations may, by resolution of the governing body, be canceled prior to the end of the calendar year. Said resolution shall set forth the titles of the appropriations and the amounts to be canceled, and;

**WHEREAS**, the Chief Financial Officer has recommended to the Administrator that unexpended balances of the Grant appropriations should be canceled as the Grant Programs have either been completed, cancelled, or otherwise withdrawn by the administering group, and the remaining funds cannot be utilized;

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

1. The Grant Fund Appropriations as listed on the attached spreadsheet totaling \$165,556.43 shall be cancelled
2. The corresponding receivable balance of \$150,782.91 shall be cancelled as well.
3. There is no negative financial impact for the Township for these cancellations.
4. This resolution shall take effect upon affirmative vote by the governing body of the Township of Jackson.
5. Copies of this resolution to the Administrator & Chief Financial Officer and Township Auditor.

**DATED: 12-09-08**

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

Schedule on file in the Clerk's office

**RESOLUTION 422R-08**

**TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE PREPARATION, ADVERTISEMENT AND RECEIPT OF PROPOSALS FOR ARCHITECTURAL AND LAND SURVEYING SERVICES FOR CY 2009**

**MOTION TO APPROVE BY: MARTIN**

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

**WHEREAS**, the Township of Jackson has a need for Architectural and Land Surveying Services for calendar year 2009; and

**WHEREAS**, the Township Council has determined to utilize the Fair and Open Process in accordance with N.J.S.A. 19:44A-20.4 et seq. for the solicitation of sealed proposals for these Services.

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

1. That the Township Council does hereby authorize the preparation, advertisement and receipt of sealed proposals for 2009 Architectural and Land Surveying Services.
2. That after the date and time for the receipt of sealed proposals has been determined; a Notice for the Solicitation of Professional Services shall be advertised as prescribed by law.

A copy of this resolution shall be forwarded to the Municipal Administrator, Purchasing Department, and any other interested parties.

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

**DATED: 12-09-08**

**RESOLUTION 423R-08 – NOT USED**

**RESOLUTION 429R-08**

**TITLE: RESOLUTION AUTHORIZING THE DONATION OF VIDEO EQUIPMENT TO THE JACKSON TOWNSHIP SCHOOL DISTRICT**

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

**WHEREAS**, Jackson Township currently owns television video equipment that the Township no longer requires and wishes to donate said equipment to the Jackson Township Board of Education/Jackson Township School District; and

**WHEREAS**, the equipment consists of the following:

- One (1) JVC VHS Camcorder and Camera Support (tripod), AC power/battery charger
  - One (1) JVC VHS Video Deck
  - One (1) Sony VHS Video Deck
  - One (1) Samsung 21” Video Monitor
  - One (1) Samsung 9” Black & White Video Monitor
  - One (1) Durabrand 12” TV
  - One (1) Videonics MXPro Switcher
  - One (1) EverPlex Input Box
  - Four (4) Sanyo VHS Video Cassette Recorder(s)
  - One (1) Desktop Work Table
  - One (1) pair of Creative Desktop Speakers  
(various cables and remotes are included with the above listed equipment)
- ; and

**WHEREAS**, the Township Council desires to donate the above listed video equipment to the Jackson Township Board of Education/Jackson Township School District; and

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

DATED: 12-09-08

**RESOLUTION 430R-08**

**TITLE: AUTHORIZE THE PREPARATION, ADVERTISEMENT AND RECEIPT OF BIDS FOR SUPPLEMENTAL SNOWPLOWING SERVICES FOR A TWO YEAR PERIOD COMMENCING JANUARY 1, 2009 THROUGH DECEMBER 31, 2010**

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

**COUNCIL PRESIDENT KAFTON** asked what the purpose for a two-year bid was? Administrator Del Turco explained the current contract period noting by having a two-year contract there would be continuity.

**WHEREAS**, the Director of Public works has determined that there may be a need for supplemental snowplowing services for the removal of snow and ice from the Township streets, roads, parking areas and right of ways; and

**WHEREAS**, the Director of Public Works has requested that the Township Council authorize the preparation, advertisement and receipt of bids for a two-year contract for supplemental snowplowing services.

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

1. That the Township Council does hereby authorize the preparation, advertisement and receipt of sealed bids for the 2009 – 2010 Supplemental Snowplowing Services.
2. That after the date and time for the receipt of sealed bids has been determined, a Notice to Bidders shall be advertised as prescribed by law.

A copy of this resolution shall be forwarded to the Municipal Administrator, the Director of Public Works and Purchasing Department.

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

DATED: 12-09-08

**DISCUSSION AGENDA:**

1. Council President Kafton spoke of establishing a “Going Green Committee” adding it is the way of the future and would be at no cost to the residents. Ms. Sturmfels then spoke and agreed to Chair the committee stating by forming the committee tonight Jackson would be 10 points ahead in becoming a certified community and it would become eligible for grants that will be posted in January. Council President Kafton stated they would need 9-15 members and asked the public to submit resumes, if they were interested in serving, to Clerk Eden’s office.
2. Administrator Del Turco stated Judge Sahin requested former Jason Gudaitis’ position on the Subcommittee be filled and Councilwoman Updegrave stated she would be happy to sit on the committee.
3. Administrator Del Turco suggested forming a committee to bring in a NJ Transit bus service for Jackson.

4. Councilman Martin suggested preparing a resolution to hire an attorney to go after individuals that have outstanding fines. Clerk Eden confirmed to have this matter on the January 23<sup>rd</sup> agenda
5. Administrator Del Turco discussed filling the Grant Coordinator position that was approved by Council but never filled noting there were grants that weren't fully utilized. Mayor Reina stated they sent back \$165K because it wasn't used.
6. Council President Kafton spoke of the tragic accident in California involving the Navy's F18 Fighter Jet stating his office sent a letter to Congressman Smith and Senator Lautenberg regarding his concerns and hopes the Navy would reexamine their flight plans with regard to Lakehurst.
7. Clerk Eden stated she received a letter from the Department of Agriculture asking if Jackson was going to participate in the States Gypsy Moth Suppression program and if they do, they need the name of a contact person. Council President Kafton suggested Mr. Burke.

**MOTION TO PARTICIPATE IN THE 2009 GYPSY MOTH SUPPRESSION PROGRAM AND APPOINT DANIEL BURKE AS TOWNSHIP REPRESENTATIVE BY: UPDEGRAVE**

**MOTION SECONDED BY: MARTIN**

**YES: MARTIN, UPDEGRAVE KAFTON**

**ABSENT: RIVERE**

Mayor Reina stated they should participate in the program and felt they saved a great deal of money by doing something last year and he was in favor of participating with the State. He then spoke about the difficult times ahead for the township and welcomed all comments and suggestions and wanted everyone to work together.

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**PUBLIC HEARING, ANY TOPIC**

**PEGGI STURMFELS-BASSO STREET:** She wished the Mayor much success and referred to a letter submitted to the Council regarding an organization called NJ Care that assist adoptees in accessing their birth records because as an adoptee she wanted to know her actual birth date and ethnic background and felt all adopted adults should be entitled to that information and asked for the Council's support. Mr. Kafton agreed to have the attorney look into it.

**KATHLEEN ESMER-35 AZEALA CIRCLE (60 ACRE RESERVE) -** She spoke of the recent tax increase and felt an injustice was done to 60 Acres, Crystal Brook and Three Pence by the previous Mayor and understood another tax increase was coming as a result of the 2009 revaluation. From 2006-2008 60 acres alone increased \$677,233.77. All communities were finding it difficult to survive and because of the recession she felt "pet" projects need to be stopped and municipal spending should apply to the basics in order to run the township. She asked the Council and Mayor if money was put aside in preparation for the upcoming tax appeals and promised a strong turn out from each of the communities during the next election. She called a number of Assessor offices throughout Ocean County to see if they use a compliance plan and learned from the Ocean County Board of Taxation that only one other town out of thirty-three use the compliance plan. She asked why those three communities were singled out? She learned the township lowered their taxes in the 90's that made them low income. She spoke of an article written in the Press regarding Mayor Seda dividing communities and felt they all should come together and work as a team. She stated leaders must lead by example and asked if any member of the Council gave up their increase when the Mayor gave himself an increase?

Council President Kafton addressed her concerns by first stating the revaluation shouldn't have that great of an impact since it was done at the low end of the real estate market while other towns were revaluated at the peak and taxes wouldn't be any where near what they would have been a couple years ago. Administrator Del Turco stated the County ordered the revaluation and confirmed the three communities had seen an increase along with other communities that were over assessed and that some have seen decreases. Mr. Kafton felt it

was important for the tax office to set up a special meeting to notify these communities what was going to happen and allow the residents to ask questions.

Mayor Reina stated he responded to Ms. Esmer's letter to set up a meeting with Tax Assessor, Ms. Nagle-Rowe, to address concerns and assured her that the meeting would take place shortly. Ms. Esmer asked if they could hold off until the market turns around and Councilman Martin stated they were already behind the deadline and this would be the best time since the economy was so slow. Mr. Kafton agreed it should have been done across the board and assured her the township would work together with the residents and Tax Assessor's office.

Councilman Martin stated the Council left their salaries the same and didn't take an increase and that the Council voted to increase the Mayor's salary after they compared it to neighboring towns. Councilwoman Updegrave thanked her for coming forward as a spokesperson and she agreed they should have been notified. Mr. Martin stated the Council invites their comments and looked forward to working with everyone.

**JOHN DELATUSH - (OWNS) 109 DAISY COURT AND RESIDES AT 155 BROADWAY, FREEHOLD, NJ):** He spoke of a letter he received and a conversation with Ms. Nagle-Rowe and that he never questioned his tax increase because he thought everyone was increased but later learned 60 Acres and a couple other communities were singled out. He made a number of calls and found some areas were over assessed and many large homes were assessed less. He felt if residents won appeals the town would have to come up with the money and that was why communities like 60 acres was increased. He felt this has come at the worse time and suggested they raise everyone's tax a little so everyone is paying their fair share. He spoke of individuals that have made major improvements to their homes and others that haven't done anything and asked them to consider something that's fair.

**ALEX WAGNER-1003 POPPEY PLACE:** She felt the tax increase was an assault and stated her taxes went up \$1,000. Council President Kafton explained how the senior communities banded together to protest their assessment and fought for their communities and agreed it should have been fair across the town.

**STEPHANIE BROWN-310 SO. NEW PROSPECT RD.:** She congratulated Mayor Reina on his appointment. She then spoke of the adoption bill because, as an adoptee, she has been trying for years to get her personal background and asked them to do what they could to pass the bill. She then thanked Ann Marie Eden for coming to her aid when she had a medical episode at the Senior Center.

**DAN GROSS-18 POINTE CIRCLE:** He was pleased to see the Mayor present at the meetings since his appointment. He stated another town put money in the budget each year which is given to the Tax Assessor which in turn keeps the property taxes down and asked the Council to take that same approach and get more involved.

**RICHARD EGAN-24 OVERLOOK DR.:** He asked Mr. Kafton about the letter he stated he sent regarding the low flying planes insinuating he did it for political gain.

**KATHY MUELLER-500 BEGONIA CT:** She thanked Council for setting up meetings for the residents to question their assessments and how Paul Mayerowitz began the process because he questioned his taxes along with his neighbors and the ball began to roll at that point. She then discussed "Going Green" and the possibility of having a energy fair to inform the public on ways to save energy and apply for various grants. Mr. Kafton agreed and was looking into it. Mayor Reina stated he had already been in contact with the County and they are getting a plan together for Jackson.

**LINDA SELZNICK-61 BALTUSROL DR.:** She stated the holiday lighting was beautiful. She then stated Mr. Raftery treated members of Westlake very poorly and they weren't assessed equally across the board regardless if home improvements were made or not or whether or not you had a golf course view. She stated Westlake is very active in the community and if there was enough interest from the public, Westlake could organize another meeting to discuss the assessments. She wished everyone a happy holiday.

**DIANNA BRUNNER-105 AZAELLA CT.:** She discussed a letter that was sent to each 60 Acres Reserve resident where they were asked to confirm they had smoke detectors, etc. and felt they shouldn't have taken everyone's word for it because of the recent fire and felt they should have come to inspect the units instead. She then stated when her home was constructed they didn't put plywood under her siding like other buildings and was told her unit wasn't structurally sound. Council President Kafton and Administrator Del Turco agreed they would be in contact with her to look into it further.

**TODD PORTER-38 DAWN CYPRESS PT. LANE:** He wanted to share the news that Jackson Pee Wee Cheerleading Team won National Championship in Pee Wee Cheerleading.

**KATHY GIANCOLA-573 HENRY STREET:** She spoke of the money she and some of her neighbors spent on gypsy moth suppression and wanted the Council to take that into account when they speak of the money the town saved. Mr. Kafton stated 19K acres were destroyed in Jackson and promised they would stay on top of it. Councilman Martin corrected him that the township did spray. She congratulated the Mayor on his appointment.

**DAN GROSS 18 POINTE CIRCLE:** He asked about televising Council meetings and asked Mr. Del Turco for an update. Mr. Del Turco stated they are working on it with the school and that it was discussed they couldn't keep the students out late. Mr. Gross agreed going green was the way to go and suggested they could have a hazardous waste person on the committee because of the light bulbs that have mercury in them and they have to be treated differently. He then discussed a celebrity that used portable windmills to collect wind that powered his garage and thought that would be worth looking into.

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

**COUNCIL PRESIDENT KAFTON** thanked all the newcomers for coming out and Council wished everyone a safe trip home.

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

**9:50 PM**

**RESPECTFULLY SUBMITTED,**

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**COUNCIL PRESIDENT KAFTON**

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

**AME/klj**