

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 Committee has been advertised in the manner prescribed by law. This statement shall be entered into the Minutes of this meeting.

PROCLAMATIONS- NONE

COMMITTEE COMMENTS

COMMITTEEMAN KAFTON: He welcomed everyone for coming and stated how pleased he was with the outcome of a 2002 lawsuit filed on behalf of the tenants of mobile home parks. The Mobile Home Advisory Committee asked the Township to look into a case where tenants were being forced to remove underground oil tanks at their expense. It was determined by the courts that landlords could not force tenants to remove oil tanks. He was proud to be a part of it and stated it was a big win for the tenants of mobile home parks.

COMMITTEEMAN SEDA: He stated during his campaign he prepared the public for a possible tax increase and announced it was unfortunately going to happen. He read transcripts from Mr. Salerno's recommendation stating the position taken by Jackson Township utilizing growth and one shot revenue to support reduction in taxes can no longer be and after Committeeman Seda reviewed various financial statements concluded it was true. The statement made by Mr. Salerno in his recommendation confirmed what Mr. Seda has said all along, that the one shot revenues and the growth in the town and the revenue from the growth of the town over the past six years has been utilized to artificially reduce the rate which the residents are taxed on. He read further that in today's environment of increase service, demands and costs it was impossible to continue the budgetary policy in effect from 2000-2005. The budget that Mr. Salerno presented was put together in a rush and advised the Township to do what they wish and make cuts as necessary. Mr. Seda stated cuts wouldn't be enough and he explained to Mayor Giblin the policies that were adopted for six years can no longer be and they can't continue to borrow for the town or themselves and create the type of debt that everyone is living with. There can be no more one shot revenues and he stated in 2004 he asked why are they were raising taxes 1.5 cents for open space while selling off land presently owned. The one shot revenue was used to reduce the rate everyone was taxed at and now they have to pay the price. The expenditures continue to grow, additional police were hired and operate the Town while costs continue to go up and according to Mr. Salerno's report Jackson is in a short fall.

COMMITTEEWOMAN UPDEGRAVE: She thanked everyone for coming out and stated she concurred with Committeeman Seda and confirmed she read the document which did not reflect a good future for Jackson Township and noted there is a lot of work a head of them and asked for the help of Jackson residents to put their heads together to help the new Council out. It's clear it will be impossible to avoid a major tax increase based on proposed documents and figures received over the weekend.

DEPUTY MAYOR REILLY: He thanked everyone for attending, he thanked Mr. Kafton for the victory news regarding the mobile home residents and to Mr. Seda he stated he can do all the talking he wanted but now he'll have to be the one to answer and be the one to solve the problems rather than dispensing the blame. Mr. Reilly was looking forward to how Mr. Seda faces some of the problems of the Community.

MAYOR GIBLIN: He volunteered, as a resident, to show Mr. Seda how to get it done and advised him that it requires some tough decisions. He discussed the reconstruction of New Prospect and Aldridge Road and that over the past couple years, Mr. Kafton and former Mayor Broderick were working with Ocean County engineers to change the intersection and the Township was finally awarded \$1,000,000.00 to reconstruct it. They will also be reconstructing Tyson Road and stated some of tax dollars are coming back to fix various roads in Jackson. He added St. Aloysius/St. Monica carnival wanted to remain open on Friday, July 14th and Saturday, July 15th until midnight and asked Attorney Starkey if it was done by resolution last year. Mr. Starkey advised it was done by consensus of the governing body. He received the Committee's approval to allow them to remain open until

midnight on those days. Mayor Giblin stated he would contact the carnival chairperson with the news. He added he and his 10 year old son visited Great Adventure and went on the new wooden roller coaster, El Toro stating it had a lot of hills and a lot of safety features and enjoyed it tremendously and encouraged everyone that enjoys roller coasters to wait in line because it was well worth the wait. He felt it would bring a lot of tourism to Jackson.

BILLS AND CLAIMS

MOTION TO APPROVE BILLS AND CLAIMS BY: REILLY

MOTION SECONDED BY: KAFTON

YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

NO: SEDA (CME)

CHECK#	VENDOR	AMOUNT
071618	JACKSON TOWNSHIP P/R	593,554.77
071619	JACKSON TOWNSHIP P/R	46,976.58
071620	ACTION OFFICE SUPPLIES INC.	405.37
071621	AIR BRAKE & EQUIPMENT INC.	550.00
071622	ANN ALBERTA, PETTY CASH	195.79
071623	ALLSHORE TOWING SERVICE	75.00
071624	AMERICAN BUS & COACH	390.57
071625	APCO INSTITUTE	78.66
071626	ASSN. OF MUN. ASSESSORS OF O.C.	540.00
071627	BACO ENTERPRISES, INC.	108.00
071628	ROBERT S BENNETT	65.00
071629	BESAM AUTOMATED ENTRANCE	178.00
071630	BEYER BROTHERS CORP.	1,333.21
071631	BIO COLLECTIONS	87.50
071632	BROUWER HANSEN & IZDEBSKI	420.00
071633	CANON BUSINESS SOLUTIONS	145.00
071634	VOID	-0-
071635	VOID	-0-
071636	CANYON SPRING WATER	1,043.35
071637	CATERING UNLIMITED	150.00
071638	CENTRAL JERSEY HEALTH INS. FUND	21,701.37
071639	CENTRAL JERSEY WASTE	56,807.50
071640	C.H. AUTOS	35.00
071641	CLARK, CATON & HINTZ CORP	106.00
071642	CME ASSOCIATES	520.00
071643	COHENS MODERN PRINT SVC	71.57
071644	VOID	-0-
071645	COMP USA	2,204.97
071646	JANICE CONNOR, PETTY CASH	137.89
071647	CONTRACTOR SERVICE	614.08
071648	COSTCO WHOLESALE 229	142.01
071649	COUNTY LINE HARDWARE	44.94
071650	COUNTRY CLEAN, INC.	51.30
071651	CYBERGUYS	167.26
071652	DELTA DENTAL PLAN OF NJ	21,410.54
071653	DELTA PRODUCTS, INC	1,030.93
071654	DEL-VEL CHEMICAL	413.40
071655	DEPTCOR/BUREAU OF	72.50
071656	DEPENDABILITEES	15,000.00
071657	DOWNS FORD, INC.	1,536.31
071658	EDWARDS TIRE COMPANY	1,015.08
071659	EMERGI-CLEAN INC.	1,582.05
071660	FAIRLITE ELECTRIC SUPPLY CO	406.00
071661	LILY ANN FARLEY	337.20
071662	FERGUSON ENTERPRISES, INC.	13.08

071663	FIRST AMERICAN R.E. TAS SER	23,821.00
071664	FOUR SEASONS @ METEDECONK LAKES	2,418.00
071665	GANN LAW BOOKS INC.	82.00
071666	GENERAL CODE PUBLISHERS CORP.	1,699.00
071667	BRIAN GEOGHEGAN	4,350.00
071668	GILMORE & MONAHAN, P.A.	966.08
071669	GILLIGAN & NARDINI	915.90
071670	GLOBAL COMPUTERS	355.03
071671	GRANTURK EQUIPMENT CO. INC.	1,047.51
071672	HERMAN'S TRUCKING	2,733.00
071673	HOLMES GROUP-CONSUMER SERVICES	194.97
071674	THE HOME DEPOT	535.97
071675	HOME SYSTEMS OF NJ	1,862.40
071676	HOWELL FAMILY MEDICAL CENTER	570.00
071677	HUNTER JERSEY PETERBUILT	386.00
071678	IKON OFFICE SOLUTIONS	957.04
071679	INDUSTRIAL WELDING SUPPLY INC.	124.38
071680	INTERNATIONAL TRUCK OF CENTRAL	64.70
071681	JACKSON PUBLIC SCHOOLS	96.00
071682	JAMMER DOORS	375.00
071683	VOID	-0-
071684	VOID	-0-
071685	JERSEY CENTRAL POWER & LIGHT	45,693.01
071686	JOHNSON & TOWERS INC.	296.06
071687	JOHNSON RESTAURANT EQUIP.	435.60
071688	JOHN DEERE LANDSCAPES	70.84
071689	VOID	-0-
071690	KING, KITRICK, JACKSON & SHEEHAN	2,510.70
071691	JANICE KISTY	30.25
071692	JOSEPH & BARBARA KREUTER	228.69
071693	LAKEWOOD AUTO SUPPLY INC.	316.31
071694	LANIGAN ASSOC.	14,514.60
071695	LANGUAGE SERVICES ASSOC.	21.00
071696	LANDAMERICA TAX AND FLOOD SVC.	956.47
071697	LFG SPECIALTIES, LLC	580.26
071698	L.J. MAKRANCY & SONS	29,293.42
071699	SUSAN LOTITO	1,035.00
071700	LOWE'S COMPANIES, INC.	18.43
071701	LTC CONSULTING	6,251.72
071702	FRANK MARLOW, INC.	8,500.00
071703	MATTHEW BENDER & CO., INC.	112.60
071704	MEADOWBROOK COOPERATIVE INC.	115.07
071705	MICROMEDIA PUBLICATIONS, INC.	270.00
071706	LUIS MOLLINEDO	36.27
071707	MON/OCEAN TAX COLL & TREAS.	20.00
071708	MONMOUTH COUNTY POLICE ACADEMY	491.82
071709	MONMOUTH CYCLES	1,603.41
071710	NAPCO/R.S. KNAPP CO., INC.	341.08
071711	NEW JERSEY SOCIETY OF	35.00
071712	NEXTEL COMMUNICATIONS	5,633.14
071713	NEW JERSEY NATURAL GAS	6,753.25
071714	NOREIKA GAS INC.	91.08
071715	NORMAN'S GLASS & AUTO SVCS. INC.	222.22
071716	OCEAN COUNTY LANDFILL CORP.	50,000.00
071717	OCS PRINTING	615.00
071718	OMNI TOWER INC.	3,200.00
071719	PACER SERVICE CENTER	10.32
071720	PARKER, MC CAY & CRISCUOLO	5,162.28
071721	PENNINGTON SALES & SERVICE	15.02
071722	PLEASANT GARDENS SO. CONDO	772.47
071723	PORT AUTOMATIC SPRINKLER CORP.	475.00
071724	PRINCIPAL LIFE	11,221.82

071725	QUILL CORP.	274.29
071726	RAGAN DESIGN	2,543.75
071727	RAM HYDRAULICS, INC.	3,270.00
071728	RED THE TAILOR, INC.	346.40
071729	STATE TOXICOLOGY LAB	90.00
071730	JOHN REID & ASSOC., INC.	525.00
071731	RIGGINS INC.	27,058.31
071732	RITTENHOUSE KERR FORD INC.	832.16
071733	SCORER TRUCKING	1,422.68
071734	SEELY EQUIPMENT & SUPPLY	422.66
071735	SNAP-ON INDUSTRIAL	1,060.57
071736	SPRINT	459.69
071737	NJSHBP	263,702.84
071738	STATE TREASURER	50.00
071739	TANKNOLOGY	1,412.25
071740	TOTAL LUBRICATION SVC & SUPPL	4,113.37
071741	TRICO	820.24
071742	TUBE LIGHT COMPANY	1,679.42
071743	MICHAEL CEPPALUNI dba /UNITED	420.00
071744	UNITED PARCEL SERVICE	27.60
071745	US HOMES	2,765.00
071746	VAN SANT EQUIPMENT	592.30
071747	VAN SANT SEWER SERVICE LLC	3,430.40
071748	VERIZON WIRELESSS	1,521.52
071749	VERIZON	1,423.20
071750	VERIZON ONLINE	168.75
071751	VITAL COMMUNICATIONS, INC.,	126.68
071752	WALTER EARL CORP.	52.94
071753	W.B. MASON COMPANY	662.95
071754	WELL FARGO HOME MTG, INC.	2,408.12
071755	YORK INTERNATINAL CORP.593	1,107.25

TOTAL 1,338,011.31

CHECK#	VENDOR	AMOUNT
071756	THE HOME DEPOT	364.85
071757	JANICE KISTY	28.99

TOTAL 393.84

CHECK#	VENDOR	AMOUNT
060548-060557	GENERAL TRUST	38,535.00
060558	GENERAL TRUST	106.00
009100	OPEN SPACE	1,200.00
061199-061210	PARKS & REC	8,481.25
003209-003266	DEVELOPERS	296,448.81
002111	SUBDIVISION	25,216.50
001137	INDUSTRIAL COMM	10,000.00

CAPITAL ACCOUNT

CHECK #	ACCOUNT	AMOUNT
060469	ACTION SPORTS SURFACES	10,408.00
060470	BANK OF AMERICA	9,587,900.00
060471	BRICK ARMORY/OPS2	789.00

060472	C & T LAWN SPRINKLER SYSTEMS	2,645.00
060473	CDW GOVERNMENT, INC	20.44
060474	CUSTOM WINDOW TINTING	655.00
060475	DELL MARKETING L.P.	1,312.65
060476	D.W. SMITH ASSOC.	3,355.82
060477	TIMOTHY HUSER	2,700.00
060478	J & C CAMPERS	1,485.00
060479	KML TECHNOLOGY, INC.	32,150.00
060480	QUALITY COMMUNICATIONS, INC	65,660.40
060481	VAN SANT EQUIPMENT	210.00
	TOTAL	9,709,291.31

ORDINANCES, SECOND READING:

ORDINANCE 10-06

TITLE: BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND APPROPRIATING \$1,207,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,150,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREFORE, AUTHORIZED IN AND BY THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, NEW JERSEY

PUBLIC HEARING OPENED: NO ONE CAME FORWARD.

MOTION TO CLOSE PUBLIC HEARING BY: KAFTON

MOTION SECONDED BY: SEDA

YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

MOTION TO APPROVE ORDINANCE 10-06 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED NEWSPAPER AS REQUIRED BY LAW BY: KAFTON

MOTION SECONDED BY: REILLY

YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

BOND ORDINANCE 10-06

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND APPROPRIATING \$1,207,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,150,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, NEW JERSEY

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

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Township of Jackson, in the County of Ocean, New Jersey (the "Township"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$1,207,500, said sum being inclusive of all appropriations heretofore made therefore and including the sum of \$57,500 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.*. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$1,150,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of the projects listed below, all as shown on and in accordance with contracts, plans, specifications or requisitions therefore on file with or through the Township Clerk, as finally approved by the governing body of the Township, and the estimated cost of each project, estimated maximum amount of bonds or notes, and the period or average period of usefulness of the improvements are as follows:

i) the construction of a storage building for the Department of Public Works, together with all purposes necessary, incidental or appurtenant thereto, with a total appropriation and estimated cost of \$935,000, estimated maximum amount of bonds or notes therefore of \$890,476.19 and an average period of usefulness of twenty (20) years; and

ii) road improvements to Citadel Drive, together with all purposes necessary, incidental or appurtenant thereto, with a total appropriation and estimated cost of \$272,500, estimated maximum amount of bonds or notes therefore of \$259,523.81 and an average period of usefulness of ten (10) years.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$1,150,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$1,207,500, which is equal to the amount of the appropriation herein made therefore. The excess of the appropriation of \$1,207,500 over the estimated maximum amount of bonds or notes to be issued therefore being the amount of said \$57,500 down payment.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations.

The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

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

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

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 17.73 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,150,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$57,500 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Township are used to finance, on an interim basis, costs of said improvements or purposes, the Township reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

Section 6. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Township Clerk and is available there for public inspection.

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

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

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

NOTICE OF PENDING ORDINANCE

The ordinance published herewith was introduced and passed upon first reading at a meeting of the governing body of the Township of Jackson, in the County of Ocean, New Jersey, held on May 22, 2006. It will be further considered for final passage after public hearing thereon, at a meeting of said governing body to be held in the Municipal Complex, 95 W. Veterans Highway, Jackson, New Jersey, on June 12, 2006, at 7:30 p.m., or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same.

A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted in the Municipal Complex of the Township during the

week prior to and up to and including the date of such meeting; copies of the ordinance are available to the general public of the Township who shall request such copies, at the office of the Municipal Clerk in said Township of Jackson, in the County of Ocean, New Jersey.

DATED: 06/12/06

**ANN MARIE EDEN
TOWNSHIP CLERK**

ORDINANCE 11-06

**TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON,
OCEAN COUNTY, NEW JERSEY AMENDING THE BOUNDARY LINES
OF FIRE DISTRICT NOS. 1 AND 3**

PUBLIC HEARING OPENED: NO ONE CAME FORWARD.

MOTION TO CLOSE PUBLIC HEARING BY: KAFTON

MOTION SECONDED BY: REILLY

YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

**MOTION TO APPROVE ORDINANCE 11-06 ON SECOND READING,
ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED
NEWSPAPER AS REQUIRED BY LAW BY: REILLY**

MOTION SECONDED BY: KAFTON

YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

Committeeman Kafton commended the Westlake residents in those fire districts for their diligence and acknowledged their hard work in creating a new line.

ORDINANCE 11-06

**AN ORDINANCE OF THE TOWNSHIP OF JACKSON,
OCEAN COUNTY, NEW JERSEY AMENDING THE BOUNDARY LINES OF
FIRE DISTRICT NOS. 1 AND 3**

WHEREAS, two petitions have been submitted to the office of the Township Clerk, requesting that the Governing Body take formal action to re-locate the geographic boundary line that delineates the location of Fire District Nos. 1 and 3 in Jackson Township; and

WHEREAS, the two petitions have been reviewed by the Township Clerk and have been qualified as sufficient under the terms of N.J.S.A. 40A:14-91, which requires the signatures of at least five percent (5%) of the registered voters in each of the two fire districts; and

WHEREAS, the two petitions specifically request that the geographic boundary line between Fire District Nos. 1 and 3 be re-located so as to include all of the Westlake development within the boundary of Fire District No. 3; and

WHEREAS, the Boards of Fire Commissioners of Fire Districts Nos. 1 and 3 have consented to the re-location of the boundary line between their two respective districts as requested in the petitions and have affirmed that the re-location of the boundary line will not have any impact on the firefighters' ability to safeguard the residents or property in either fire district; and

WHEREAS, the Governing Body has the authority to adopt an ordinance to re-locate the boundary lines as requested;

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

1. The geographic boundary line between Fire District No. 1 and Fire District No. 3 in Jackson Township is hereby amended to be located as indicated on the attached map, which is hereby adopted as the official map designating the limits of the fire districts in the Township. The purpose of the re-location of the boundary line is to include all of the Westlake development within the boundary line of Fire District No. 3.
2. Nothing contained herein shall effect the terms or tenure of members of the boards of fire commissioners or officer or personnel of any fire district in the Township, nor the bonds and obligations, if any, of any fire district.
3. A certified copy of this Ordinance shall be provided to the Township Tax Assessor, so that he may properly tax the properties located within the boundaries of the fire districts, as amended.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of Jackson, in the County of Ocean, State of New Jersey, held on May 22, 2006, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 12th day of June, 2006, 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.

ANN MARIE EDEN
TOWNSHIP CLERK

DATED: 06/12/06

ORDINANCES, SECOND READING:

ORDINANCE 12-06

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER 109-151 OF THE TOWNSHIP CODE, ENTITLED "PROPERTY MAINTENANCE"

PUBLIC HEARING OPENED: NO ONE CAME FORWARD.

MOTION TO CLOSE PUBLIC HEARING BY: KAFTON

MOTION SECONDED BY: SEDA

YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

Clerk Eden informed Mayor Giblin that this ordinance affects chapter 109 and was brought before the Planning Board and stated for the record they approved the Ordinance.

Mayor Giblin explained for the publics' edification that old fence enclosure standards of six cubic yards have become obsolete. Residential and commercial trash receptacles have gotten bigger and are an eyesore. This Ordinance specifies an outdoor refuse storage area should be sufficient to enclose containers up to six cubic yards and added it was a good Ordinance.

MOTION TO APPROVE ORDINANCE 12-06 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED NEWSPAPER AS REQUIRED BY LAW BY: KAFTON
MOTION SECONDED BY: REILLY

YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

ORDINANCE 12-06

**AN ORDINANCE OF THE TOWNSHIP OF JACKSON,
OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER 109-151 OF THE
TOWNSHIP CODE, ENTITLED "PROPERTY MAINTENANCE"**

WHEREAS, the Zoning Officer has recommended amendments to Chapter 109-151 of the Township Code, entitled "Property Maintenance"; and

WHEREAS, the Governing Body desires to enact the amendments recommended by the Zoning Officer;

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

- 3. Chapter 109-151 of the Township Code, entitled "Property Maintenance," shall be amended to delete existing subsection (B)(2) and to insert the following title and provision in its place, which shall be designated as 109-151(B)(1)(a):

Refuse Enclosures. Where a site plan specifies an outdoor refuse storage area, such area shall contain an enclosure not less than 100" wide, 84" deep and 72" high and be sufficient to enclose containers of up to six (6) cubic yards. The enclosure shall have locking gates. Any containers larger than six (6) cubic yards must be located in an enclosure using accepted industry requirements. Refuse containers located elsewhere on the site shall not be permitted.

- 4. This Ordinance shall become effective immediately upon final adoption and publication thereof according to law.
- 5. This ordinance shall supersede any prior inconsistent ordinances.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of Jackson, in the County of Ocean, State of New Jersey, held on May 22, 2006, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 12th day of June, 2006, 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.

**ANN MARIE EDEN
TOWNSHIP CLERK**

DATED: 06/12/06

ORDINANCES, SECOND READING:

ORDINANCE 13-06

**TITLE: AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF JACKSON AUTHORIZING A LONG-TERM LAND LEASE
WITH JACKSON LITTLE LEAGUE, LLC**

PUBLIC HEARING OPENED: NO ONE CAME FORWARD.

**MOTION TO CLOSE PUBLIC HEARING BY: KAFTON
MOTION SECONDED BY: UPDEGRAVE
YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN**

**MOTION TO APPROVE ORDINANCE 13-06 ON SECOND READING,
ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED
NEWSPAPER AS REQUIRED BY LAW BY: KAFTON
MOTION SECONDED BY: REILLY
YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN**

ORDINANCE 13-06

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF JACKSON AUTHORIZING A
LONG-TERM LAND LEASE WITH JACKSON LITTLE
LEAGUE, LLC**

WHEREAS, Jackson Little League, LLC, a non-profit organization, has requested that the Township allow the Club to lease Township land for use for the recreational baseball and softball needs of Township children; and

WHEREAS, Jackson Little League, LLC has committed to constructing the necessary fields and facilities on the land; and

WHEREAS, the Township owns land known as Block 147.02, Lot 2, a portion of which is appropriate for such use; and

WHEREAS, the governing body is of the opinion that the activities conducted by the Jackson Little League, LLC would benefit the residents of Jackson Township,

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

1. Pursuant to N.J.S.A. 40A:12-14(c), the Township is authorized to enter into a long-term lease agreement with the Jackson Little League, LLC for the use of Township owned land, a portion of Block 147.02, Lot 2, for use for recreational baseball and softball and related uses.
2. Pursuant to N.J.S.A. 40A:12-15, the term of the lease will be for fifty (50) years. The lease consideration will be one dollar (\$1.00) per year. The effectiveness of this ordinance will be subject to agreement on terms of a written lease between the parties.
3. The name of the Lessee is Jackson Little League, LLC. The purpose of the land lease is to serve the recreational needs of the children of Jackson Township. The President of Jackson Little League, LLC will be responsible for the enforcement of the lease terms.
4. Jackson Little League, LLC will be required to submit an annual report setting forth:
 - 1) The use to which the property was put;
 - 2) The activities undertaken by the lessee in furtherance of the public purpose;
 - 3) The appropriate value and cost of such activities; and
 - 4) An affirmation of the continued tax exempt status of the non-profit corporation pursuant to both Federal and State law.
5. This Ordinance shall become effective immediately upon final adoption and publication thereof according to law.
6. This Ordinance shall supersede any prior inconsistent ordinances.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of Jackson, in the County of Ocean, State of New Jersey, held on May 22, 2006, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 12th day of June, 2006, 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.

ANN MARIE EDEN
TOWNSHIP CLERK

DATED: 06/12/06

ORDINANCE FIRST READING

ORDINANCE 14-06

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, STATE OF NEW JERSEY VACATING ALL OF THE RIGHT, TITLE AND INTEREST OF THE PUBLIC IN CERTAIN ROADWAYS LOCATED IN THE WHITESVILLE INDUSTRIAL PARK

**MOTION TO APPROVE ORDINANCE 14-06 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, JUNE 26, 2006 BY: KAFTON
MOTION SECONDED BY: REILLY
YES: SEDA, UPDEGRAVE, REILLY & GIBLIN
ABSTAIN: KAFTON**

ORDINANCE 14-06

AN ORDINANCE OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, STATE OF NEW JERSEY VACATING ALL OF THE RIGHT, TITLE AND INTEREST OF THE PUBLIC IN CERTAIN ROADWAYS LOCATED IN THE WHITESVILLE INDUSTRIAL PARK

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

SECTION 1. There is hereby vacated all of the right, title and interest of the public in all of that portion of the roadways indicated on the attached "Description of Proposed Right-of-Way Vacations," prepared by Property Development Surveying, LLC, dated August 10, 2005, revised April 10, 2006, which includes various roadways located in the Whitesville Industrial Park, as more specifically described therein; all of the above as shown on the official Tax assessment Map of the Township of Jackson pursuant to the provisions of N.J.S.A. 40:67-19.

SECTION 2. There is hereby also vacated all of the right, title and interest of the public in all of that portion of the roadway located in the Whitesville Industrial Park known as Westinghouse Avenue between Houston Avenue and the Township Line between the Township of Jackson and the Township of Lakewood; all of the above as shown on the official Tax assessment Map of the Township of Jackson pursuant to the provisions of N.J.S.A. 40:67-19.

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

SECTION 4. If any section, paragraph, subdivision, clause of provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, subdivision, clause or provision so adjudged and the remainder of this ordinance shall be deemed to be valid and effective.

SECTION 5. This ordinance shall take effect immediately upon final passage and publications 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 Committee of the Township of Jackson, in the County of Ocean, State of New Jersey, held on June 12, 2006, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 26th day of June, 2006, 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.

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

DATED: 06/12/06

ORDINANCE FIRST READING

ORDINANCE 15-06

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING A PRIVATE LAND SALE OF BLOCK 110, LOT 7 ON THE TOWNSHIP'S TAX MAP

MOTION TO APPROVE ORDINANCE 15-06 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, JUNE 26, 2006 BY: REILLY

MOTION SECONDED BY: SEDA

YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

ORDINANCE 15-06

AN ORDINANCE OF THE TOWNSHIP OF JACKSON AUTHORIZING A PRIVATE LAND SALE OF TOWNSHIP PROPERTY KNOWN AS BLOCK 110, LOT 7 ON THE TOWNSHIP TAX MAP

WHEREAS, the Township has determined that property owned by the Township, located on East Commodore Boulevard and known as Block 110, Lot 7, is not needed for public use; and

WHEREAS, the property is vacant and wooded and consists of approximately 20,909 square feet, or approximately .48 acres; and

WHEREAS, the property being sold is less than the minimum size required for development under the zoning ordinances that govern the property and is without any capital improvement located thereon; and

WHEREAS, an appraisal report dated May 2, 2006, by Peter Maher, SRA, has provided a fair market value for the property of \$72,000.00; and

WHEREAS, only one property owner owns land contiguous to the property to be sold, which property owner is Ruth Kern, who owns Block 110, Lot 6.01, which entirely surrounds the property in question; and

WHEREAS, the Township desires to sell the property pursuant to the provisions of N.J.S.A. 40A:12-13(b)(5), which allows the sale of public land to contiguous property owners for a price not less than the fair market value of the property; and

WHEREAS, as a condition of such sale, Ruth Kern, the purchaser, has agreed to place a deed restriction on both Lot 7 and Lot 6.01, which will restrict the use of the land to commercial uses, except for Ms. Kern’s continued residency on Lot 6.01;

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

- A. The Township Committee hereby authorizes the sale of property known as Block 110, Lot 7 by the Township to Ruth Kern, the owner of the contiguous property, for a price not less than the fair market value of \$72,000.00.
- B. The sale is conditioned on the execution and recording of a deed restriction that restricts all use of the property, except for the continued residency of Ruth Kern on the property, to commercial use.
- C. The Mayor and Township Clerk are hereby authorized to sign any necessary documentation to effect the sale of said property to Ruth Kern.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of Jackson, in the County of Ocean, State of New Jersey, held on June 12, 2006, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 26th day of June, 2006, 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.

ANN MARIE EDEN, RMC
TOWNSHIP CLERK

DATED: 06/12/06

PUBLIC HEARING OPENED, RESOLUTIONS ONLY: NO ONE CAME FORWARD.

MOTION TO CLOSE PUBLIC HEARING, RESOLUTIONS ONLY BY: KAFTON
MOTION SECONDED BY: SEDA
YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

RESOLUTION 251R-06

TITLE: AUTHORIZE SETTLEMENT AGREEMENT BETWEEN TOWNSHIP OF JACKSON AND SIXTY ACRE RESERVE CONDO ASSOCIATION

MOTION TO APPROVE BY: KAFTON

MOTION SECONDED BY: REILLY

YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

WHEREAS, the Township is obligated to provide reimbursement for municipal services that are not provided to qualified private residential communities; and

WHEREAS, the Township recognizes Sixty Acre Reserve Condominium Association, Inc. ("Sixty Acre") as a private residential community under the Municipal Services Act that is entitled to reimbursement; and

WHEREAS, the Township Committee desires to reimburse Sixty Acre for snow removal expenses for the period March 2004 through December 2005 and to establish an agreement for reimbursement of such services in the future on an annual basis; and

WHEREAS, the Agreement also provides for the dismissal of the lawsuit filed by Sixty Acre against the Township relating to the reimbursement of municipal services; and

WHEREAS, the Township Committee desires to memorialize the agreement between the Township and Sixty Acre in written form.

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

1. The Municipal Services Agreement attached hereto, which provides for reimbursement to the Sixty Acre Reserve Condominium Association, Inc. for qualified municipal services, including snow removal costs, for the period March 2004 through December 2005, and which also provides for reimbursement of such services in the future on an annual basis, is hereby approved by the Township.
2. The Municipal Administrator and Township Clerk are hereby directed to take any necessary action to effectuate the terms of the Agreement.
3. Township Clerk is directed to provide a certified copy of this Resolution to the Sixty Acre Master Association, Inc.

DATED: 06/12/06

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

RESOLUTION 253R-06

TITLE: TOWNSHIP OF JACKSON LENGTH OF SERVICE AWARD PLAN

MOTION TO APPROVE BY: REILLY

MOTION SECONDED BY: KAFTON

YES: KAFTON, SEDA, UPDEGRAVE & GIBLIN

ABSTAIN: REILLY

WHEREAS, the township Of Jackson ("Sponsoring Agency") deems it appropriate and necessary to act to ensure retention of existing volunteers and to provide incentives for recruiting new volunteer first aid/rescue squad members;

WHEREAS, the Sponsoring Agency has determined that the creation of a Length of Service Award Program will enhance the ability of the municipality to retain and recruit volunteer first aid/rescue squad organization members;

WHEREAS, certain tax benefits could accrue to eligible volunteer first aid/rescue organization members;

NOW, THEREFORE, BE IT RESOLVED by the Sponsoring Agency that:

- 1) A Length of Service Award Program (LOSAP) is herewith created in accordance with Chapter 388 of the Laws of 1997, to reward members of the volunteer first aid/rescue squad organizations for their loyal, diligent, and devoted services to the residents of Sponsoring Agency.
- 2) The LOSAP shall provide for fixed annual contributions to a deferred income account for each volunteer member that meets the criteria set forth below; that such contributions shall be made in accordance with a plan that shall be established by the Sponsoring Agency pursuant to P.L. 1997, c. 388; and that such plan shall be administered in accordance with the laws of the State of New Jersey, the U.S. Internal Revenue Code, and this resolution.
- 3) The LOSAP shall provide for annual contributions for each eligible member who meets the criteria as follows:
 - a) An “active volunteer member” shall be eligible to participate in the LOSAP plan immediately upon commencement of the member’s performance of “active emergency services” in the Jackson Township First Aid Squad.
 - b) Annual Contributions to the Deferred Income Account for each member shall be made by the Township, however, only for those active members who have earned the minimum number of points for performing certain volunteer services basis pursuant to the requirements set forth in Appendix A attached hereto for a 12 month period.
 - c) A volunteer who is an active member of the Jackson Township First Aid Squad and is also a member of a volunteer fire department with a separate LOSAP plan cannot receive more than the maximum annual benefit amount in accordance with NJAC 5:3012.15.
 - d) In computing credit for those active volunteer members who also serve as paid employees within a local governmental unit, credit shall not be given for activities performed during the individual’s regularly assigned work periods.
- 4) Estimated cost of the program has been calculated as follows:
 - a) For regular annual service: \$1,150.00 per year
- 5) Each active volunteer member shall be credited with points for volunteer services provided to the volunteer first aid/rescue squad organization in accordance with the following schedule:

See, Appendix A

BE IT FURTHER RESOLVED that the Sponsoring Agency hereby adopts a Length of Service Award Plan Document provided by VALIC with the following identifier: 02-LOSAP-VALIC-120800.

BE IT FURTHER RESOLVED that:

- 1) Solicit Proposals: A request for proposals for a Length of Service Award Plan was prepared and made available to providers of such services.
- 2) Responding Vendors” The vendors responding to the request for proposals were:

AIG VALIC
2929 Allen Parkway

Houston, TX 77019

BE IT FURTHER RESOLVED that VALIC shall be retained by the Sponsoring Agency as the contractor under the LOSAP, and VALIC shall educate all eligible volunteers of the Sponsoring Agency regarding the Plan and shall enroll and service those eligible volunteers who participate in the Plan. As enrolling agent, VALIC shall be the exclusive agent for its funding options to be offered under the Plan.

BE IT FURTHER RESOLVED that there has been no collusion, or evidence or appearance of collusion, between any local official and a representative of the contractor in the selection of a contractor for the administration of a Length of Service Award Plan pursuant to N.J.A.C. 5:30-14.29.

BE IT FURTHER RESOLVED that the Township Administrator is hereby authorized to serve as the Local Plan Administrator of the Plan and to execute a Length of Service Award Plan with VALIC and that such Plan has been assigned by the Director of the Division of Local Government Services the following identifier: 02-LOSAP-VALIC-120800 and to submit all necessary documents to the Director of the Division of Local Government Services within the Department of Community Affairs for approval.

BE IT FURTHER RESOLVED that the Sponsoring Agency is adopting a Length of Service Award Plan document on which VALIC has a favorable opinion of counsel indicating that the funds contributed for the benefit of volunteers shall not be taxable for the purposes of the Internal Revenue Service until the actual receipt of such funds by the volunteer due to retirement, termination after vesting, death or disability.

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

DATED: 06/12/06

RESOLUTION 254R-06

TITLE: AUTHORIZE THE OCEAN COUNTY SHERIFF'S DEPARTMENT/OFFICE OF EMERGENCY MANAGEMENT TO PREPARE A HAZARD MITIGATION PLAN IN ACCORDANCE WITH THE DISSASTER MITIGATION ACT OF 2000 ON BEHALF OF JACKSON TOWNSHIP

MOTION TO APPROVE BY: KAFTON

MOTION SECONDED BY: REILLY

YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

WHEREAS, Township of Jackson has limited capability to undertake extensive participation in the preparation of a hazard mitigation plan; and

WHEREAS, the Ocean County Sheriff's Department, Office of Emergency Management is able to act on behalf of Township of Jackson in the analysis and development of a hazard mitigation plan; and

WHEREAS, the Ocean County Sheriff's Department, Office of Emergency Management shall prepare a hazard mitigation plan in accordance with the Disaster Mitigation Act of 2000;

NOW, THEREFORE, Township of Jackson / Township Committee authorizes the Ocean County Sheriff's Department, Office of Emergency Management to prepare the Ocean County Multi-jurisdictional Hazard Mitigation Plan on behalf of Township of Jackson which shall be reviewed and considered for adoption by Township of Jackson / Township Committee upon completion.

ADOPTED this date at the meeting of the Township of Jackson / Township Committee.

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

DATED: 06/12/06

RESOLUTION 256R-06

TITLE: AMEND RESOLUTION 191R-06 TO INCLUDE AN ADDITIONAL APROPRIATION TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE TOWNSHP OF JACKSON AND DR. FRANK MARLOW, SPECIAL EXAMINER TO REVIEW THE 2006-2007 DEFEATED SCHOOL BUDGET

MOTION TO APPROVE BY: KAFTON

MOTION SECONDED BY: REILLY

YES: KAFTON, REILLY & GIBLIN

NO: SEDA & UPDEGRAVE

Committeeman Seda stated the hours expended amounted to a weeks pay and at \$8,000.00 he felt it was ridiculous because Dr. Marlow knew the contract and agreed to it and is now looking for more money.

WHEREAS, the Township previously awarded a Professional Services Contract to Dr. Frank Marlow to assist the Township Committee in reviewing and establishing the school’s budget pursuant to law; and

WHEREAS, the Township Committee hereby amends resolution 191R-06 to reflect an additional appropriation of \$2,041.26 for said services and the Chief Financial Officer has certified that an additional \$2,042.00 is available for this amendment in the 2006 Temporary Operating Budget; and

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

1. The contract between the Township of Jackson and Dr. Frank Marlow is hereby amended to reflect an additional appropriation of \$2,041.26 (See attached “Schedule A”).
2. The original contract has been awarded under the provisions N.J.S.A. 40A:5-11
3. Pursuant to Local Public Contract Law (N.J.S.A. 40A:11-1, et seq.) a notice of this amending resolution shall be advertised in an official publication as required by law
4. That upon the adoption of this resolution, the Township Clerk is authorized and directed to forward a certified copy to Administration, Chief Financial Officer and Dr. Frank Marlow and any other interested parties.

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

DATED: 06/12/06

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

RESOLUTION 241R-06

TITLE: AUTHORIZE TAX OVERPAYMENT REFUNDS

MOTION TO APPROVE BY: KAFTON

MOTION SECONDED BY: REILLY

YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

TOWNSHIP OF JACKSON

OVERPAYMENT REFUNDS**JUNE 12, 2006**

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>YEAR-QTR</u>	<u>AMOUNT</u>
40.68	53.07	MEADOWBROOK COOPERATIVE INC.	2005 – 4 TH	\$ 115.07
111.02	8	JOSEPH & BARBARA KREUTER	2006 – 1 ST	228.69
58.01	8.07	WELLS FARGO HOME MORTGAGE	2006 – 2 ND	1,383.60
101.04	13.04	WELLS FARGO HOME MORTGAGE	2006 – 2 ND	1,024.52
9.01	120.03	FIRST AMERICAN R. E. TAX SERVICE	2006 – 2 ND	1,051.68
10	54.01	FIRST AMERICAN R. E. TAX SERVICE	2006 – 2 ND	1,025.97
66.09	57.01	FIRST AMERICAN R. E. TAX SERVICE	2006 – 2 ND	1,183.49
75.01	3608.803	FIRST AMERICAN R. E. TAX SERVICE	2006 – 2 ND	787.09
82.01	36.03	FIRST AMERICAN R. E. TAX SERVICE	2006 – 2 ND	1,009.63
85	10.27	FIRST AMERICAN R. E. TAX SERVICE	2006 – 2 ND	1,778.82
99.01	18.01	FIRST AMERICAN R. E. TAX SERVICE	2006 – 2 ND	1,095.87
99.04	19	FIRST AMERICAN R. E. TAX SERVICE	2006 – 2 ND	1,824.93
102.01	10	FIRST AMERICAN R. E. TAX SERVICE	2006 – 2 ND	1,008.05
118.04	2	FIRST AMERICAN R. E. TAX SERVICE	2006 – 2 ND	908.35
120.05	8	FIRST AMERICAN R. E. TAX SERVICE	2006 – 2 ND	1,344.13
126.40	10	FIRST AMERICAN R. E. TAX SERVICE	2006 – 2 ND	1,075.12
127.01	49	FIRST AMERICAN R. E. TAX SERVICE	2006 – 2 ND	995.42
130.04	33	FIRST AMERICAN R. E. TAX SERVICE	2006 – 2 ND	2,113.11
135.20	21	FIRST AMERICAN R. E. TAX SERVICE	2006 – 2 ND	1,609.04
135.23	7	FIRST AMERICAN R. E. TAX SERVICE	2006 – 2 ND	1,781.02
144.01	18.09	FIRST AMERICAN R. E. TAX SERVICE	2006 – 2 ND	2,251.20
153.02	3	FIRST AMERICAN R. E. TAX SERVICE	2006 – 2 ND	978.08
125.11	1	LANDAMERICA TAX AND FLOOD SERVICES	2006 – 2 ND	956.47

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

DATED: 06/12/06

RESOLUTION 242R-06

TITLE: APPROVE BINGO/RAFFLE LICENSE TO: SAINT ALOYSIUS (#RA-1111 AND #RA-1112)

MOTION TO APPROVE BY: KAFTON

MOTION SECONDED BY: REILLY

YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

WHEREAS, certain organizations have applied to the Jackson Township Committee for permission to hold BINGO/RAFFLE GAMES within the Township for fund raisings:

NOW THEREFORE, BE I RESOLVED by the Mayor and the Township Committee of the Township of Jackson, County of Ocean, State of New Jersey, that:

1. The following application(s) are hereby approved:
 SAINT ALOYSIUS (#RA-1111 AND #RA-1112)
2. Copies of the Resolution to interested parties.

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

DATED: 06/12/06

**RESOLUTION 243R-06
TITLE: APPROVE TOWNSHIP COMMITTEE MEETING MINUTES OF MAY 8, 2006**

**MOTION TO APPROVE BY: KAFTON
MOTION SECONDED BY: REILLY
YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN**

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

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

1. The following Minutes are hereby approved by the Jackson Township Committee:

May 8, 2006

2. Copies of this resolution to any interested parties.

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

DATED: 06/12/06

**RESOLUTION 244R-06
TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO K. HOVNANIAN OF THE CASH BONDS ISSUED FOR FOUR SEASONS AT METEDECONK A/K/A, VARIOUS BLOCK AND LOTS AS FOLLOWS**

**MOTION TO APPROVE BY: KAFTON
MOTION SECONDED BY: REILLY
YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN**

WHEREAS, K. Hovnanian has requested the Release of cash bonds for winter conditions for various Block and Lots, Jackson Township as follows:

<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Amount</u>
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143.07	6	6 Rosecliff Drive	\$1,000.00
143.08	7	9 Rosecliff Drive	\$1,500.00
143.06	92	69 Gables Way	\$1,500.00
143.10	15	78 Gables Way	\$1,500.00
143.09	20	44 Gables Way	\$1,500.00
143.09	12	28 Gables Way	\$1,000.00
143.06	54	38 Park Ridge Way	\$1,000.00

WHEREAS, Wayne R. McVicar P.E., Township Engineer, Remington, Vernick & Vena, has reviewed and approved the release of said cash bond in letter reports dated May 24, 2006 which letter reports are made a part hereof; and

WHEREAS, the Township Committee of the Township of Jackson has considered the application and the reports of the Engineer;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Jackson, County of Ocean and State of New Jersey, that the Cash Bonds for winter conditions heretofore posted with the Township may and hereby are released to K. Hovnanian.

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

DATED: 06/12/06 ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

RESOLUTION 245R-06
TITLE: AUTHORIZE THE OCEAN COUNTY SHERIFF’S DEPARTMENT/OFFICE OF EMERGENCY MANAGEMENT TO PREPARE A HAZARD MITIGATION PLAN IN ACCORDANCE WITH THE DISSASTER MITIGATION ACT OF 2000 ON BEHALF OF JACKSON TOWNSHIP

MOTION TO APPROVE BY: KAFTON
MOTION SECONDED BY: REILLY
YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

WHEREAS, Township of Jackson has limited capability to undertake extensive participation in the preparation of a hazard mitigation plan; and

WHEREAS, the Ocean County Sheriff’s Department, Office of Emergency Management is able to act on behalf of Township of Jackson in the analysis and development of a hazard mitigation plan; and

WHEREAS, the Ocean County Sheriff’s Department, Office of Emergency Management shall prepare a hazard mitigation plan in accordance with the Disaster Mitigation Act of 2000;

NOW, THEREFORE, Township of Jackson / Township Committee authorizes the Ocean County Sheriff’s Department, Office of Emergency Management to prepare the Ocean County Multi-jurisdictional Hazard Mitigation Plan on behalf of Township of Jackson which shall be reviewed and considered for adoption by Township of Jackson / Township Committee upon completion.

ADOPTED this date at the meeting of the Township of Jackson / Township Committee.

DATED: 06/12/06 ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

RESOLUTION 246R-06

TITLE: AUTHORIZE RELEASE OF VARIOUS C.O. CASH BONDS PROSTED BY FARMINGDALE WOODS, LLC FOR PROJECT KNOWN AS FARMINGDALE WOODS (BLOCK 132, LOTS-VARIOUS)

MOTION TO APPROVE BY: KAFTON

MOTION SECONDED BY: REILLY

YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

WHEREAS, Farmingdale Woods, LLC. has requested the Release of cash bonds for winter conditions for various Block and Lots, Jackson Township as follows:

<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Amount</u>
132	13.20	1 Opal Court	\$1,500.00
132	13.21	3 Opal Court	\$1,500.00
132	13.23	4 Opal Court	\$1,500.00
132	13.22	6 Opal Court	\$1,500.00

WHEREAS, Wayne R. McVicar, P.E., Township Engineer, Remington, Vernick & Vena, has reviewed and approved the release of said cash bond in letter reports dated May 25, 2006, which letter reports are made a part hereof; and

WHEREAS, the Township Committee of the Township of Jackson has* considered the application and the reports of the Engineer;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Jackson, County of Ocean and State of New Jersey, that the Cash Bonds for winter conditions heretofore posted with the Township may and hereby are released to Farmingdale Woods.

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

DATED: 06/12/06

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

RESOLUTION 247R-06

TITLE: AUTHORIZE RELEASE OF C.O. CASH BOND POSTED BY TOLL BROTHERS FOR PROJECT KNOWN AS RIVIERA @ WESTLAKE

MOTION TO APPROVE BY: KAFTON

MOTION SECONDED BY: REILLY

YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

WHEREAS, Toll Brothers has requested the Release of Bond #08824003 issued by Fidelity and Deposit Company of Maryland in the amount of \$50,000.00 pertaining to Riviera at Westlake, various Block and Lots in Jackson Township as listed in the attached Schedule "A"; and

WHEREAS, Alan B. Dittenhofer, P.E., Township Engineer, Remington, Vernick & Vena, has reviewed and approved the release of said performance bond in letter report dated May 25, 2006, which letter report is made a part hereof; and

WHEREAS, the Township Committee of the Township of Jackson has considered the applications and the reports of the Engineer;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Jackson, County of Ocean and State of New Jersey, that Performance Bond #08824003 issued by Fidelity and Deposit Company of Maryland in the amount of \$50,000.00, previously posted with the Township for winter conditions of various block and

lots, may and hereby is released to Toll Brothers. The Mayor and Township Clerk are authorized to sign or issue and appropriate documentation to give effect to the within resolution.

DATED: 06/12/06

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

RESOLUTION 248R-06

TITLE: AUTHORIZE REDUCTION IN PERFORMANCE GUARANTEES POSTED BY JACKSON BAPTIST CHURCH FOR SITE PLAN (BLOCK 83, LOT 24)

MOTION TO APPROVE BY: KAFTON

MOTION SECONDED BY: REILLY

YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

WHEREAS, Jackson Baptist Church has requested a Reduction of the Performance Guarantee located on Block 83, Lot 24, Jackson Township; and

WHEREAS, the following Performance Guarantees currently in place are:

1. Performance guarantee in the form of Letter of Credit # 0280002106 in the amount of \$198,072.27 issued by Rumson-Fair Haven.
2. Cash Guarantee in the amount of \$22,008.03.

WHEREAS, Alan B. Dittenhofer, P.E., Township Engineer, Remington, Vernick & Vena, has reviewed and approved the reduction of the Performance Guarantee in a letter report dated May 30, 2006 in the following amount:

1. Reduction of the Performance Bond to not less than \$59,421.68
2. Reduction of the Cash Guarantee to not less than \$6,602.41

WHEREAS, the Township Committee of the Township of Jackson has considered the application and the report of the Township's Engineer;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Jackson, County of Ocean and State of New Jersey, that the Performance Bond is hereby reduced from \$198,072.27 to not less than \$59,421.68 and the Cash Guarantee from \$22,008.03 to not less than \$6,602.41. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

DATED: 06/12/06

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

RESOLUTION 249-06

TITLE: AUTHORIZE RELEASE OF PERFORMANCE GUARANTEES POSTED BY U.S. HOMES FOR BLOCK 82.10, LOT 30 (BUTTERFLY PATH ESTATES) UPON THE POSTING OF THE REQUIRED MAINTENANCE GUARANTEE

MOTION TO APPROVE BY: KAFTON

MOTION SECONDED BY: REILLY

YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

WHEREAS, U. S. Homes, has requested a Release of the Performance Guarantee, which consists of \$228,888.99 in the form of a Performance Bond #929215092 issued by The Continental Insurance Company and Cash Bond in the amount of \$25,432.11, pertaining to Butterfly Path Estates a/k/a Block 82.01, Lot 30, Jackson Township; and

WHEREAS, Ernest J. Peters, Jr., P.E. of CME Associates, Engineer, has reviewed and approved the release of said performance bond in letter report dated June 1, 2006, which letter report is made a part hereof; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Jackson, County of Ocean and State of New Jersey, that the Performance Guarantee, which consists of Performance Bond #929215092 issued by The Continental Insurance Company in the amount of \$228,888.99 and Cash Bond in the amount of \$25,432.11 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 \$127,160.55 or post a cash guarantee in the amount of \$84,773.70, 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.

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

DATED: 06/12/06

RESOLUTION 250R-06

TITLE: AUTHORIZE RELEASE OF PERFORMANCE GUARANTEES POSTED BY U.S. HOMES FOR BLOCK 80, LOT 11 (MAJESTIC WOODS) UPON THE POSTING OF THE REQUIRED MAINTENANCE GUARANTEE

MOTION TO APPROVE BY: KAFTON

MOTION SECONDED BY: REILLY

YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

WHEREAS, U. S. Homes, has requested a Release of the Performance Guarantee, which consists of \$329,723.30 in the form of a Performance Bond #929215093 issued by Continental Insurance Company and Cash Bond in the amount of \$36,635.92, pertaining to Majestic Woods, a/k/a Block 80, Lot 11, Jackson Township; and

WHEREAS, Ernest J. Peters, Jr., P.E. of CME Associates, Engineer, has reviewed and approved the release of said performance bond in letter report dated June 1, 2006, which letter report is made a part hereof; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Jackson, County of Ocean and State of New Jersey, that the Performance Guarantee, which consists of Performance Bond #929215093 issued by The Continental Insurance Company in the amount of \$329,723.30 and Cash Bond in the amount of \$36,635.92 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 \$183,179.61 or post a cash guarantee in the amount of \$122,119.74, 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.

DATED: 06/12/06

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

RESOLUTION 252R-06

TITLE: AUTHORIZE NEGOTIATED CONTRACT AWARD TO BEDROCK CONCRETE CORPORATION FOR THE CONSTRUCTION OF THE BUILDING FOUNDATION OF THE DPW EQUIPMENT STORAGE FACILITY

MOTION TO APPROVE BY: KAFTON

MOTION SECONDED BY: REILLY

YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

WHEREAS, Jackson Township previously advertised for the receipt of bids for the Building Foundation for the new DPW Equipment Storage Facility on March 7, 2006 at 10:00 a.m. and again on April 4, 2006 at 10:00 a.m.; and

WHEREAS, on both occasions, the bids submitted were reviewed and deemed unreasonably excessive based upon the original cost estimates; and

WHEREAS, the Township Committee previously authorized the Township Administrator and Township Engineer, Daniel Burke, P.E., to negotiate a contract award for the Building Foundation for the new DPW Equipment Storage Facility; and

WHEREAS, during the contract negotiation process, the following bids were submitted for the Building Foundation of the new Department of Public Works Equipment Storage Facility:

- | | |
|----------------------------------|------------------------------|
| 1. Bedrock Concrete Corporation: | \$521,000.00 (base bid only) |
| 2 .Loftus Construction: | \$587,000.00 (base bid only) |
| 3. Gavan General Contracting | \$616,180.00 (base bid only) |
| and; | |

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

WHEREAS, the Township Engineer, Daniel Burke, P.E., has determined that Bedrock Concrete Corporation, 190 Williams Street, South River, New Jersey submitted the lowest bid responsible negotiated bid; and

WHEREAS, the Township Engineer, Daniel Burke, P.E., has recommended that the bid for the Building Foundation for the new DPW Equipment Storage Facility be awarded to Bedrock Concrete Corporation; and

WHEREAS, the Chief Financial Officer has certified that partial funding in the amount of \$251,000.00 is immediately available for this purpose; and

WHEREAS, the remaining balance in the amount of \$270,000.00 will be available and take effect upon the twenty (20) day waiting period after the first publication of the notice of final approval of Bond Ordinance #10-06 (i.e. November 20, 2003) in accordance with N.J.S.A. 40A:2-18; and

WHEREAS, it is now it is the desire of this Township Committee to act upon the recommendation of the Township Engineer, Daniel Burke, P.E.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Jackson, County of Ocean and State of New Jersey, that the Township Engineer, Daniel Burke, P.E., is hereby authorized to award a Contract for the Building Foundation of the new DPW Equipment Storage Facility to Bedrock Concrete Corporation for a total contract amount of \$521,000.00. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution after the 20 day period of limitation associated with Bond Ordinance #10-06 has passed.

DATED: 06/12/06

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

RESOLUTION 255R-06

TITLE: APPROVE CHIEF FINANCIAL OFFIERS REPORT FOR MONTH OF APRIL 2006

MOTION TO APPROVE BY: KAFTON

MOTION SECONDED BY: REILLY

YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

WHEREAS, the Chief Financial Officer has submitted a monthly report; and

WHEREAS, the Township Clerk has submitted this report to the Township Committee for their approval;

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

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

DATED: 06/12/06

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

DISCUSSION AGENDA:

Committeeman Kafton discussed his concern with heavy truck traffic on Cook Road stating Pomponio Trucking & Excavating and other trucking companies use Cook Road to avoid County Line Road. He stated trucks were no longer permitted to turn left onto Cook Road and have to go down to Stop N Shop and turn around. Mr. Kafton felt it would be in the community's best interest to arrange a meeting with members of the Police Department, Dan Burke, Pomponio and a few residents to discuss possible solutions. Committeeman Seda discussed the poor road condition and agreed something had to be done but they couldn't prevent Pomponio from using the road when they have been in business for many years. Committeeman Kafton stated Pomponio is located behind Shop Rite and has the ability to use County Line Road and go in and out of their business without affecting residential housing. Mayor Giblin stated the MUA will be laying sewer lines on Cook Road and the road will be resurfaced in the fall. The situation will have to be addressed because Township and developer's money will be wasted if truck traffic is allowed to continue. He agreed that sitting down, as a group is a good place to start. Committeeman Kafton will ask Dan Burke to arrange a meeting.

Clerk Eden stated Fire District No. 4 has asked the Township to donate two vehicles no longer needed for public use noting Code Enforcement recently received two new vehicles. Mayor Giblin explained the Public Works Director had written, requesting the two unutilized vehicles and wanted to give them the opportunity to utilize them first but would consider Fire District No. 4's request at a later date. Committeeman Seda confirmed holding off.

PUBLIC HEARING, ANY TOPIC

JOSEPH ESPOSITO-PRESIDENT OF JACKSON MILLS FIRE COMPANY: He stated the former Mayor Broderick had verbally promised the two vehicles to his fire station once Code Enforcement received their vehicles. Mayor Giblin explained he was not aware of any arrangement made and the DPW has shown a need for the two vehicles. Mr. Esposito stated the Township recalled vehicle #5403, now the truck used by the Police Department it was expressed that he would get a replacement once Code Enforcement got their two new vehicles. Committeeman Seda added Public Works presented documentation that their present vehicles were falling apart. Mayor Giblin suggested they look at their inventory to determine if they have any SUV type vehicles to satisfy their needs.

RICHARD ZAUNER-109 NORTH COUNTY LINE ROAD: He stated Harmony Road has a load limit and that's why trucks were using Cook Road and felt there would be a bigger problem when K. Hovnanian starts building because their trucks will go on Cook Road instead of Harmony Road, around lights and u-turns and coming back on County Line Road. They're all going to go down Cook Road. Mr. Zauner offered to take anyone for a ride in his truck down Cook Road to show how bumpy it was. Mr. Kafton remarked it wasn't just the road condition but that trucks are louder than cars and acknowledged how generous Pomponio has been to Jackson Township which is why he suggested sitting down with them to discuss possible alternatives.

ERWIN ROTHBARD-8 RYE CT: He announced he was the spokesperson for every family on Rye Court stating they have been complaining for the past five years about the trees planted on front lawns, drainage and sinkholes. He discussed trees that have never appeared healthy and asked them to come around and take notice to the various trees. He had written letters to Ms. Dahl, Lennar Representative that went unanswered and he was asking the Township to get involved. He expressed gratitude to Mr. Kafton who tried to help by making calls to have the trees addressed. Mayor Giblin acknowledged his frustration and asked Mr. Burke, Municipal Engineer, who was in the audience if he was ever made aware and he replied no.

JESSICA DAHL-LENNAR REPRESENTATIVE: She confirmed the trees are on order but because they are in litigation with the Township regarding Westlake they will not replace the trees until the Township releases their bonds. Mr. Kafton stated he was unaware of any litigation when he met with her and asked if the litigation had anything to do with the trees on Rye Court? She confirmed it was regarding driveways and once litigation is resolved they will replace trees with more attractive flowing trees. Committeeman Seda confirmed speaking with Ms. Dahl stating their bonds were being held up because they didn't complete their punch list items. Ms. Dahl updated him on the status of the punch list and confirmed that once the punch list is completed and Lennar is on the Agenda for later in the month she would be happy to correct problems on Rye Court but until then her company will not allow her to spend any money. Mr. Kafton and Mr. Seda spoke about the amount of development Lennar does in Jackson. Committeeman Seda stressed how displeased he was with the concrete he saw and the home owners there paid a great deal of money for those homes and for Lennar to sit back and drag their feet on a bondable item, Lennar should be embarrassed and if that's the type of building they continue to do in Jackson then the Township will step up to the plate and make sure what they build is exactly to code and will accept nothing less even if it means inspecting it four or five times. Mayor Giblin assured Mr. Rothbard that the Township was on his side. Committeeman Kafton explained to Ms. Dahl the last thing the Township wants to do is get into an argument with Lennar and asked her to please speak with her boss about the meeting and that the Committee is asking them to replace the trees as soon as possible. Ms. Dahl confirmed the next Township Committee

Meeting would be the 26th of June and she stated if Lennar is on the Agenda the 26th then they will be out to replace the trees on the 27th. Mr. Kafton wasn't completely pleased with the response but understood it was the best answer she could give under the circumstance.

RON GIRARD-14 RYE CT: He informed the Committee he was the resident with the hole in the ground since last fall and added summer was approaching and stated it was a bad time to plant new trees but he wanted to address the drainage issue. Mr. Girard read from a report by Mr. Hartmann (Lennar's representative) that noted 5 & 7 Rye Court had no standing water, soggy and lawn mower ruts stating the ruts were caused by using the wrong lawn mower. At 3 & 5 Rye Court the soil was dry. He stated the owner of 5 Rye Court has a flooded backyard and couldn't walk on it. The catch basin in the back is pitched the wrong way and these problems have gone back to 2001 and felt Code Enforcement should be involved. Mayor Giblin promised him the Township will stand behind the Homeowners Association and will see these issues through to the end. Mayor Giblin asked Mr. Burke to drive out the following day to take a look at the properties. Committeeman Kafton confirmed the engineers have also written about Rye Court and they have documentation.

BARBARA SPIELMAN-37 SHOAL ROAD: She asked what Resolution 247R-06 meant and Mayor Giblin explained that each resident had a cash bond related to it. Since the residents moved in during the winter the cash bonds wouldn't be released until the spring when final jobs could be completed. She was concerned about bonds that are being held back from Toll Brothers like there is with Lennar? Mayor Giblin explained they are still on Maintenance Bond and still have Performance issues they will be required to complete and explained US Homes completed their portion which is why their bonds were up to be released and expected a punch list for Toll Brothers when the time comes. She explained there were similar situations with Toll Brothers and the driveways and that CME was working on it. Mayor Giblin assured her that the present Township Committee and the future Township Council will stand behind the homeowners of Westlake and explained her Master Association is obligated to keep the residents informed since they are the ones to give their final blessings once everyone is satisfied.

ROBERT SILVA-131 PICADILLY DRIVE: He thanked Mr. Kafton for bringing up the issue of truck traffic. Many issues have come up since the changes on County Line Road and rerouted traffic down the road. He advised dump trucks, 18 wheelers and tractor trailers start about 6:30am and continue every three minutes throughout the entire day. The residents there were not looking to restrict business but suggested using an access point that is much closer to where all trucks come out and ask that they not come down through the homes because it is a residential neighborhood. Committeeman Seda assured Mr. Silva that they will address the truck traffic and stated County Line Road is a County road and trucks will not be permitted to make a left from Cook Road. Deputy Mayor Reilly asked Mr. Silva if they were still experiencing speeding on Picadilly Drive because Traffic Safety put in a speed monitor device. Mr. Silva confirmed it was an ongoing problem and discussed some issues regarding the developer. Mr. Kafton asked Mr. Burke to follow up with Kaplan because they have to satisfy some bond requirements that the Township has written to them about and advise Mr. Silva of the outcome.

JANET GEARMAN-201 PERRINVILLE ROAD: She was concerned about the name change of a street and the confusion caused with regard to the 200' Property owner list. She stated that the Engineer representing a Developer used the "old" street name that in her opinion does not state the correct facts. Attorney Starkey explained that she should attend the next Planning Board meeting to address her issue as it was out of the Township Committees jurisdiction.

GEORGE FISCHER-84 BOWMAN ROAD: He congratulated the new Council members and then thanked the other Committee members, which will be leaving, for all their hard work they've done for the Township. He listed several roads, besides Cook Road that would be used by heavy truck traffic throughout Jackson and asked them to do a larger review and promised to be before them in the future regarding the issue. He was concerned about the new government taking over July 1st and the sensitive timing of the 493 homes in the Grawtown Road area that must be reviewed by July 25th. Mr. Fischer stated new members on the Planning Board would not be familiar with the many issues discussed. He was also concerned about the environmental issues that were discussed in length and have gotten the

attention of Representative Dancer, Representative Malone and Senator Singer; who have presented legislation to look at laws concerning environmental issues in the Pinelands area. In the GDP areas there is evidence of critical habitat in the developments that presently exist. Recently the Planning Board took steps to review environmental issues there and with the proposed development of 493 homes he is asking the Committee, as part of the transition process, to be involved in protecting the residents of Jackson during this critical period because if it's not heard by July 25th it will automatically be approved. Mr. Fischer stated a resident on Grawtown Road found a dead Pine Snake crushed on the road and by the time she got back to take a picture of it, it was removed. He closed with asking the Committee again to please make sure the transition is done correctly to protect the residents of Jackson.

STEPHANIE BROWN-310 SOUTH NEW PROSPECT: She stated when she came to the last meeting some Committee members were not present and she came to the meeting to speak to them. She addressed Deputy Mayor Reilly saying in the beginning she was not that impressed by him but after seeing what he has done she wanted to extend her gratitude and best wishes in his future plans. Ms. Brown then addressed Committeewoman Updegrave stating how quiet she was which made it difficult for Ms. Brown to know what she was all about and was impressed when she sat quietly by while other members of the Committee argued. She was looking forward to knowing her a little better and closed with apologizing to Mayor Giblin for accusing him of doing something he didn't do.

RICHARD ZAUNER-109 NORTH COUNTY LINE ROAD: He stated while sitting in the audience he asked Ms. Dahl what type of trees they were going to plant and she responded Linden trees. He noted as a beekeeper he did a lot of research on trees and remembered reading about the Linden tree and although beautiful and sweet smelling, it attracted not only Honey Bees but wasps and other stinging insects. The Linden tree also grows very large and if planted close to the sidewalks and streets he warned they would receive many complaints from residents because of the danger stinging bees present. He also noted they lose more leaves than a Maple tree and for those reasons he wanted to let them know they weren't a good choice of trees for the purpose they are using them. He ended with recommending two Dr. Seuss books he found at the library. One book entitled "*The Sneetches*" and the other entitled "*The Lorax*". The Lorax spoke for the trees and he stated he was there to speak for the trees because they are destroying a great many of them.

MOTION TO CLOSE PUBLIC HEARING ON ANY TOPIC BY: KAFTON
MOTION SECONDED BY: REILLY
YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

MOTION TO ADJOURN BY: SEDA
MOTION SECONDED BY: KAFTON
YES: KAFTON, SEDA, UPDEGRAVE, REILLY & GIBLIN

9:10 PM

RESPECTFULLY SUBMITTED,

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

AME/klj