

**ON TUESDAY, FEBRUARY 10, 2009, AT 6:30 P.M., THE JACKSON TOWNSHIP COUNCIL HELD IT'S MEETING IN THE MUNICIPAL BUILDING**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

**COUNCILMAN MARTIN (6:35pm)**  
**COUNCILMAN TILLIS**  
**COUNCILWOMAN UPDEGRAVE**  
**COUNCIL VICE PRESIDENT RIVERE**  
**COUNCIL PRESIDENT KAFTON**

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

**ALSO IN ATTENDANCE**

**ADMINISTRATOR DEL TURCO**  
**CHRISTOPHER KILLMURRAY, ESQ. (OCJIF)**

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 070R-09**

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

**MOTION TO APPROVE BY: UPDEGRAVE**

**MOTION SECONDED BY: TILIS**

**YES: TILIS, UPDEGRAVE, RIVERE, & KAFTON**

**ABSENT: MARTIN**

**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: White v. Twp of Jackson, Salley v. Twp. of Jackson
  - c) Potential Land Sale/Land Acquisition: Donation of property located on Park Avenue to the Township of Jackson.
  - d) Contracts/Agreements:
3. It is anticipated that the subject matter discussed may be made public upon its conclusion or final disposition.

**DATED: 02-10-09**

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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 UPDEGRAVE**  
**COUNCILMAN TILLIS**  
**COUNCIL VICE PRESIDENT RIVERE**  
**COUNCIL PRESIDENT KAFTON**

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

**ALSO IN ATTENDANCE**

**MAYOR REINA**  
**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.

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**PRESENTATION**

**COUNCIL PRESIDENT KAFTON** advised the public that Steve Eisenstein and Sheri Silversmith came up with the idea for "Are You Smarter Than a Sixth Grader" and because it was so successful it was submitted to the NJ Recreation and Parks Association and received an Excellence in Programming award and the Mayor and Council wanted to recognize their success and presented a Certificate of Appreciation to Steve Eisenstein, Sheri Silversmith, Jim Osmond, Mike Sauliner, Linda Fera and Terry Mc Clain. Mr. Eisenstein asked the audience a few of the questions that were part of the program as an example. Mr. Kafton thanked them for the great work they do in both the Recreation Department and Senior Center.

**PROCLAMATION**

**MAYOR REINA** thanked Councilwoman Updegrave for bringing the matter of heart health to their attention and he read a proclamation giving statistics on how serious heart health was and proclaimed the month of February as American Heart Month and Go Red for Women is the Heart Associations Movement to bring awareness to heart disease which is the leading cause of death among women.

**FINANCIAL UPDATE - Anthony Inverso - Phoenix Advisors**

Mr. Inverso stated he was present in attendance to discuss some bonds that could be refinanced at a rate of 2.2% and he was projecting a savings of about \$287K between now and 2016 and about \$65K per year for the 2009, 2010 and 2011 budget years. He referred to a four page handout and stated the Local Finance Board would approve financing because they were over 3%. Administrator Del Turco stated it was similar to people refinancing their mortgage and stated they would have to approve a resolution to apply to the Local Finance Board. Councilman Tillis asked when they would go to market and Mr. Inverso stated as soon as possible. Councilman Tillis confirmed it was 3.6% and asked what the cost was. Mr. Inverso stated it was about \$110K and indicated the various fees that make up the \$110K and stated it may go down a little.

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**COMMENTS BY THE TOWNSHIP COUNCIL MEMBERS**

**COUNCILMAN MARTIN** thanked everyone for coming and stated he had a great time at the Senior Centers' Valentines Day Brunch as well as the "Are You Smarter Than A Sixth Grader" event and commended everyone involved for doing a great job.

**COUNCILMAN TILLIS** stated he attended the Valentines Day Brunch and noted Sheri did all the cooking and he had a great time. He discussed the reassessment letter and that many residents still had concerns and suggested delaying certifications so they could hold a public meeting to allow them to voice their concerns.

**COUNCILWOMAN UPDEGRAVE** congratulated everyone that received a certificate and then stated a resolution was removed from the agenda because she wanted the affordable housing attorney to be present and discuss the bill in length. She explained she was proposing a resolution supporting S2485 that would modify affordable housing laws and call for new affordable housing trust fund appropriations and felt the developer fees should be eliminated because of the current financial situation. She planned on visiting Trenton to discuss many issues concerning Jackson and the funds that were cut from the town along with addressing waste and would advise the public when the meeting was scheduled.

**COUNCIL VICE PRESIDENT RIVERE** thanked everyone for coming and stated she had a wonderful time at the Senior Center Valentine party and then wished everyone a safe trip home.

**COUNCIL PRESIDENT KAFTON** discussed COAH and stated he would accompany Ms. Updegrave when she goes to Trenton noting how frustrating the issue was. He stated many residents had concerns about the revaluation and suggested the Assessor’s office hold a public meeting and he would like to discuss it later in the meeting. He congratulated the Senior Center and stated they always do a great job. He stated Jackson will be going through it’s second law suit before the Supreme Court with regard to two ordinances that protect the environment and force the developers to provide trees and recreation to Jackson. He discussed the meeting he and Councilman Tilis had with Mr. Krakower and other School Board members regarding solar panels and how he would like to have the Shared Services Committee and Going Green Committee look at it. He then announced a Council event they were looking into where a bus comes to various communities to fill medical prescriptions for residents with no money or insurance and they will notify the public as more information is obtained.

**BILLS AND CLAIMS**

**MOTION TO APPROVE BILLS AND CLAIMS BY: RIVERE**  
**MOTION SECONDED BY: MARTIN**  
**YES: MARTIN, TILIS, UPDEGRAVE, RIVERE & KAFTON**  
**ABSTAIN: MARTIN (JUAN BELLU & ASSOC.) & UPDEGRAVE (DASTI, MURPHY & MCGUCKIN)**

**CLERK EDEN** explained under the Roberts Rule they do not have to explain their vote.

CHECK#	VENDOR	AMOUNT
78980	ACTION PRINTING LLC	213.00
78981	ACTION OFFICE SUPPLIES INC.	887.90
78982	ADVENT ADVERTISING CORP.	560.00
78983	THE ALAIMO GROUP	22,121.80
78984	ALL IN ONE SEPTIC	407.00
78985	ANTONIDES, WILLIAM E & WM JR.	11,500.00
78986	APRIL SHOWERS FLORIST	54.00
78987	ARROW LOCKSMITH & SECURITY INC.	225.00
78988	ASBURY PARK PRESS, INC.	647.10
78989	AUTOMATED ACCESS SYSTEMS, INC.	130.00
78990	JEFFREY & ISHA BAKER	2,167.40
78991	BARTON NURSERY, INC.	13,845.00
78992	BEACON GRAPHIC SYSTEMS	523.63
78993	JUAN BELLU & ASSOC.	1,466.00
78994	JERROLD & LOIS BLACKMAN	622.81
78995	BRITTON INDUSTRIES INC.	14,040.00
78996	BROWER HANSEN & IZDEBSKI	500.00
78997	CAROUSEL INDUSTRIES OF NORTH	74.04
78998	CDW GOVERNMENT, INC.	922.86
78999	C & H DISTRIBUTORS, INC.	585.86
79000	CINTAS DOCUMENT MANAGEMENT	175.00
79001	CLARK, CATON & HINTZ CORP.	6.00
79002	CMF, INC.	332.50

79003	COUNTY OF OCEAN DPT. OF FINANCE	5,889,091.12
79004	DASTI, MURPHY, MCGUCKIN, ET ALS	4,247.85
79005	DELTA DENTAL PLAN OF NJ INC.	20,517.45
79006	DELTA PRODUCTS, INC.	500.25
79007	PHIL DEL TURCO	31.01
79008	DELL MARKETING LP	5,329.60
79009	DEL-VEL CHEMICAL	270.95
79010	DEPTCO/BUREAU OF	406.00
79011	DIVISION OF CRIMINAL JUSTICE	450.00
79012	DOWN FORD, INC.	620.03
79013	DTN CORP.	1,500.00
79014	EAST COAST EMERGENCY LIGHTING	18,609.88
79015	STEVEN EISENSTIEN	41.00
79016	EMERGENCY FILM GROUP	1,907.00
79017	EMTEC INC.	2,130.60
79018	ESSEX MANAGEMENT SERVICE	220.00
79019	EXCAVATING MATERIALS &	5,550.00
79020	BRIAN & JENNIFER FITZGERALD	762.99
79021	GARDEN STATE HWY PRODUCTS, INC.	4,397.00
79022	GARY KUBIAK & SON ELECTRIC INC.	1,797.90
79023	GILMORE & MONAHAN, PA	10,561.10
79024	GFOA OF NEW JERSEY	180.00
79025	GPANJ	30.00
79026	HARVARD BATTERY, INC.	684.80
79027	HERMAN'S TRUCKING	4,053.30
79028	INTERVET/SCHERING-PLOUGH AHC	500.00
79029	IKON OFFICE SOLUTIONS	149.80
79030	INDUSTRIAL WELDING SUPPLY INC.	118.22
79031	INSTITUTE FOR PROFESSIONAL DEV	198.00
79032	INSTITUTE FOR FORENSIC PSYC.	1,250.00
79033	INTERNATIONAL SALT COMPANY	12,864.45
79034	ISFSI-INTERNAT'L SOCIETY OF	75.00
79035	LEONA JACOBSEN	500.00
79036	JACKSON CHAMBER OF COMMERCE	140.00
79037	JACKSON COUNCIL FOR THE ARTS	8,000.00
79038	VOID	-0-
79039	VOID	-0-
79040	JERSEY CENTRAL POWER & LIGHT	31,366.49
79041	A-1 JDK SPECIALTIES	32.50
79042	JERRY'S AUTO BODY LLC	1,000.00
79043	THOMAS & REGINA KAYLA	250.00
79044	MICHAEL & DIANE KEANE	1,704.79
79045	LAKWOOD AUTO SUPPLY INC.	151.08
79046	LAKWOOD ELECTRIC MOTOR	135.00
79047	LANIGAN ASSOCIATES, INC.	350.00
79048	JAMES LAURIA	1,047.67
79049	LEE BATTERY SERVICE, INC.	278.16
79050	JOSHUA LETTERA	41.00
79051	LIFESAVERS INC.	625.00
79052	JOHN MCCONVILLE	324.23
79053	MERCER SPRING CORP.	3,730.44
79054	MGL PRINTING SOLUTIONS	320.00
79055	MIAMI SYSTEMS CORP	781.59
79056	MILLENNIUM VISUAL SYSTEMS	396.00
79057	VOID	-0-
79058	MIRACLE CHEMICAL COMPANY	84.60
79059	MITCHELL HUMPHREY & CO	6,110.00
79060	MONMOUTH TRUCK EQUIPMENT	1,410.00
79061	NAPCO/R.S. KNAPP CO. INC.	250.36
79062	NECI	148.95
79063	NEOPOST, INC.	165.00
79064	NISCAYAH	425.00

79065	NJRPA	700.00
79066	OCEAN COUNTY RECYCLING	1,165.74
79067	OFFICE NEEDS	1,488.08
79068	OFFICE FURNITURE PLUS INC.	1,334.00
79069	ORLEANS & COOKS BRIDGE LLC	4,701.59
79070	PEDRONI FUEL COMPANY, INC.	19,493.16
79071	PITNEY BOWES, INC.	86.00
79072	TOM CLANCY	1,841.94
79073	PUBLIC WORKS ASSOCIATION OF NJ	50.00
79074	REMINGTON, VERNICK & VENA ENG.	1,237.50
79075	BRIAN E RUMPF	511.87
79076	ARCHIE & CAROL SACCIO	250.00
79077	HENRY & GERALDINE SBORDONE	250.00
79078	SHOPRITE/PERLMART, INC.	62.61
79079	SPRINT	339.80
79080	NJSHBP	262,406.01
79081	T & B SPECIALTIES INC.	86.40
79082	TCTANJ	150.00
79083	TELE-MEASUREMENTS INC.	1,535.00
79084	THE PHOTO CENTER	124.00
79085	T & M ASSOCIATES	292.50
79086	TOWNSHIP OF STAFFORD	500.00
79087	TREC-ADVANCED COMPUTER	7,178.76
79088	MICHAEL CEPPALUNI DBA/UNITED	320.00
79089	UNUMPROVIDENT	7,276.46
79090	UNITED PARCEL SERVICE	7.33
79091	US MINICIPAL SUPPLY INC.	4,373.13
79092	VAN SANT EQUIPMENT	492.05
79093	VAN SANT SEWER SERVICE LLC	701.53
79094	KYMME A VAN CLEEF, SCS	350.00
79095	VOID	-0-
79096	VERIZON	5,144.55
79097	WALTER R EARLE CORP.	320.00
79098	WARNOCK AUTOMOTIVE, INC.	474.57
79099	W.B. MASON COMPANY	102.39
79100	W E TIMMERMAN COMPANY	1,616.81
79101	VOID	-0-
79102	SHARON MILLER & LARRY FRENCH	250.00
79103	CHARLES S WINNER, INC.	126,592.80
	<b>TOTAL</b>	<b>6,574,626.64</b>

<u>CAPITAL</u>		
CHECK#	VENDOR	AMOUNT
60984	A.H. HARRIS & SONS INC.	612.45
60985	ANIXTER, INC.	15,036.02
60986	EARLE ASPHALT COMPANY	9,688.20
60987	GILMORE & MONAHAN, PA	225.00
60988	RENEE KAUFMAN	700.00
60989	KELLY, NOLAN & WHITE LLC	3,737.50
60990	MCELWEE & QUINN LLC	1,430.00
60991	OCEAN COUNTY ROAD DEPARTMENT	64,753.31
60992	REMINGTON, VERNICK & VENA ENG	667.50
60993	T & M ASSOCIATES	7,194.98
60994	WEST JERSEY AIR CONDITIONING &	388.00
60995	CHRISTOPHER L YANNON, ESQ.	1,256.00
	<b>TOTAL</b>	<b>105,688.96</b>
77	DEV FEES-COAH	638.40

4996-5029	DEVELOPERS	285,588.84
60833-60836	GENERAL TRUST	221,414.02
62346-62354	PARKS REC	3,930.38

**ORDINANCES, SECOND READING:**

**01-09**

**TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE CHANGE OF A STREET NAME IN ACCORDANCE WITH N.J.S.A. 40:67-1(K)**

**PUBLIC HEARING OPENED - NO ONE CAME FORWARD.**

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

**MOTION SECONDED BY: RIVERE**

**YES: MARTIN, TILIS, UPDEGRAVE, RIVERE & KAFTON**

**MOTION TO APPROVE ORDINANCE 01-09 ON SECOND READING, ADVERTISE THE APPROVAL AND NOTICE OF PASSAGE AND APPROVAL IN A APPROVED NEWSPAPER AS REQUIRED BY LAW BY: RIVERE**

**MOTION SECONDED BY: MARTIN**

**YES: MARTIN, TILIS, UPDEGRAVE, RIVERE & KAFTON**

**ORDINANCE NO. 01-09**

**WHEREAS, N.J.S.A. 40:67-1(k) provides for the naming and/or changing of street names within a municipality; and**

**WHEREAS, it has been determined that there are two streets named Holly Tree Court in Jackson Township; and**

**WHEREAS, it is the desire of the governing body to change the name of the Holly Tree Court (which intersects with Hickory Hill Road) to Eden Way in accordance with N.J.S.A. 40:67-1(k).**

**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 change the name of the Holly Tree Court (which intersects with Hickory Hill Road) to Eden Way in accordance with N.J.S.A. 40:67-1(k).

**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.

**MAYOR MICHAEL REINA**

**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 **January 27, 2009**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **10<sup>th</sup> day of February, 2009**, 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  
TOWNSHIP CLERK

DATED: 02-10-09

**TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING ARTICLE IV, CHAPTER 82, SECTION 34 ENTITLED “PARKS AND RECREATION FACILITIES – RECREATION EVENT FEES”**

**PUBLIC HEARING OPENED - NO ONE CAME FORWARD.**

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

**MOTION SECONDED BY: RIVERE**

**YES: MARTIN, TILIS, UPDEGRAVE, RIVERE & KAFTON**

**COUNCIL PRESIDENT KAFTON** questioned the Jackson Day booth fee for non-profit groups stating their purpose was to raise money for Jackson and suggested making the fee as little as possible. Mr. Eisenstein explained they waived the fee for the first product they sold and how they have a lottery method to determine who is selected for each of the products sold and stated the one fee all vendors pay is the \$30 drink fee. Councilman Martin confirmed non-profit groups were charged little or no fee and Mr. Eisenstein agreed. Council Vice President Rivere asked about those groups that solicit donations and Mr. Eisenstein stated they would probably fall under the same category as non-profit groups.

**MOTION TO APPROVE ORDINANCE 02-09 ON SECOND READING, ADVERTISE THE APPROVAL AND NOTICE OF PASSAGE AND APPROVAL IN A APPROVED NEWSPAPER AS REQUIRED BY LAW BY: MARTIN**

**MOTION SECONDED BY: RIVERE**

**YES: MARTIN, TILIS, UPDEGRAVE, RIVERE & KAFTON**

**COUNCILWOMAN UPDEGRAVE** explained the fees were being charged to remove the burden from the residents and make Recreation and Senior Services self-sufficient and the ones that participate in the venue pay and not the residents.

**ORDINANCE NO. 02-09**

**AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING ARTICLE IV, CHAPTER 82, SECTION 34 ENTITLED “PARKS AND RECREATION FACILITIES – RECREATION EVENT FEES”**

**WHEREAS**, Section 82-34 of the Township Code of the Township of Jackson provides for authorization for the Department of Recreation and Senior Services to charge fees and service charges for Recreation and Senior Services activities; and

**WHEREAS**, the Township Council of the Township of Jackson wishes to amend the current fee schedule as noted below.

**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.** 82-34 entitled Recreation Event Fees is hereby deleted and replaced with the following:

**§ 82-34** Recreation Fees. The following fees shall be paid for the delineated recreation events and/or activities of the Department of Recreation and Senior Services:

ACTIVITY		FEE
ARTS & CRAFTS	Kindercraft	\$18.00 - \$24.00
	Me & Mom	\$10.00 - \$20.00
	Jr. Craft Ceramics	\$12.00 - \$20.00
VOLLEYBALL	Registration	\$55.00
	Clinic	\$75.00

GIRL'S SOFTBALL	Registration	\$65.00
	Pee Wee	\$50.00
GIRL'S FALL SOFTBALL	Registration	\$50.00 - \$65.00
	Pee Wee	\$40.00 - \$50.00
WOMEN'S SOFTBALL	Registration	\$50.00 - \$75.00
SUMMER CAMP	Registration	\$250.00
	T-Shirts	2 Included in above
	Trip Fees	\$ 5.00 - \$60.00
	Transportation	\$100.00
	Extended Hours	\$ 75.00 (a.m.) \$100.00 (p.m.)
THEATER ARTS	Theatre I	\$80.00 - \$100.00
	Theatre Camp	\$80.00 - \$100.00
MULTI-SPORTS CAMP	Registration	\$120.00 - \$150.00
BASKETBALL	Winter League	\$65.00
	Summer league	\$50.00
	Camp	\$75.00
WRESTLING	Registration	\$75.00 - \$90.00
MEN'S BASKETBALL	Registration	\$30.00
TEEN DANCE	Tickets	\$ 8.00
	Lost I.D. Card	\$ 5.00
	Father/Daughter Dance	\$18.00 - \$35.00
	Mother/Daughter Dance	\$18.00 - \$35.00
	Hip Hop Classes	\$30.00
SPECIAL EVENTS	VENDOR	\$275.
JACKSON DAY	Booth Fees	\$ 5.00 - \$250.00
	Soft Drink Fee	\$30.00
	Five-K Run & Fun Run	\$ 6.00 - \$15.00
TENNIS	Spring registration	\$50.00
	Summer registration	\$50.00
PICKLEBALL	Registration	\$10.00 - \$15.00
TRIPS	Registration	\$25.00 - 150.00
ADULT FITNESS	Registration	\$35.00 - \$75.00
SPECIAL EVENTS (children)	Registration	\$10.00 - \$25.00

**DIVISION OF SENIOR SERVICES**

MONTHLY SOCIALS	Registration	\$5.00 - \$10.00
ARTS AND CRAFTS	Registration	\$2.00 - \$10.00
FITNESS	Daily Fee	\$ 2.00
	Monthly Pass	\$15.00
TRIPS	Registration	\$2.00 - \$70.00

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

**SECTION 3.** This Ordinance shall take effect upon its final passage and publication as required by law.

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**MAYOR MICHAEL REINA**

**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 January 27, 2008 and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 10<sup>th</sup> day of February 2009 at 7:30 P.M. or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning this Ordinance.

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

**DATED: 02-10-09**

**ANN MARIE EDEN  
TOWNSHIP CLERK**

**ORDINANCE FIRST READING**

**03-09**

**TITLE: REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE TOWNSHIP’S GENERAL IMPROVEMENT BONDS, SERIES 1996, DATED NOVEMBER 15, 1996, AND GENERAL OBLIGATION BONDS, SERIES 2001, DATED DECEMBER 1, 2001, HERETOFORE ISSUED TO FINANCE CAPITAL IMPROVEMENTS, APPROPRIATING AN AMOUNT NOT EXCEEDING \$8,750,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$8,750,000 GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP OF JACKSON FOR FINANCING THE COST THEREOF**

**MOTION TO APPROVE ORDINANCE 03-09 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, FEBRUARY 10, 2009 BY: RIVERE  
MOTION SECONDED BY: MARTIN  
YES: MARTIN, TILIS, UPDEGRAVE, RIVERE & KAFTON**

**ORDINANCE 03 -09**

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

Section 1. The Township of Jackson, in the County of Ocean, New Jersey (the “Township”) is hereby authorized to (i) refund all or part of the remaining outstanding amount of the Township’s General Improvement Bonds, Series 1996, dated November 15, 1996, maturing on and after November 15, 2009, and General Obligation Bonds, Series 2001, dated December 1, 2001, maturing on and after December 1, 2011, issued to finance capital improvements of the Township; and (ii) provide for the payment of the costs of issuance.

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, negotiable general obligation refunding bonds (the “Refunding Bonds”) are hereby authorized to be issued in the principal amount not to exceed \$8,750,000 pursuant to the Local Bond Law.

Section 3. An aggregate amount not exceeding \$150,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 4. The purpose of the refunding is to reduce the debt service payable by the Township with respect to its outstanding obligations.

Section 5. 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 refunding bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the chief financial officer of the Township as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 7. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

MAYOR MICHAEL REINA

NOTICE

**NOTICE IS HEREBY GIVEN** that the foregoing bond 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 **February 10, 2009**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **10<sup>th</sup> day of March, 2009**, 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: 02-10-09**

**04-09**

**TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER OF THE TOWNSHIP CODE OF THE TOWNSHIP OF JACKSON ENTITLED “ADMINISTRATION OF GOVERNMENT” SO AS TO CREATE A “GOING GREEN COMMITTEE”**

**MOTION TO APPROVE ORDINANCE 04-09 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, FEBRUARY 24, 2009 BY: RIVERE  
MOTION SECONDED BY: TILIS  
YES: MARTIN, TILIS, UPDEGRAVE, RIVERE & KAFTON**

**ORDINANCE NO. 04-09**

**AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER OF THE TOWNSHIP CODE OF THE TOWNSHIP OF JACKSON ENTITLED “ADMINISTRATION OF GOVERNMENT” SO AS TO CREATE A “GOING GREEN COMMITTEE”**

**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 Township Code of the Township of Jackson, entitled “Administration of Government” Article XIV, entitled “Advisory Boards, Committees and Commissions” is hereby amended and supplemented so as to add subparagraph J, entitled “Going Green Committee” to Section 3-152, entitled “Establishment of and manner of appointment to advisory boards, committees and commissions”, which shall read in its entirety as follows:

- J. Going Green Committee. There is hereby created a Going Green Committee which shall conduct research and shall make recommendation to the Mayor and Township Council as to ways in which the Township may undertake official actions, and conduct its business, in a manner which encourages, promotes and considers protection of the environment and its sustainability.

The Going Green Committee shall consist of nine (9) to fifteen (15) members, as deemed advisable by the Township Council, and the members shall be

appointed by the Township Council. Members of the Going Green Committee shall be residents of the Township and shall include the Mayor, or his/her designee, and two (2) members of the Township Council.

**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.

\_\_\_\_\_  
**MAYOR MICHAEL REINA**

**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 **February 10, 2009**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **24<sup>th</sup> day of February, 2009**, 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: 02-10-09**

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**CLERK EDEN** explained three Resolutions were removed and stated 78R-09 will be considered at the February 24<sup>th</sup> meeting, 83R-09 and 84R-09 will be considered at a later date.

**PUBLIC HEARING OPENED, RESOLUTIONS ONLY**

**DAN GROSS-18 POINTE CIRCLE:** He asked about Resolution 082R-09 and Councilwoman Updegrave explained when walls were removed at the old library they found more damage than anticipated that required more work that exceeded what the insurance covered. Council President Kafton confirmed with Mr. Del Turco who explained the building's electrical also had to be brought to code because of the age of the building and additional funds were needed.

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

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**RESOLUTION 071R-09  
TITLE: AUTHORIZE CY2008 BUDGET TRANSFER #4**

**MOTION TO APPROVE BY: MARTIN  
MOTION SECONDED BY: UPDEGRAVE  
YES: MARTIN, TILIS, UPDEGRAVE, RIVER & KAFTON**

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

**WHEREAS,** under the provisions of N.J.S.A. 40A:4-58, "Should it become necessary, during the last 2 months of the fiscal year, or the first three months of the current year to expend for any other purposes specified in the budget an amount in excess of the respective

sums appropriated therefore and there shall be an excess in any appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, the governing body may, by resolution setting forth the facts, adopted by not less than 2/3 vote of the full membership thereof, transfer the amount of such excess to those appropriations deemed to be insufficient; no transfers may be made to appropriations for contingent expenses or deferred charges.”

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

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

1. The following annexed transfer schedule (#4) for the 2008 Municipal Operating Budget of the Township of Jackson are hereby made for the above stated reasons:

2. This resolution shall take effect upon two-thirds affirmative vote by the full governing body of the Township of Jackson.

3. Copies of this resolution to the Administrator, Chief Financial Officer and Auditor.

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

**DATED: 02-10-09**

**RESOLUTION 075R-09**

**TITLE: APPOINT KENNETH BRESSI TO THE CITIZENS BUDGET ADVISORY COMMITTEE**

**MOTION TO APPROVE BY: MARTIN**

**MOTION SECONDED BY: UPDEGRAVE**

**YES: MARTIN, TILIS, UPDEGRAVE, RIVERE & KAFTON**

**WHEREAS**, the Township Council created an advisory board known as the Citizens Budget Advisory Committee in July 2008 to assist the Township Council in the budgetary review process; and

**WHEREAS**, pursuant to Chapter 3 of the Administrative Code of the Township of Jackson, the Township Council is authorized to create such a board/committee and make appointments thereto; and

**WHEREAS**, it is the desire of this Township Council to make an additional appointment to this Advisory Committee.

**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 following individuals are hereby appointed to the Jackson Township Citizen Budget Advisory Committee commencing immediately and ending June 30, 2009:

Kenneth Bressi

2. Appointee shall serve without compensation.

3. A certified copy of this resolution shall be forwarded to Administration, Appointee, Chief Financial Officer and any other interested parties.

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

**DATED: 02-10-09**

**RESOLUTION 078R-09 – REMOVED – WILL BE CONSIDERED AT 02-24-09 MEETING**

**RESOLUTION 079R-0**

**TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO COUNTY LINE CONSTRUCTION OF THE PERFORMANCE BOND ISSUED FOR CRANBERRY ESTATES, A/K/A BLOCK 58.02, LOTS 21.06 – 21.08**

**MOTION TO APPROVE BY: MARTIN**

**MOTION SECONDED BY: RIVERE**

**YES: MARTIN, TILIS, UPDEGRAVE, RIVERE & KAFTON**

**COUNCILMAN MARTIN** confirmed all the necessary work has been done since there were several bonds being released and Mr. Del Turco stated T & M has given their approval on them.

**WHEREAS**, County Line Construction has requested a Release of the Performance Guarantee, which consists of \$12,662.73 in the form of a Letter of Credit #616 issued by Sovereign Bank and Cash Bond in the amount of \$1,406.97, pertaining to Cranberry Estates a/k/a Block 58.02, Lots 21.06 – 21.08, 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 January 19, 2009, 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 Letter of Credit #616 issued by Sovereign Bank in the amount of \$12,662.73 and Cash Bond in the amount of \$1,406.97, heretofore posted with the Township is hereby released. The 2-year Maintenance Guarantee has been waived due to the age of the project.

1. 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.

2. 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: 02-10-09**

**RESOLUTION 080R-09**

**TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO COUNTY LINE CONSTRUCTION OF THE PERFORMANCE BOND ISSUED FOR FRANK APPLGATE ROAD, A/K/A BLOCK 111, LOT 100.01**

**MOTION TO APPROVE BY: UPDEGRAVE**

**MOTION SECONDED BY: RIVERE**

**YES: MARTIN, TILIS, UPDEGRAVE, RIVERE & KAFTON**

**WHEREAS**, County Line Construction has requested a Release of the Performance Guarantee, which consists of \$19,737.00 in the form of a Letter of Credit #584 issued by

Sovereign Bank and Cash Bond in the amount of \$2,193.00, pertaining to Frank Applegate Road a/k/a Block 111, Lot 100.01, 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 January 19, 2009, 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 Letter of Credit #584 issued by Sovereign Bank in the amount of \$19,737.00 and Cash Bond in the amount of \$2,193.00, heretofore posted with the Township is hereby released. The 2-year Maintenance Guarantee has been waived due to the age of the project.

1. 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.

2. 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: 02-10-09**

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**RESOLUTION 081R-09**

**TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO COUNTY LINE CONSTRUCTION OF THE PERFORMANCE BOND ISSUED FOR KITAY COURT, A/K/A BLOCK 66.09, LOT 17.01**

**MOTION TO APPROVE BY: RIVERE**

**MOTION SECONDED BY: UPDEGRAVE**

**YES: MARTIN, TILIS, UPDEGRAVE, RIVER & KAFTON**

**WHEREAS**, County Line Construction has requested a Release of the Performance Guarantee, which consists of \$7,200.00 in the form of a Letter of Credit #549 issued by First State Bank and \$81,200.00 in the form of a Letter of Credit #551 issued by First State Bank and Cash Bond in the amount of \$8,100.00, pertaining to Kitay Court a/k/a Block 66.09, Lot 17.01, 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 January 19, 2009, 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 Letter of Credit #549 issued by First State Bank in the amount of \$7,200.00 and Letter of Credit #551 in the amount of \$81,200.00 issued by First State Bank and a Cash Bond in the amount of \$8,100.00, heretofore posted with the Township is hereby released. The 2-year Maintenance Guarantee has been waived due to the age of the project.

1. 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.

- 2. 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: 02-10-09**

**RESOLUTION 082R-09**

**TITLE: AUTHORIZE CHANGE ORDER NO.1 TO THE CONTRACT BETWEEN JACKSON TOWNSHIP AND GARY KUBIAK & SON ELECTRIC, INC. (COUNTY CONTRACT VENDOR #B2007-1742) FOR ELECTRICAL WORK AT THE OLD LIBRARY INCREASING SAID CONTRACT BY \$8,797.50 TO AN ADJUSTED CONTRACT PRICE OF \$37,765.88**

**MOTION TO APPROVE BY: UPDEGRAVE**

**MOTION SECONDED BY: RIVERE**

**YES: MARTIN, TILIS, UPDEGRAVE, RIVERE & KAFTON**

**WHEREAS**, Jackson Township previously awarded a contract to Gary Kubiak & Son Electric, Inc. for electrical work at the Old Library (P.O. #P0801660 under Ocean County Contract #B2007-1742 in the amount of \$28,968.38 ); and

**WHEREAS**, at the request of the Township Administrator, Township Engineer, Daniel Burke, has reviewed and recommends approval of Change Order No. 1 for the installation of additional electrical work necessary to facilitate the completion of this building for a total cost of \$8,797.50; and

**WHEREAS**, said Change Order No. 1 will increase the contract by \$8,797.50; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds exist for the payment of this Change Order No. 1; and

**WHEREAS**, it is now the desire of this Township Council to approve Change Order No. 1 for additional electrical work at the Jackson Township Old library as Outlined on the attached "Schedule A".

**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 approves Change Order No. 1 to the contract between Jackson Township and Gary Kubiak and Son Electric, Inc. increasing the contract by a total of \$8,797.50 to an adjusted contract price of \$37,765.88.

- 2. That upon the adoption of the within resolution, the Clerk is authorized and directed to forward a certified copy of it to Township Engineer, Daniel Burke, P.E., Township Administrator, Chief Financial Officer, Purchasing Department, Gary Kubiak & Son Electric, Inc. and any other interested parties.

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

**DATED: 02-10-09**

**RESOLUTION 083R-09-REMOVED-TO BE CONSIDERED AT A LATER DATE**

**RESOLUTION 084R-09-REMOVED-TO BE CONSIDERED AT A LATER DATE**

**RESOLUTION 085R-09**

**TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY APPROVING FINAL AS-BUILT CHANGE ORDER NO. 1 TO THE CONTRACT BETWEEN JACKSON TOWNSHIP AND EARLE ASPHALT COMPANY FOR THE RECONSTRUCTION AND RESURFACING OF COOK ROAD DECREASING THE CONTRACT BY THE SUM OF (\$5,955.68) TO AN ADJUSTED CONTRACT PRICE OF \$288,157.45**

**MOTION TO APPROVE BY: RIVERE**

**MOTION SECONDED BY: MARTIN**

**YES: MARTIN, TILIS, UPDEGRAVE, RIVERE & KAFTON**

**WHEREAS**, Jackson Township previously awarded a contract to Earle Asphalt Company for the reconstruction and resurfacing of Cook Road in the amount of \$294,113.13; and

**WHEREAS**, as a result of final as-built quantities, Township Engineer, Daniel Burke, P.E. has recommended the approval of Final As-Built Change Order No. 1 decreasing the contract by (\$5,955.68) as per the attached "Schedule A"; and

**WHEREAS**, this Final As-Built Change Order #1 is contingent upon the approval from the New Jersey Department of Transportation due to their involvement in providing funding for this project; and

**WHEREAS**, this Township Council wishes to act upon the recommendation of the Township Engineer and approve said Final As-Built Change Order No. 1.

**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 Township hereby formally authorizes and approves Final As-Built Change Order No. 1 dated February 3, 2009 to the contract between Jackson Township and Earle Asphalt Company for the reconstruction and resurfacing of Cook Road decreasing the contract by (\$5,955.68) to a final adjusted contract price of \$288,157.45 pending approval by the New Jersey Department of Transportation due to the issuance of a NJDOT Municipal Aid Grant.

2. Release of Performance Bond No. 82141529 and final payment to the contractor shall be conditioned upon the posting of a one (1) year maintenance bond in the amount of \$43,223.61, which represents 15% of the adjusted contract amount.

3. That upon the adoption of the within resolution, the Clerk is authorized and directed to forward a certified copy of it to New Jersey Department of Transportation, Administration, Chief Financial Officer, Purchasing Department, Township Engineer, Daniel Burke, Earle Asphalt Company and any other interested parties.

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

**DATED: 02-10-09**

**RESOLUTION 086R-09**

**TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, NEW JERSEY, MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51 AND 40A:2-55**

**MOTION TO APPROVE BY: MARTIN**

**MOTION SECONDED BY: TILIS**

**YES: MARTIN, TILIS, UPDEGRAVE, RIVERE & KAFTON**

**WHEREAS**, the Township Council of the Township of Jackson, in the County of Ocean, New Jersey (the "Township") desires to submit an Application to the Local Finance Board for its review and approval of a proposed refunding issue consisting of not to exceed \$8,750,000 aggregate principal amount of the Township's general obligation refunding bonds (the "Refunding Bonds"); and

**WHEREAS**, the Township Council believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) such purpose is in compliance with the requirements of N.J.S.A. 40A:2-51, et seq.;
- (c) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the Township;
- (d) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant and are consistent with the requirements of N.J.S.A. 40A:2-51, et seq.; and
- (e) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Township and will not create an undue financial burden to be placed upon the Township.

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

**Section 1.** The application to the Local Finance Board for the purpose described in the preamble hereof is hereby approved, and the Township's chief financial officer, bond counsel, financial advisor, and auditor, along with other representatives of the Township, are hereby authorized to prepare such application, to file such application with the Local Finance Board and to represent the Township in matters pertaining thereto.

**Section 2.** The Clerk is hereby directed to prepare and file a copy of this resolution together with the refunding bond ordinance as introduced with the Local Finance Board as part of such application.

**Section 3.** The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

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

**DATED: 02-10-09**

**RESOLUTION 087R-09**

**TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE COMMENCEMENT OF DRAW DOWN PROCEEDINGS AGAINST THE MAINTENANCE BOND POSTED BY CJS INVESTMENTS, INC FOR LAKESIDE ESTATES, BLOCK 59.01, LOT 83**

**MOTION TO APPROVE BY: RIVERE**

**MOTION SECONDED BY: MARTIN**

**YES: MARTIN, TILIS, UPDEGRAVE, RIVERE & KAFTON**

**WHEREAS**, a Maintenance Bond has been posted with the Township to secure completion of the development project in Jackson Township known as Lakeside Estates; and

**WHEREAS**, the Township Engineer has reported that, despite repeated inspections and punch lists, the developer has failed to properly complete the work for Lakeside Estates; and

**WHEREAS**, Albert Yodakis, T&M Associates, Township Engineer has recommended that the Township commence draw down proceedings in a letter dated February 5, 2009, against the Maintenance Bond for Lakeside Estates; and

**WHEREAS**, the Township Council desires to act upon the recommendation of the Township Engineer;

**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. CJS Investments, Inc. is hereby declared in default in the performance, construction and completion of the items covered y the aforesaid Maintenance Bond.

2. That the Township Engineer and township Attorney are hereby authorized to commence draw down proceedings against the maintenance bond posted for the development project known as Lakeside Estates.

3. That upon the adoption of this Resolution, the Clerk is authorized and directed to forward a certified copy of it to the Developer, Bond Safeguard Insurance Company, Township Engineer, Township Attorney, Administrator and the Chief Financial Officer.

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

**DATED: 02-10-09**

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

**RESOLUTION 072R-09**

**TITLE: AUTHORIZE TAX OVERPAYMENT REFUNDS**

**MOTION TO APPROVE BY: MARTIN**

**MOTION SECONDED BY: RIVERE**

**YES: MARTIN, TILIS, UPDEGRAVE, RIVERE, & KAFTON**

**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  
February 10, 2009**

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>YEAR-QTR</u>	<u>AMOUNT</u>
1501	25	Fitzgerald, Brian M & Jennifer L	2007 – 4 <sup>th</sup>	\$ 762.99
3501	52	McConville, John D	2008 – 4 <sup>th</sup>	320.23
			interest	4.00
3501	59	Keane, Michael & Diane	2008 – 2 <sup>nd</sup>	1,704.79
4603	58	Dinspechin, Boris R & Sophia B	2008 – 4 <sup>th</sup>	250.00
4706	41	Jacobsen, Leona	2008 – 4 <sup>th</sup>	500.00
4714	7	Orleans @ Cooks Bridge LLC	2008 – 1 <sup>st</sup>	2,097.67
			2008 – 2 <sup>nd</sup>	2,097.67
4703	97	Saccio, Archie F & Carol A	2008 – 4 <sup>th</sup>	250.00
4707	10	Sbordone, Henry P & Geraldine	2008 – 4 <sup>th</sup>	250.00
4714	7.008	Orleans @ Cooks Bridge LLC	2008 – 3 <sup>rd</sup>	257.25
4714	7.044	Orleans @ Cooks Bridge LLC	2008 – 1 <sup>st</sup>	249.00
5812	43	Baker, Jeffrey L & Isha	2008 – 2 <sup>nd</sup>	2,086.41
			2008 – 4 <sup>th</sup>	80.99
6003	7	Lauria, James C	2008 – 4 <sup>th</sup>	1,047.67
12701	12.50	Kayla, Thomas J & Regina	2008 – 4 <sup>th</sup>	250.00
14702	35	Blackman, Jerrold & Lois	2008 – 4 <sup>th</sup>	614.70
			interest	8.11
23001	32	Miller, Sharon & French, Larry	2008 – 4 <sup>th</sup>	250.00

**Total: \$13,081.48**

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

**DATED: 02-10-09**

**RESOLUTION 073R-09  
APPROVE TOWNSHIP COUNCIL MEETING MINUTES OF DECEMBER 9, 2008,  
DECEMBER 23, 2008 AND JANUARY 6, 2009**

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

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

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

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

1. The following Minutes are hereby approved by the Jackson Township Council:  
  
December 9, 2008, December 23, 2008 and January 6, 2009
2. Copies of this resolution to any interested parties.

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

**DATED: 02-10-09**

**RESOLUTION 074R-09  
TITLE: APPROVE BINGO/RAFFLE LICENSE**

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

**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:  
  
Church St. Aloysius (#RA-1251)  
Jackson Pop Warner (#RA-1252)  
Crawford-Rodriguez PTN (#RA-1253)
2. Copies of the Resolution to interested parties.

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

**DATED: 02-10-09**

**RESOLUTION 076R-09  
TITLE: AUTHORIZING PAYMENT TO THE JACKSON SENIOR CITIZENS  
CLUB**

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

**WHEREAS**, the Jackson Senior Citizens Club provides various programs and entertainment for the senior citizens of the Township; and

**WHEREAS**, all senior citizens are welcome to attend the programs and entertainment offered by the Jackson Senior Citizens Club; and

**WHEREAS**, the Township Council believes the programs offered by the Jackson Senior Citizens Club benefit the health, social and general welfare of all of the Township's senior citizens and, thereby, benefit the entire Township; and

**WHEREAS**, the Township Council desires to support the programs of the Jackson Senior Citizens Club.

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

1. That the Township Council hereby authorizes payment to the Jackson Senior Citizens Club in the sum of \$4,800.00 for programs offered for the benefit of senior citizens during the year 2008.

2. That the Mayor and Chief Financial Officer are hereby authorized to execute any documents necessary to further the purpose of this resolution.

3. That a Certificate of Availability of Funds executed by the Chief Financial Officer is annexed hereto. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract: 8-01-28-372-000-117.

4. That a certified copy of this resolution shall be provided by the Township Clerk to the Jackson Senior Citizens Club and the Chief Financial Officer.

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

**DATED: 02-10-09**

**RESOLUTION 077R-09**  
**TITLE: AUTHORIZING PAYMENT TO SENIORS WHO CARE, INC.**

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

**WHEREAS**, Seniors Who Care, Inc., provides various programs and entertainment for the senior citizens of the Township; and

**WHEREAS**, the Township Council believes the programs offered by Seniors Who Care, Inc., benefit the health, social and general welfare of all of the Township's senior citizens and, thereby, benefit the entire Township; and

**WHEREAS**, the Township Council desires to support the programs of Seniors Who Care, Inc.

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

1. That the Township Council hereby authorizes payment to Seniors Who Care, Inc., in the sum of \$4,000.00 for programs offered for the benefit of senior citizens during the year 2008.

2. That the Mayor and Chief Financial Officer are hereby authorized to execute any documents necessary to further the purpose of this resolution.

3. That a Certificate of Availability of Funds executed by the Chief Financial Officer is annexed hereto. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract: 8-01-28-372-000-117.

4. That a certified copy of this resolution shall be provided by the Township Clerk to Seniors Who Care, Inc., and the Chief Financial Officer.

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

**DATED: 02-10-09****TOWNSHIP CLERK**

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**DISCUSSION AGENDA:**

**COUNCIL PRESIDENT KAFTON** stated he agreed with comments made by Councilman Tilis regarding the Tax Assessor's office holding a forum for the residents to come in and ask questions. Mr. Tilis added they should hold it on a Saturday when residents would be more able to attend. Council President Kafton asked Mayor Reina if that would be permitted and he stated they should contact the Board of Taxation as he didn't have the authority to require the Assessor to do that. Mr. Foran spoke – inaudible. Councilwoman Updegrave stated Realty Appraiser did the assessments and came to address the residents' concerns and the Tax Assessor had nothing to do with it. Council President Kafton felt they could come too and explain. Mayor Reina explained many residents weren't happy with the assessments and reminded the public the last assessment was done in 1988 and it was mandated in 2003 but wasn't done and it was necessary to equalize the taxes in Jackson and deadlines have been set and felt it was unfair to have Realty Appraiser come back again. Councilman Tilis stated he and many others weren't satisfied and still had unanswered questions. Mayor Reina asked the attorney if the certification date could be changed to which Mr. Foran advised it could not. Council President Kafton felt they might not be able to move the date but felt the residents should still be able to ask their questions. Mayor Reina suggested they could come to the Assessor's office and ask their questions. Councilman Martin stated if Mr. Kafton knew of a better way of doing this he should have done it between 2002 and 2005 when he had the chance. Council President Kafton stated he just wanted the public to be able come in to get some answers and that it would be better to have it on a Saturday.

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**PUBLIC HEARING, ANY TOPIC**

**RAY SCHLESTER - 35 BOXWOOD:** He stated he was a renter and they were being billed on 700 acres that wasn't theirs and asked if they could be notified how much the landlord was being taxed so they could appeal as well. Councilman Martin stated that should be addressed during a Rent Leveling Board meeting and suggested having Juan Bellu look into it and get back to him.

**DAN GROSS - 18 POINTE CIRCLE:** He asked if there was a conflict of interest with Councilwoman Updegrave and Council President Kafton regarding COAH and Council President Kafton assured him there wasn't. Attorney Foran didn't believe it did but he would look into it. He then discussed the appraisals and the responsibilities of the residents to contact the appraisal company if they had questions and felt many problems began when residents didn't allow the company in to perform their inspection that resulted in a higher assessment. Mr. Gross stated they did make some mistakes that were corrected and Councilman Tilis confirmed about \$800K was paid out so far. Mr. Gross discussed Jackson leading the way regarding some ordinances and asked where other towns were with their support? Council President Kafton stated other towns might be waiting for the outcome before joining in just as Jackson has done in the past. Mr. Gross asked about the solar panels and Mr. Kafton stated there was a company that would install the panels on a number of township buildings that would lower the electric bill by 30%-40%. Mr. Gross then asked about the municipal fee that appears on his Cablevision bill and Mr. Kafton explained it was a tax the township collects. Then he asked if FIOS would do the same thing and Councilman Martin stated Verizon would probably go directly to the Board of Public Utilities. Mr. Gross asked about staffing the Going Green Committee when other committees haven't been filled and Mr. Kafton assured him they were working on staffing various committees and the Mayor will present the names of those members.

**JOHN GASKILL - 25 NO. LAKESIDE DRIVE:** He asked if they could find out what the tax rate will be before the revaluation was certified? He discussed the cost of solar panels and stated there were investment firms that would lease roof space and install roof panels for free and he volunteered to get information if they were interested and Mr. Kafton felt it would be useful information to have. Council Vice President Rivere wanted to be sure Mr. Kafton shared information because she works with the school and would like to present this to the Shared Service Committee as a possible shared service.

**RICHARD EGAN - 24 OVERLOOK DRIVE:** He asked Mr. Kafton if he was upset with NJ Lawn and Irrigation because of the unfair settlement and then brought up a personal matter regarding the passing of a school bus and Mr. Kafton reminded him that his behavior was inappropriate and had nothing to do with township business and if he persisted he would be removed.

**PAUL MAYEROWITZ - 91 CYPRESS POINT LANE:** He asked about the results of the Council's investigation regarding Gavin Construction and asked for a report of their findings. Council Vice President Rivere stated there was a lot that went on, lack of funding, change of government, etc. and assured him they would never begin a project unless all the funding was in place and stated he was welcome to look through the boxes of information if he wanted but she felt the matter was done and they needed to move on. Mr. Mayerowitz then discussed Niscayah and his request for all documentation regarding the contract and Council President Kafton stated if Mr. Mayerowitz felt there was more to explore he was welcome, as a taxpayer, to take the matter to the County, State or police or anywhere else but Council canceled the contract and the Mayor upheld their action and he didn't want to discuss it further as it may result in legal actions. Attorney Foran stated Mr. Mayerowitz could read a public document if he wished and advised the Council to refrain from commenting.

**VINNEY MANCO - 45 PITNEY LANE:** He asked about the number of reorganizations meetings and Councilman Martin explained under the present form of government they must renew the committees, Council President and Council Vice President on July 1<sup>st</sup> each year and because they were on a calendar year professionals must be appointed January of each year. He then reminded Council they previously agreed to allow the Mayor to speak after the discussion agenda and the Mayor agreed to hold off and speak at the end.

**STEPHANIE BROWN - 310 SO. PROSPECT AVENUE:** She commended the Council on their professional behavior and how nicely they work together and felt they were doing a great job.

**DENISE GARNER - 14 EVERGREEN CT.:** She discussed the importance of open space and cited an email from the NJ State Supreme Court which she will be responding to. She then discussed her revaluation stating she wasn't home when they came and the assessment was higher than she felt it should be. She called to have them return and adjustments were made and she was pleased with the outcome.

**PAUL MAYEROWITZ - 91 CYPRESS POINT LANE:** He discussed legislation concerning solar panels and how the program would be financed by the government providing they were installed to their specifications. He then spoke of the ordinance for going green and felt it was questionable the way appointments would be made and Council President Kafton stated the members of the committee would be made up of township residents that have the best interest of Jackson regardless of who picks them. Mr. Mayerowitz then spoke of assessments and felt Realty Appraisers did a good job with minimal mistakes and they no longer have an obligation to spend more time with residents because they did what they were hired to do. If residents still have questions they should be able to get their questions answered and felt a meeting would be good and Council President Kafton agreed.

**KEVIN DIJESU - DOCARE ROAD:** He stated he pays about \$10K a year to live on a dirt road and was taxed more than homes on paved roads. Council President Kafton asked Administrator Del Turco if they could put that road on for future road improvements and he agreed to look into it further.

**DAN GROSS - 18 POINTE CIRCLE:** He referred to Paul Mayerowitz comments regarding irregularities he found and he didn't feel the taxpayers take it upon themselves to take action against something they felt was wrong and Mr. Kafton stated whether a person was on Council or a resident of the town, they have the power to take actions they saw fit and the Council would take action on any irregularities just as they did with the Niscayah contract.

**KIM LUM - 8 MONROE LN.:** She felt a Saturday meeting would be a good idea and stated there were some inconsistencies with the taxes. She asked if the taxes would be retroactive and Administrator Del Turco explained the first and second quarter are based on the previous year

and the third and fourth quarter would be adjusted for the whole year and they were striving to be sure everyone is sharing an equal tax load. She stated earlier in the evening someone spoke out against Mr. Kafton and it was getting out of hand and was disappointed that the Mayor and Administrator didn't step in to gain control and stated regardless of anyone's political views the public is here to speak but there should be more respect shown to the officials. They all need to work together and respect one another. She asked about the CIS lawsuit update and Mr. Kafton promised the next meeting there would be an update.

**PAUL MAYEROWITZ - 91 CYPRESS POINT LANE:** He stated he was giving a presentation to the Ortle Beach Tax Payers Association on Saturday, February 21st to explain how to deal with the revaluation and how to file a tax appeal and welcomed anyone that wanted to attend.

**JERRY GROSS - 24 VERMONT AVENUE:** He stated he's been a long time resident of Jackson and was upset about the character assassination against Mr. Kafton and he suggested Mr. Mayerowitz take his allegations regarding the Niscayah contract to the prosecutors office and voiced his frustration regarding Mr. Mayerowitz's constant condemning of various boards.

**MOTION TO CLOSE PUBLIC HEARING ON ANY TOPIC BY: MARTIN**

**MOTION SECONDED BY: RIVERE**

**YES: MARTIN, TILIS, UPDEGRAVE, RIVERE, & KAFTON**

**MAYOR REINA** thanked everyone for coming and stated there were rules to be followed and as the Mayor he doesn't speak unless he's asked to and stated the Council President is in charge of running the meeting and has the authority to have anyone removed for being inappropriate. He then referred to the prescription bus and stated residents that don't wish to wait could go to Neptune on February 14<sup>th</sup> and could call the Township for directions and agreed it is a great way of getting prescriptions filled at an affordable price and was pleased Mr. Kafton looked into it.

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**MOTION TO ADJOURN BY: MARTIN**

**MOTION SECONDED BY: RIVERE**

**YES: MARTIN, TILIS, UPDEGRAVE, RIVERE, & KAFTON**

**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**