

Jackson Township Council Meeting November 28, 2006

ON TUESDAY, NOVEMBER 28, AT 6:30 P.M., THE JACKSON TOWNSHIP COUNCIL HELD IT'S MEETING IN THE MUNICIPAL BUILDING

ROLL CALL:

**COUNCILMAN GUDAITIS
COUNCILWOMAN INGRAM
COUNCILMAN MARTIN
COUNCIL VICE PRESIDENT UPDEGRAVE
COUNCIL PRESIDENT STALLONE**

**ATTORNEY GILMORE
TOWNSHIP CLERK EDEN**

**ALSO IN ATTENDANCE
MAYOR SEDA
ADMINISTRATOR SANTOS**

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.

RESOLUTION 494R-06

TITLE: RESOLUTION FOR EXECUTIVE SESSION TO AUTHORIZE TOWNSHIP COUNCIL TO ENTER INTO CLOSED DISCUSSIONS CONCERNING MATTERS INVOLVING PERSONNEL, LITIGATION/POTENTIAL LITIGATION, POTENTIAL LAND SALE/ACQUISITION AND CONTRACTS

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: INGRAM

YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE

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: DPW matter
 - b) Litigation/Potential Litigation: CVS Property
 - c) Land Sale: Request to purchase Township Property, inquiry to sell property to Township
 - d) Transfer of Legler Water System to JTMUA
 - e) Contracts: Union Negotiations, Cablevision
3. It is anticipated that the subject matter discussed may be made public upon its conclusion or final disposition.

DATED: 11/28/06

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

ON TUESDAY, NOVEMBER 28, 2006, THE JACKSON TOWNSHIP COUNCIL HELD IT'S MEETING, COMMENCING AT 7:30 P.M. IN THE MAIN MEETING

ROOM OF THE MUNICIPAL BUILDING. SAID MEETING WAS OPENED WITH THE PLEDGE OF ALLEGIANCE.

ROLL CALL:

**COUNCILMAN GUDAITIS
COUNCILWOMAN INGRAM
COUNCILMAN MARTIN
COUNCIL VICE PRESIDENT UPDEGRAVE
COUNCIL PRESIDENT STALLONE**

**ATTORNEY GILMORE
TOWNSHIP CLERK EDEN**

ALSO IN ATTENDANCE:

**MAYOR SEDA
ADMINISTRATOR SANTOS**

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.

MAYORAL APPOINTMENT:

MAYOR SEDA welcomed Leonard Reid to the Jackson Township Police Department. Director Kunz then introduced Officer Reid to the Council. He stated Officer Reid served in the United States Department of Defense for several years and was a life long resident of Jackson and looked forward to working with him.

COUNCIL COMMENTS

COUNCILMAN GUDAITIS congratulated Officer Reid on his appointment and then congratulated the Jackson Jaguar football team for an outstanding season. He thanked Shoprite and the Council members for their generosity and stated they delivered about \$500 worth of food to the Jackson Food Pantry.

COUNCILWOMAN INGRAM congratulated Officer Reid on his appointment and the Jackson Memorial Marching Band for their participation in the Boscov's Thanksgiving Parade. At the League of Municipality Conference she and Councilman Martin met with a Cablevision representative and was pleased to announce they are willing to enter into a franchise agreement with Jackson Township that will allow Jackson to televise the Council meetings. They also attended a workshop where they met members from other municipalities and members of the School Board and discussed sharing a variety of services. She was also looking into improving their existing accounting software.

COUNCILMAN MARTIN congratulated Officer Reid stating he was happy to see the police force growing. He then congratulated the football team for their great performance all year and then stated he and Councilwoman Ingram were continuing to meet with the Board of Education and Cablevision and promised to keep the public informed.

COUNCIL VICE PRESIDENT UPDEGRAVE thanked everyone for coming, Women of Today for helping the needy, Jackson Township Senior Center for holding a dinner, Officer Reid on his appointment and wished everyone a safe trip home.

COUNCIL PRESIDENT STALLONE thanked everyone for coming. He stated he attended the Thanksgiving dinner at the Senior Center and thanked their staff, Rotary Club, Shoprite, Caterers Unlimited and the residents that participated in making it a memorable evening. He stated the tax maps were completed and approved and looked forward to beginning the revaluation process early in 2007. He congratulated Officer Reid on his appointment and wished him well.

BILLS AND CLAIMS

MOTION TO APPROVE BILLS AND CLAIMS BY: MARTIN
MOTION SECONDED BY: UPDEGRAVE
YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE
ABSTAIN: MARTIN (6008377-JUAN BELLU & ASSOC.)

CLERK EDEN informed the public that Enforsys (# 30095) was removed from the Bills and Claims list.

CHECK#	VENDOR	AMOUNT
072837	JACKSON TOWNSHIP P/R ACCT	701,590.52
072838	JACKSON TOWNSHIP P/R ACCT	47,007.10
072839	ABLE OFFICE PRODUCTS	122.74
072840	ACTION OFFICE SUPPLIES INC.	756.90
072841	A.M./P.M. SERVICES	99.00
072842	ASBURY PARK PRESS, INC.	68.20
072843	B & H PHOTO	497.85
072844	RENALD BARTHELUS	82.00
072845	JUAN BELLU & ASSOCIATES	2,394.61
072846	BROUWER HANSEN & IZDEBSKI	705.00
072847	DONNA BUSSICULO	1,116.68
072848	C & H AUTO	55.00
072849	CABLEVISION	59.95
072850	CATERING UNLIMITED	500.00
072851	CEDE & COMPANY	98,711.00
072852	CENTRAL JERSEY HOT MIX	2,315.93
072853	CENTRAL HERSET WASTE AND	56,807.50
072854	C.H. AUTOS	70.00
072855	CHILDRENS PLACE	41.00
072856	CMF, INC.	9,413.19
072857	COMPUSA STORES L P	253.14
072858	COSTO CHOLESAL 229	276.54
072859	DASTI, MURPHY, MCGUCKI, ET ALS	418.48
072860	DELTA PRODUCTS, INC.	673.78
072861	DEPTCOR/BUREAU OF	296.55
072862	DIRECT SAFETY CO	146.76
072863	DOWNS FORD, INC.	559.35
072864	EAGLE MAINTENANCE SUPPLY INC.	222.52
072865	EMERGI-CLEAN INC.	561.00
072866	EXCAVATING MATERIALS &	1,168.50
072867	FAIRLITE ELECTRIC SUPPLY CO.	375.30
072868	GANN LAW BOOKS INC.	95.00
072869	GILMORE & MONAHAN, P.A.	7,376.36
072870	GRANTURK EQUIPMENT CO., INC.	488.28
072871	GREATER MEDIA PUBLICATIONS	241.20
072872	HENRY GOSSARD DBA/ H & D FIRE	1,106.05

072873	RONNIE & SANDRA HENDRICK	115.75
072874	HERMAN'S TRUCKING	486.40
072875	IKON OFFICE SOLUTIONS	149.80
072876	INDUSTRIAL SERVICES COMPANY	741.00
072877	JACKSON PUBLIC SCHOOLS	44.00
072878	JACKSON TWP. BOARD OF ED	5,513,007.00
072879	JACKSON TWP. GENERAL TRUST FUND	68,877.02
072880	JACKSON TWP. MUN. UTILITIES AUTH.	7,746.49
072881	JACKSON COUNCIL FOR THE ARTS	6,271.16
072882	JERSEY CENTRAL POWER & LIGHT	172.50
072883	JERZ MECHANICAL INC.	310.00
072884	C. JOSEPH & C. GERACI	192.72
072885	MICHAEL KELLY	1,740.00
072886	KING, KITRICK, JACKSON & SHEEHAN	7,200.00
072887	LAKEWOOD AUTO SUPPLY INC.	2,067.00
072888	LANIGAN ASSOCIATES, INC.	856.00
072889	LOWE'S COMPANY INC.	84.77
072890	MC BRIDE GLASS CO., INC.	196.00
072891	MIAMI SYSTEMS CORPORATION	1,508.89
072892	MICROMEDIA PUBLICATIONS, INC.	153.75
072893	MONMOUTH TELECOM	1,501.24
072894	NEW JERSEY NATURAL GAS	4,958.33
072895	NEW JERSEY PLANNING OFFICIALS	175.00
072896	OCEAN COUNTY BOARD OF HEALTH	5,752.00
072897	OCEAN COUNTY NEWSPAPER, INC.	493.71
072898	PEDRONI FUEL COMPANY, INC.	45,120.82
072899	PINA M. INC.	280.00
072900	PROFESSIONAL EQUIPMENT	274.75
072901	R & R RADAR INC.	108.25
072902	RELIABLE CORPORATION	85.89
072903	RIGGINS INC.	22,348.40
072904	SEELY EQUIPMENT & SUPPLY	480.00
072905	SHOPRITE/PERLMART, INC.	594.22
072906	SP AUTO	516.96
072907	STARKEY, KELLY, BAUER &	12,730.75
072908	T & M ASSOCIATES	1,906.75
072909	TOZOUR-TRANE	2,884.16
072910	MICHAEL CEPPALUNI DBA / UNITED	290.00
072911	UNITED PARCEL SERVICE`	68.04
072912	VERIZON WIRELESS	18.65
072913	VOID	-0-
072914	VERIZON	703.29
072915	VERIZON	405.74
072916	WAKTER R, EARLE CORPORATION	97.95
072917	W.B. MASON COMPANY	724.89
072918	WESTWOOD COMPUTER CORP.	565.95
072919	WEST CALDWELL CALIBRATION LAB	385.50
072920	KELLY WINTHROP, LLC	330.00
	TOTAL	6,652,394.47

CHECK#	VENDOR	AMOUNT
000340	DOG	282.00
060612-060618	GENERAL TRUST	34,261.54
009105	OPEN SPACE	392,384.38
002114	SUBDIVISION	22,816.00
003466-003491	DEVELOPERS	110,165.75
009106	OPEN SPACE	150,000.00

CAPITAL ACCOUNT

CHECK #	ACCOUNT	AMOUNT
060519	CEDE & COMPANY	9,587,900.00
060520	JACKSON TOWNSHIP CURRENT FUND	15,464.00
060521	CEDE & COMPANY	14,095.00
	TOTAL	9,617,459.00

ORDINANCES, SECOND READING:

ORDINANCE 28-06

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, VACATING ALL OF THE RIGHT, TITLE AND INTEREST OF THE TOWNSHIP IN ALL OR A PORTION OF FARLEY TERRACE, MACK TERRACE, CATHERS DRIVES, RAMSEY PLACE, HOWLEY TERRACE, KENNY PLACE AND STAFFORD PLACE

MAYOR SEDA stated there were some areas of this Ordinance that needed to be looked at further.

KEN BRESSI-462 DIAMOND ROAD: He stated the Council gave the Planning Board the paperwork to review and make a recommendation however they haven't made a recommendation at this time because there were some concerns. Attorney Gilmore explained the State was holding up aid until the school gets their final CO and suggested the Council adopt the Ordinance and hold off publishing it's passage until after the Planning Board's December 4th meeting. Council agreed.

PUBLIC HEARING OPENED – NO ONE CAME FORWARD

MOTION TO CLOSE PUBLIC HEARING BY: MARTIN

MOTION SECONDED BY: GUDAITIS

YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE, STALLONE

MOTION TO APPROVE ORDINANCE 28-06 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED NEWSPAPER AS REQUIRED BY LAW BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE

ORDINANCE NO. 28-06

AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, VACATING ALL OF THE RIGHT, TITLE AND INTEREST OF THE TOWNSHIP IN ALL OR A PORTION OF FARLEY TERRACE, MACK TERRACE, CATHERS DRIVES, RAMSEY PLACE, HOWLEY TERRACE, KENNY PLACE AND STAFFORD PLACE

WHEREAS, the governing body of the Township of Jackson has been requested to vacate all of the right, title and interest of the Township in all or a portion of Farley Terrace, Mack Terrace, Cathers Drives, Ramsey Place, Howley Terrace, Kenny Place and Stafford Place; and

WHEREAS, the governing body makes the determination that the public will not adversely be affected by the vacation of the Township=s interest in all or a portion of Farley Terrace, Mack Terrace, Cathers Drives, Ramsey Place, Howley Terrace, Kenny Place and Stafford Place.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Council 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 for all public usages and purposes in and to that portion of Farley Terrace, Mack Terrace, Cathers Drives, Ramsey Place, Howley Terrace, Kenny Place and Stafford Place as is set forth on Schedules A through G, attached hereto and made a part hereof. However, the Township does hereby expressly reserve and except from the vacation all rights and privileges now possessed by public utilities, as defined in R.S. 48:2-13, and by any cable television company, as defined in the ACable Television Act,≡ P.L. 1972, c. 186, (C. 48:5A-1, et seq.), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, being vacated by the provisions of this ordinance.

SECTION 2. At least one (1) week prior to the time fixed for further consideration for final passage of this ordinance, a copy hereof, together with a notice stating the introduction of the ordinance on first reading and the time and place when and where the ordinance will be considered for final passage, shall be mailed to every person whose lands may be affected by the adoption of the ordinance.

SECTION 3. This ordinance shall be published at least once in an official newspaper of the Township of Jackson at least ten (10) days prior to the time fixed for consideration of the final passage of the ordinance.

SECTION 4. The Township Clerk, if this ordinance is adopted on final reading, shall submit a certified copy of this ordinance, together with proof of publication, to the Ocean County Clerk=s Office for recording in the Book of Vacations.

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

SECTION 6. A copy of Schedules A through G as referenced herein shall be kept on file and made available for public inspection in the Township Clerk=s Office during normal business hours.

MAYOR MARK A. SEDA

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Jackson held on the **13th** day of **November, 2006**, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the **28th** day of **November, 2006**, at 7:30 p.m., at the Municipal Building located at 95 W. Veterans Highway, Jackson, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

ANN MARIE EDEN, RMC
Township Clerk, Township of Jackson

ORDINANCE FIRST READING

ORDINANCE 29-06

TITLE: AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY NEW JERSEY, MAKING THE PROVISIONS OF SUBTITLE ONE OF TITLE 39 WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO PREMIER AT CEDAR KNOLLS AND REGULATING THE USE OF SAID ROADWAYS, STREETS, DRIVEWAYS AND PARKING LOTS BY MOTOR VEHICLES

**MOTION TO APPROVE ORDINANCE 29 -06 ON FIRST READING,
ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND
PUBLIC HEARING TO BE HELD ON, DECEMBER 12, 2006 BY: GUDAITIS
MOTION SECONDED BY: UPDEGRAVE
YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE**

ORDINANCE 29-06

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY NEW JERSEY, MAKING THE PROVISIONS OF SUBTITLE ONE OF TITLE 39 WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO PREMIER AT CEDAR KNOLLS AND REGULATING THE USE OF SAID ROADWAYS, STREETS, DRIVEWAYS AND PARKING LOTS BY MOTOR VEHICLES

WHEREAS, Jeffrey Fernbach, President of Paramount Homes, has filed a written consent with the Township of Jackson, that the provisions of Subtitle One of Title 39 of the revised statutes of New Jersey be made applicable to the semi-public roads, streets, driveways and parking lots at Premier at Cedar Knolls located in the Township of Jackson, County of Ocean and the following regulations shall be enforceable:

REGULATION(S):

1. Stop Intersections:

The following described intersections are hereby designated as Stop Intersection. Stop signs shall be installed as provided therein:

<u>Intersection</u>	<u>Stop Sign(s) on:</u>
Cedar Knoll Road and Bartley Road	Cedar Knoll Road

2. Speed Limits:

A. The speed limit for both directions of travel on the following roadways are:

<u>Name of Roadway</u>	<u>M.P.H.</u>	<u>Limits</u>
Cedar Knoll Road	25	Entire Length

B. Regulatory and warning signs shall be erected and maintained to effect the above designated speed limits authorized by the Department of Transportation.

3. Tow-Away Zones:

Any vehicle parked or standing as to obstruct or impede a normal flow of traffic block entrances or exit ways, loading zones, oil fills, and grassy area pedestrian walkway, or present in any way a safety or traffic hazard may be removed by towing the vehicle at the owners or operators expense.

RECOMMENDATIONS:

That all signs, posts, or other necessary materials be installed and paid for by the applicant. All signing shall conform to the current Manual on Uniform Traffic Control Devices, pursuant to N.J.S.A. 39:4-198 and N.J.S.A. 39:4-183.27.

Unless another penalty is expressly provided for by New Jersey Statute, every person convicted of a violation of this ordinance or any supplement thereto shall be liable to a penalty of not more than one hundred (\$100.00) dollars or imprisonment for a term not exceeding fifteen (15) days or both.

Effect of Ordinance:

If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of the Ordinance.

If any section, subsection, paragraph sentence of any part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect impair or invalidate

the remainder of this ordinance not directly involved in the controversy in which such judgment shall have been rendered.

This Ordinance shall take effect immediately upon final passage and publication as required by law.

MAYOR MARK A. SEDA

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Jackson, in the County of Ocean, State of New Jersey, held on November 28, 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 December, 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.

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

DATED: 11/28/06

ORDINANCE FIRST READING

ORDINANCE 30-06

TITLE: AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY NEW JERSEY, MAKING THE PROVISIONS OF SUBTITLE ONE OF TITLE 39 WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO WHISPERING HILLS AND REGULATING THE USE OF SAID ROADWAYS, STREETS, DRIVEWAYS AND PARKING LOTS BY MOTOR VEHICLES

**MOTION TO APPROVE ORDINANCE 30-06 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, DECEMBER 12, 2006 BY: GUDAITIS
MOTION SECONDED BY: MARTIN
YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE**

ORDINANCE 30-06

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY NEW JERSEY, MAKING THE PROVISIONS OF SUBTITLE ONE OF TITLE 39 WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO WHISPERING HILLS AND REGULATING THE USE OF SAID ROADWAYS, STREETS, DRIVEWAYS AND PARKING LOTS BY MOTOR VEHICLES

WHEREAS, Sarah Katz, a representative of Whispering Hills, has filed a written consent with the Township of Jackson, that the provisions of Subtitle One of Title 39 of the revised statutes of New Jersey be made applicable to the semi-public roads, streets, driveways and parking lots at Whispering Hills located in the Township of Jackson, County of Ocean and the following regulations shall be enforceable:

REGULATION(S):

1. Through Streets:

The following streets or parts of streets are hereby designated as Through Streets. Stop signs shall be installed on the near right side of each street intersecting the Through Street except where Yield Signs are provided for in the designation:

<u>Name of Street</u>	<u>Limits</u>
Overlook Drive	Entire length within the corporate limits of Whispering Hills

2. Speed Limits:

A. The speed limit for both directions of travel on the following roadways are:

<u>Name of Roadway</u>	<u>M.P.H.</u>	<u>Limits</u>
Overlook Drive	25	Entire Length within the corporate limits of Whispering Hills

B. Regulatory and warning signs shall be erected and maintained to effect the above designated speed limits authorized by the Department of Transportation.

3. Tow-Away Zones:

Any vehicle parked or standing as to obstruct or impede a normal flow of traffic block entrances or exit ways, loading zones, oil fills, and grassy area pedestrian walkway, or present in any way a safety or traffic hazard may be removed by towing the vehicle at the owners or operators expense.

RECOMMENDATIONS:

That all signs, posts, or other necessary materials be installed and paid for by the applicant. All signing shall conform to the current Manual on Uniform Traffic Control Devices, pursuant to N.J.S.A. 39:4-198 and N.J.S.A. 39:4-183.27.

Unless another penalty is expressly provided for by New Jersey Statute, every person convicted of a violation of this ordinance or any supplement thereto shall be liable to a penalty of not more than one hundred (\$100.00) dollars or imprisonment for a term not exceeding fifteen (15) days or both.

Effect of Ordinance:

If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of the Ordinance.

If any section, subsection, paragraph sentence of any part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect impair or invalidate the remainder of this ordinance not directly involved in the controversy in which such judgment shall have been rendered.

This Ordinance shall take effect immediately upon final passage and publication as required by law.

MAYOR MARK A. SEDA

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Jackson, in the County of Ocean, State of New Jersey, held on November 28, 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 December, 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.

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

DATED: 11/28/06

ORDINANCE FIRST READING

ORDINANCE 31-06

TITLE: AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY NEW JERSEY, MAKING THE PROVISIONS OF SUBTITLE ONE OF TITLE 39 WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO ROSS LANE ESTATES AND REGULATING THE USE OF SAID ROADWAYS, STREETS, DRIVEWAYS AND PARKING LOTS BY MOTOR VEHICLES

MOTION TO APPROVE ORDINANCE 31-06 ON FIRST READING, ADVERTISE THE APPROVAL AND NOTICE OF SECOND READING AND PUBLIC HEARING TO BE HELD ON, DECEMBER 12, 2006 BY: GUDAITIS MOTION SECONDED BY: INGRAM YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE

ORDINANCE 31-06

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY NEW JERSEY, MAKING THE PROVISIONS OF SUBTITLE ONE OF TITLE 39 WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO ROSS LANE ESTATES AND REGULATING THE USE OF SAID ROADWAYS, STREETS, DRIVEWAYS AND PARKING LOTS BY MOTOR VEHICLES

WHEREAS, Sarah Katz, a representative of P & K Associates, has filed a written consent with the Township of Jackson, that the provisions of Subtitle One of Title 39 of the revised statutes of New Jersey be made applicable to the semi-public roads, streets, driveways and parking lots at Ross Lane Estates located in the Township of Jackson, County of Ocean and the following regulations shall be enforceable:

REGULATION(S):

1. Stop Intersections:

The following described intersections are hereby designated ads Stop intersections. Stop signs shall be installed as provided therein:

<u>Name of Street</u>	<u>Stop Signs On</u>
Overlook Drive and Freehold Road	Overlook Drive

2. Speed Limits:

A. The speed limit for both directions of travel on the following roadways are:

<u>Name of Roadway</u>	<u>M.P.H.</u>	<u>Limits</u>
Overlook Drive	25	Entire Length within the corporate limits of Ross Lane Estates

B. Regulatory and warning signs shall be erected and maintained to effect the above designated speed limits authorized by the Department of Transportation.

3. Tow-Away Zones:

Any vehicle parked or standing as to obstruct or impede a normal flow of traffic block entrances or exit ways, loading zones, oil fills, and grassy area pedestrian walkway, or present in any way a safety or traffic hazard may be removed by towing the vehicle at the owners or operators expense.

RECOMMENDATIONS:

That all signs, posts, or other necessary materials be installed and paid for by the applicant. All signing shall conform to the current Manual on Uniform Traffic Control Devices, pursuant to N.J.S.A. 39:4-198 and N.J.S.A. 39:4-183.27.

Unless another penalty is expressly provided for by New Jersey Statute, every person convicted of a violation of this ordinance or any supplement thereto shall be liable to a penalty of not more than one hundred (\$100.00) dollars or imprisonment for a term not exceeding fifteen (15) days or both.

Effect of Ordinance:

If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of the Ordinance.

If any section, subsection, paragraph sentence of any part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect impair or invalidate the remainder of this ordinance not directly involved in the controversy in which such judgment shall have been rendered.

This Ordinance shall take effect immediately upon final passage and publication as required by law.

MAYOR MARK A. SEDA

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Jackson, in the County of Ocean, State of New Jersey, held on November 28, 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 December, 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.

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

DATED: 11/28/06

PUBLIC HEARING OPENED, RESOLUTIONS ONLY - NO ONE CAME FORWARD

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

RESOLUTION 506R-06

TITLE: AUTHORIZE THE REJECTION OF All BIDS SUBMITTED FOR THE CONSTRUCTION OF A NEW SALT STORAGE STRUCTURE

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: INGRAM

YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE

WHEREAS, the Township Engineer, Daniel Burke, P.E., has requested authorization to reject all bids submitted for the construction of a new Salt Storage Structure; and

WHEREAS, Jackson Township previously advertised for the receipt of bids for the construction of a Salt Storage Structure on October 17, 2006 at 10:00 a.m. under a fair and open process; and

WHEREAS, the following bids were submitted for the construction of a Salt Storage Structure:

<u>Vendor</u>	<u>Total Bid Amount</u>
1. API Industries	\$115,000.00
2. Cover-All Buildings	\$247,995.07
3. J. Motzko/Roman Asphalt Corporation	\$284,400.00
4. 3R Contracting	\$329,000.00

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, upon review, Township Engineer, Daniel Burke, P.E., has determined that the low bid submitted did not comply with the specifications as outlined in the Township’s bid documentation; and

WHEREAS, the second lowest bid also did not comply with the specifications as outlined in the Township’s bid documents; and

WHEREAS, the remaining two (2) bids submitted were unreasonably excessive; and

WHEREAS, the Township Engineer, Daniel Burke, P.E., has recommended that the Township Council reject all four (4) bids submitted based upon the aforementioned reasons; and

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

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. Township Engineer, Daniel Burke, P.E., is hereby authorized to reject all bids submitted for the new Salt Storage structure based upon either non-compliance or excessive bid amount.
2. Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution
3. Copies of this Resolution to Administration, Chief Financial Officer, Purchasing Agent, Daniel Burke, P.E., and any other interested parties.

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

DATED: 11/28/06

RESOLUTION 507R-06

TITLE: CONSENT TO THE APPOINTMENT OF CARLOS FERREIRA, ESQ. AS DEPUTY PUBLIC DEFENDER CY 2006

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: INGRAM

YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE

WHEREAS, there exists a need for Legal Services as Deputy Public Defender of the Township of Jackson in accordance with N.J.S.A. 2B:24-3; and

WHEREAS, P. L. 1997, Chapter 256 requires municipalities within the State of New Jersey to appoint Deputy Public Defenders to act in the absence of the municipal Public Defender; and

WHEREAS, the Township accordingly needs to appoint Deputy Public Defenders in accordance with the requirements of said law; and

WHEREAS, the value of this contract will not exceed \$17,500.00 as outlined in N.J.S.A. 19:44A-20.4 et. seq.

WHEREAS, said contract shall provide for the payment of \$200.00 per client in the event the Township calls upon said Deputy Public Defender for CY 2006; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. allows the award of contracts for "Professional Services" without competitive bidding under certain guidelines pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, said contract shall provide for the payment of \$200.00 per client in the event the Township calls upon said Deputy Public Defender for CY 2006.

WHEREAS, the maximum amount of the contract to be awarded under this resolution is as set forth in the 2006 municipal budget for legal services; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

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

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

1. That Carlos Ferreira, Esq. is hereby appointed Township deputy Public Defender for a term commencing immediately and ending December 31, 2006 and shall perform all legal services under the contract authorized herein.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to a contract agreement with Attorney Carlos Ferreira, Esq. Said contract will provide for the payment of \$200.00 per client in the event that the Township calls upon said Deputy Public Defender during the year 2006.
3. That this contract is awarded as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(l)(a)(i) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
4. That a notice of this action shall be printed once in the official newspaper of the Township of Jackson.
5. That this resolution shall take effect immediately
6. That a 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;
7. That a certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer, Municipal Court and appointee.

DATED: 11/28/06

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

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

RESOLUTION 495R-06

TITLE: AUTHORIZE TAX OVERPAYMENT REFUNDS

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE

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

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

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

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

**TOWNSHIP OF JACKSON
OVERPAYMENT REFUNDS**

November 28, 2006

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>EAR-QTR</u>	<u>AMOUNT</u>
5.01	69.02	Charles Joseph & Celeste Geraci	2005-4 th	\$192.72
125.01	63	Ronnie & Sandra Hendrick	2005-3 rd	115.75

DATED: 11/28/06 ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

**RESOLUTION 496R-06
TITLE: APPROVE TOWNSHIP COUNCIL MEETING MINUTES OF
OCTOBER 24, 2006**

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

WHEREAS, official Minutes of Jackson Township Committee meetings have been prepared; and

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

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

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

October 24, 2006

2. Copies of this resolution to any interested parties.

DATED: 11/28/06 ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

**RESOLUTION 497R-06
TITLE: AUTHORIZE THE ADVERTISEMENT AND ACCEPTANCE OF BIDS
FOR ATHLETIC FIELD MAINTENANCE**

**MOTION TO APPROVE BY: MARTIN
MOTION SECONDED BY: UPDEGRAVE**

YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE

COUNCILMAN GUDAITIS stated Johnson Park was not included in the bid and questioned the Administrator. Administrator Santos explained he hadn't looked it over and would ask the Acting Public Works Director. Mayor Seda responded that Johnson Park is not included in the Field Maintenance Program.

COUNCILWOMAN INGRAM stated when she and Councilman Martin met with the School Board they indicated that maintaining the fields one was service they were looking to share.

WHEREAS, the Township Council has requested Township Purchasing Agent, Denise Hammerstone, prepare bid specifications/documents for the maintenance of athletic fields; and

WHEREAS, upon the completion of the required bid specifications, the Township Purchasing Agent is hereby authorized to advertise and acceptance bids for the maintenance of the athletic fields.

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 Purchasing Agent of Jackson Township is hereby authorized to prepare the necessary documents/bid specifications for the maintenance of athletic fields
2. That upon the completion of the specifications, the Purchasing Agent is directed to advertise for receipt of bids (a date yet to be determined).
3. The Township Clerk shall advertise Notice to Bidders for the purpose of the receipt of sealed bids for the above-named purpose or project.
4. Each bid shall be submitted as a written proposal in the manner designated in the specifications and shall be signed by bidder. The bid shall be enclosed in a sealed envelope bearing the name and the address of the bidder on the outside and addressed to Township Clerk, Township of Jackson, 95 West Veterans Highway, Jackson, New Jersey 08527. Said envelope shall be clearly labeled that it contains a bid for the purpose of "Maintenance of Athletic Fields".
5. Specifications and form of bids may be inspected or obtained upon proper notice by prospective bidders during business hours from the Office of the Township Clerk, 95 West Veterans Highway, Jackson, NJ 08527.
6. It is the sole responsibility of each bidder to see that bids are submitted in date and time specified, and **IN NO EVENT SHALL ANY BID BE CONSIDERED OR ACCEPTED AFTER THE DATE AND TIME SPECIFIED FOR THE RECEIPT OF BIDS**. In the event that a bidder does not personally deliver the sealed bid on the date and time specified for receipt of bids, such bidder shall assume all risks of loss or misplacement of the sealed bid by the Municipal Officers or any other risk relative to the failure of the bidder to personally deliver the bid.
7. The bid quote shall be net to the Township of Jackson and shall be exclusive of State or Federal taxes. Each and every deviation from the specifications shall be clearly listed by the bidder. Failure to comply with this requirement shall be grounds for rejection of the bid.
8. Each bid must be accompanied by a bid bond, certified check or cashiers check payable to the Township of Jackson for not less than ten percent (10%) of the amount of the bid, but not in excess of \$ 20,000.00 and shall be delivered at the place and time specified above. This requirement will not be waived.
9. A contract will be awarded to the lowest qualified responsible bidder. The Township Council reserves the right to reject any and all bids. The Township Council reserves the right to waive insubstantial irregularities in any bid.

10. A Non-Collusion Affidavit in the usual form will be supplied with the specifications and shall be executed by the person or corporate office submitting the bid. Said Affidavit must be properly notarized. A Non-Collusive Affidavit must accompany each bid. These requirements will not be waived.

11. Bidders are required to comply with the requirements of P.L. 1975, Chapter 127 (N.J.S.A. 10:5-31 et seq.). Successful bidders shall execute a contract containing Affirmative Action Requirements established by regulations pursuant to P.L. 1975, Chapter 127.

12. Corporate and partnership bidders shall comply with P.L. 1977, Chapter 33, by submitting a list of the names and addresses of all stockholders or owners holding ten percent (10%) or more of the stock or owning a ten percent (10%) or greater interest therein. Failure to submit such a list either prior to the time for the receipt of the bids or with the sealed bid will be grounds for the rejection of the bid.

13. Performance date shall commence as stipulated in agreement or as stated in specifications.

14. The second lowest bid shall be retained for a period of thirty (30) days after the award of bid.

GENERAL BIDDING REQUIREMENTS FOR THE MAINTENANCE OF ATHLETIC FIELDS

A. Each bid shall be submitted in writing, addressed to the Township Clerk, Jackson Township Municipal Building, 95 West Veterans Highway, Jackson, New Jersey 08527 and shall be in the hands of said Clerk at or before the time set forth in the Notice to Bidders for the receipt of bids. No responsibility shall be assumed by the Township for any bid mailed to the Clerk, which is not received by him before the time stated above for the receipt of bids. No bids will be received after the first bid is opened at said time and place.

B. Each bid shall be signed by the bidder and contained in a sealed envelope WHICH SHALL BE ADDRESSED TO THE SAID CLERK AND SHALL CONTAIN ON ITS FACE A STATEMENT THAT IT IS A BID ON SAID ITEM in order the said bid may not be inadvertently opened prematurely.

C. Each bid shall state that it is made in accordance with this advertisement.

D. The Township reserves the right to accept or reject any and all bids.

E. Each bid shall be accompanied by certified check, cashier's check, bank money order or bid bond in the amount of ten percent (10%) of the bid price and each bid shall also be accompanied by a consent of surety. The successful bidder is required to post a performance bond.

F. In the event Bidder is a corporation or partnership, it shall submit to the governing body, prior to the time of the receipt of the bids or accompanying the bid, a statement setting forth the names and addresses of all stockholders in the corporation or partnership who own ten percent (10%) or more of its stock or an interest equivalent for the same in accordance with P.L. 1977, c.33.

G. Bidders are required to comply with the requirements of P.L. 1975, c.127.

H. Bidders on this work will be required to comply with the Copeland Anti-Kickback Act (18 H.S.C. 874) as supplemented in Department of Labor Regulations (29 C.F.R. Part 3).

J. Bids for this service are being solicited through a fair and open process (public bidding) in accordance with N.J.S.A. 19:44A-20.5 et. seq.

I. Contact Denise Hammerstone, Township Purchasing Agent, for any additional information, telephone number (732) 928-1200.

DATED: 11/28/06

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

RESOLUTION 498R-06

TITLE: APPROVE DISABLED VETERAN EXEMPTION ON BLOCK 40.77, LOT 7

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE

WHEREAS, The Department of Veteran Affairs determined that Edward Blackwell at 4 Kindling Way, Block 40.77 Lot 7 to have a service connected disability that is totally disabling and has owned the above listed parcel as of January 19th, 2006;

WHEREAS, Mr. Blackwell has made application to the Township as a totally disabled veteran, which has been approved by the Tax Assessor as of 2/16/06, and;

WHEREAS, it is Township policy to grant the exemption for the current year, and up to two preceding years.

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

1. The Tax Collector is directed to cancel taxes as follows: 2006 - \$ 6,662.94
2. The Tax Collector is directed to process a refund for any overpayment due to the cancellation of taxes.
3. The parcel is to be exempted on the 2007 tax list.

Copy to: Tax Collector
Finance
Tax Assessor

DATED: 11/28/06

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

RESOLUTION 499R-06

TITLE: APPROVE DISABLED VETERAN EXEMPTION ON BLOCK 143.08, LOT 17

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE

WHEREAS, The Department of Veteran Affairs determined that Thomas Zarcone at 20 Carlisle Drive, Block 143.08 Lot 17 to have a service connected disability that is totally disabling and has owned the above listed parcel as of June 30th, 2006;

WHEREAS, Mr. Zarcone has made application to the Township as a totally disabled veteran, which has been approved by the Tax Assessor as of 9/1/06, and;

WHEREAS, it is Township policy to grant the exemption for the current year, and up to two preceding years.

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

1. The Tax Collector is directed to cancel taxes as follows: 2006 - \$ 598.32
2. The Tax Collector is directed to process a refund for any overpayment due to the cancellation of taxes.
3. The parcel is to be exempted on the 2007 tax list.

Copy to: Tax Collector
Finance
Tax Assessor

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

DATED: 11/28/06

RESOLUTION 500R-06

TITLE: APPROVE DISABLED VETERAN EXEMPTION ON BLOCK 111.10, LOT 39

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE

WHEREAS, The Department of Veteran Affairs determined that Frank Giannone at 113 Huntington Drive, Block 111.10 Lot 39 to have a service connected disability that is totally disabling and has owned the above listed parcel as of July 21st, 2006;

WHEREAS, Mr. Giannone has made application to the Township as a totally disabled veteran, which has been approved by the Tax Assessor as of 9/22/06, and;

WHEREAS, it is Township policy to grant the exemption for the current year, and up to two preceding years.

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

1. The Tax Collector is directed to cancel taxes as follows: 2006 - \$ 441.98
2. The Tax Collector is directed to process a refund for any overpayment due to the cancellation of taxes.
3. The parcel is to be exempted on the 2007 tax list.

Copy to: Tax Collector
Finance
Tax Assessor

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

DATED: 11/28/06

RESOLUTION 501R-06

TITLE: APPROVE DISABLED VETERAN EXEMPTION ON BLOCK 111, LOT 3604.317

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE

WHEREAS, The Department of Veteran Affairs determined that Richard Heuring at 317 Brookfield Drive, Block 111 Lot 3604.317 to have a service connected disability that is totally disabling and has owned the above listed parcel as of January 24th, 2006;

WHEREAS, Mr. Heuring has made application to the Township as a totally disabled veteran, which has been approved by the Tax Assessor as of 3/08/06, and;

WHEREAS, it is Township policy to grant the exemption for the current year, and up to two preceding years.

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

1. The Tax Collector is directed to cancel taxes as follows: 2006 - \$ 1474.80

- 2. The Tax Collector is directed to process a refund for any overpayment due to the cancellation of taxes.
- 3. The parcel is to be exempted on the 2007 tax list.

Copy to: Tax Collector
 Finance
 Tax Assessor

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

DATED: 11/28/06

RESOLUTION 502R-06

TITLE: APPROVE DISABLED VETERAN EXEMPTION ON BLOCK 106.02, LOT 4.13

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE

WHEREAS, The Department of Veteran Affairs determined that Donald L. Mason at 320 Cedar Swamp Road, Block 106.02 Lot 4.13 to have a service connected disability that is totally disabling as of February 27th, 2006;

WHEREAS, Mr. Mason has made application to the Township as a totally disabled veteran, which has been approved by the Tax Assessor as of 10/16/06, and;

WHEREAS, it is Township policy to grant the exemption for the current year, and up to two preceding years.

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

- 1. The Tax Collector is directed to cancel taxes as follows: 2006 - \$ 4,681.15
- 2. The Tax Collector is directed to process a refund for any overpayment due to the cancellation of taxes.
- 3. The parcel is to be exempted on the 2007 tax list.

Copy to: Tax Collector
 Finance
 Tax Assessor

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

DATED: 11/28/06

RESOLUTION 503R-06

TITLE: APPROVE DISABLED VETERAN EXEMPTION ON BLOCK 143.07, LOT 10

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE

WHEREAS, The Department of Veteran Affairs determined that Michael T. Derevjanik at 14 Rosecliff Drive, Block 143.07 Lot 10 to have a service connected disability that is totally disabling and has owned the above listed parcel as of December 28th, 2005;

WHEREAS, Mr. Derevjanik has made application to the Township as a totally disabled veteran, which has been approved by the Tax Assessor as of 5/22/06, and;

WHEREAS, it is Township policy to grant the exemption for the current year, and up to two preceding years.

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

1. The Tax Collector is directed to cancel taxes as follows:
 - 2006 - \$ 1,180.50
 - 2005 - \$ 12.04
2. The Tax Collector is directed to process a refund for any overpayment due to the cancellation of taxes.
3. The parcel is to be exempted on the 2007 tax list.

Copy to: Tax Collector
Finance
Tax Assessor

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

DATED: 11/28/06

RESOLUTION 504R-06

TITLE: APPROVE DISABLED VETERAN EXEMPTION ON BLOCK 80.02, LOT 15

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE

WHEREAS, The Department of Veteran Affairs determined that Paul Santiago at 8 Kings North Road, Block 80.02 Lot 12 to have a service connected disability that is totally disabling and has owned the above listed parcel as of November 28th, 2005;

WHEREAS, Mr. Santiago has made application to the Township as a totally disabled veteran, which has been approved by the Tax Assessor as of 1/30/06, and;

WHEREAS, it is Township policy to grant the exemption for the current year, and up to two preceding years.

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

1. The Tax Collector is directed to cancel taxes as follows:
 - 2006 - \$ 1,984.41
 - 2005 - \$ 118.11
2. The Tax Collector is directed to process a refund for any overpayment due to the cancellation of taxes.
3. The parcel is to be exempted on the 2007 tax list.

Copy to: Tax Collector
Finance
Tax Assessor

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

DATED: 11/28/06

RESOLUTION 505R-06

TITLE: APPROVE DISABLED VETERAN EXEMPTION ON BLOCK 80.02, LOT 12

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE

WHEREAS, The Department of Veteran Affairs determined that Paul Santiago at 8 Kings North Road, Block 80.02 Lot 12 to have a service connected disability that is totally disabling and has owned the above listed parcel as of November 28th, 2005;

WHEREAS, Mr. Santiago has made application to the Township as a totally disabled veteran, which has been approved by the Tax Assessor as of 1/30/06, and;

WHEREAS, it is Township policy to grant the exemption for the current year, and up to two preceding years.

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

1. The Tax Collector is directed to cancel taxes as follows:

2006 - \$ 1,984.41
2005 - \$ 118.11

2. The Tax Collector is directed to process a refund for any overpayment due to the cancellation of taxes.
3. The parcel is to be exempted on the 2007 tax list.

Copy to: Tax Collector
Finance
Tax Assessor

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

DATED: 11/28/06

RESOLUTION 508R-06

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO FRIENDSHIP, INC. OF THE CASH BONDS ISSUED FOR GABLES @ BELAIRE A/K/A, VARIOUS BLOCK AND LOTS AS FOLLOWS

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE

WHEREAS, Friendship, Inc. 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>
135.01	1.03	5 Bridle Court	\$1,500.00
135.01	1.09	6 Bridle Court	\$1,000.00
135.01	1.11	5 Trotters Way	\$1,000.00
135.01	1.23	484 Matthews Lane	\$1,000.00
135.24	6	12 Trotters Way	\$1,000.00
135.24	10	4 Trotters Way	\$1,500.00
135.24	11	4 Bridle Court	\$1,000.00

WHEREAS, Michael G. Miller, Township Engineer, T&M Associates, has reviewed and approved the release of said cash bond in letter reports dated November 13, 2006, which letter reports are made a part hereof; and

WHEREAS, the Township Council of the Township of Jackson has considered the application and the reports 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 Cash Bonds for winter conditions heretofore posted with the Township may and hereby are released to Friendship, Inc.

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.

DATED: 11/28/06

TOWNSHIP CLERK

RESOLUTION 509R-06

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO PARAMOUNT HOMES, OF THE CASH BOND ISSUED FOR 4 CEDAR KNOLL ROAD, A/K/A BLOCK 135.01, LOT 22.09

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE

WHEREAS, Paramount Homes has requested the Release of a Cash Bond for winter conditions in the amount of \$1,500.00 pertaining to 4 Cedar Knoll Road, a/k/a Block 135.01 Lot 22.09, Jackson Township; and

WHEREAS, Michael G. Miller, Township Engineer, T&M Associates, has reviewed and approved the release of said cash bond in a letter report dated November 13, 2006, 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 Township Council of the Township of Jackson, County of Ocean and State of New Jersey, that the Cash Bond for winter conditions in the amount of \$1,500.00 heretofore posted with the Township may and hereby is released to Paramount Homes.

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: 11/28/06

RESOLUTION 510R-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 @ SOUTH KNOLLS A/K/A, VARIOUS BLOCK AND LOTS AS FOLLOWS

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE

WHEREAS, K. Hovnanian has requested the Release of cash bonds for winter conditions for various Block and Lots, Jackson Township (see Schedule A):

WHEREAS, Michael G. Miller, Township Engineer, T&M Associates, has reviewed and approved the release of said cash bonds in a letter report dated November 13, 2006, which letter report are made a part hereof; and

WHEREAS, the Township Council of the Township of Jackson has considered the application and the reports 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 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.

SCHEDULE "A"

<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Amount</u>
111.01	156	62 Marlow Drive	\$1,000.00
111.01	166	42 Marlow Drive	\$1,500.00
111.09	3	75 Huntington Drive	\$1,500.00

111.01	21.26	16 Wolverton Court	\$1,000.00
111.01	21.22	24 Wolverton Court	\$1,500.00
111.01	21.27	14 Wolverton Court	\$1,500.00
111.01	21.28	12 Wolverton Court	\$1,500.00
111.01	127	120 Marlow Drive	\$1,500.00
111.01	133	108 Marlow Drive	\$1,500.00
111.01	134	106 Marlow Drive	\$1,500.00
111.01	136	102 Marlow Drive	\$1,500.00
111.01	150	74 Marlow Drive	\$1,500.00
111.06	3	43 Stamford Drive	\$1,000.00
111.07	22	1 Appleby Court	\$1,500.00
111.08	17	16 Barbaras Way	\$1,500.00
111.07	23	81 Marlow Drive	\$1,500.00
111.05	72	16 Marlow Drive	\$1,000.00
111.05	69	5 Gladstone Court	\$1,500.00
111.06	15	23 Marlow Drive	\$1,000.00
111.05	73	18 Marlow Drive	\$1,000.00
111.05	78	28 Marlow Drive	\$1,000.00
111.06	12	29 Marlow Drive	\$1,500.00
111.05	82	36 Marlow Drive	\$1,000.00
111.05	83	38 Marlow Drive	\$1,500.00
111.09	7	67 Huntington Drive	\$1,500.00
111.01	152	70 Marlow Drive	\$1,000.00
111.05	31	15 Woodstock Court	\$1,000.00
111.08	10	84 Stamford Drive	\$1,500.00
111.12	2	15 Banbury Lane	\$1,500.00
111.10	49	93 Huntington Drive	\$1,500.00
111.10	36	119 Huntington Drive	\$1,500.00
111.10	1	2 Banstead Way	\$1,500.00
111.05	16	14 Woodstock Court	\$1,500.00

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

DATED: 11/28/06

RESOLUTION 511R-06

TITLE: AUTHORIZE SUBMISSION OF A GRANT AGREEMENT BETWEEN THE TOWNSHIP OF JACKSON AND THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR CY 2007 COMMUNITY STEWARDSHIP INCENTIVE PROGRAM GRANT

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE

WHEREAS, the governing body of Jackson Township desires to raise awareness among it's resident's about the benefits of developing a local community forestry program; and

WHEREAS, as the program progresses, the health of our township wide tree cover will improve and the number of trees will increase, resulting in cleaner air and water quality, as well as provide for a better living environment within the Township of Jackson,

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

1. The governing body resolves that the Mayor and Township Clerk are authorized (a) to make application for such grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$3,000.00.

2. The Township Council authorizes and hereby agrees to a match in the amount of \$1,500.00 of the Total Project Amount, in compliance with the match requirements of the agreement.

3. The Township Council agrees to comply with all applicable Federal, State, and Municipal laws, rules, and regulations in its performance pursuant to the agreement.

4. That upon adoption of this Resolution, the Clerk is authorized and directed to forward a certified copy of it to the Township Administrator, Chief Financial Officer, Township Forester, Chairman Shade Tree Commission and the State of New Jersey Department of Environmental Protection.

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

DATED: 11/28/06

RESOLUTION 512R-06

TITLE: AUTHORIZE THE ADVERTISEMENT AND ACCEPTANCE OF PROPOSALS FOR RISK MANAGEMENT CONSULTING SERVICES

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE

WHEREAS, the Township of Jackson has a need for various Professional Services for calendar year 2007; and

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

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

1. That the Township Council does hereby authorize the preparation, advertisement and receipt of sealed proposals for 2007 Risk Management Consulting Services for the Township of Jackson.
2. That after the date and time for the receipt of sealed proposals has been determined, A Notice for the Solicitation of Professional Services shall be advertised as prescribed by law.
3. A copy of this resolution shall be forwarded to the Municipal Administrator, Purchasing Agent, and any other interested parties

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

DATED: 11/28/06

RESOLUTION 513R-06

TITLE: AUTHORIZE THE SOLICITATION OF SEALED PROPOSALS FROM STATE APPROVED PROVIDERS FOR THE LENGTH OF SERVICE AWARD PROGRAM (LOSAP)

MOTION TO APPROVE BY: MARTIN

MOTION SECONDED BY: UPDEGRAVE

YES: GUDAITIS, INGRAM, MARTIN, UPDEGRAVE & STALLONE

WHEREAS, the Township of Jackson 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; and

WHEREAS, the Township of Jackson 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; and

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

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

1. That the Township Council does hereby authorize the solicitation of sealed proposals from State approved Providers for a Length of Service Award Program (LOSAP).
2. That after the date and time for the receipt of sealed proposals has been determined.
3. That the Purchasing Agent is hereby authorized to solicit sealed proposals from the Providers listed with the State of New Jersey, the State of New Jersey, Division of Local Government Services.
4. A copy of this resolution shall be forwarded to the Municipal Administrator, Purchasing Agent, and any other interested parties

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

DATED: 11/28/06

DISCUSSION AGENDA:

MAYOR SEDA explained the County would be repaving Aldridge Road to New Prospect and a portion of Hyson and So. Cooksbridge Road. He also stated the MUA received approval from the previous governing body to shut down North Cooksbridge Road to work on a high pressure line. He then explained the Township would be participating in the Toys for Tots collection and new unwrapped toys could be donated at the Town Hall, Jackson Library and Senior Center until December 18th. This year will be the first year Jackson participates in the 59 year history of Toys for Tots. The Senior Center will have a Holiday Toy Land and urged everyone to come and enjoy it plus the tree lighting ceremony at 4:30 P.M. on December 2nd and the dedication of a Hanukah Menorah December 19th at 5:00 P.M. which he thanked Linda Selznick and Susan Goldman. He addressed the difficult fiscal period and the difficult decisions he was faced with. Since that time he met with Assemblymen and Senators to push for the tax reform needed at the city level. Governor Corzine wants to make a difference and help with our school funding. Mayor Seda put together a petition supporting the school funding change and hoped everyone comes out in support of it. He wished everyone a good night and safe trip home.

PUBLIC HEARING, ANY TOPIC

JOE BRILL-100 MURIFIELD ROAD: He stated people in Westlake II have been disposing their dog waste in the storm sewer despite being told not to and asked if the Township could do anything about it. He also mentioned some streets in his community that were poorly lit. Mayor Seda suggested he contact Toll Brothers because they would have presented the town with a lighting plan that the Planning Board and Township Attorney had approved. Mr. Brill added Toll Brothers took down the 15 mph speed limit sign on Long Bay Lane and the fence on South Boston Road was still there and was concerned for safety. Mayor Seda sent the Township Engineer and Public Works Director to investigate and stated how costly it would be to open the gate and make necessary

improvements to the road and assured him that emergency personnel had the key to the gate in the event of an emergency. Mr. Brill explained the rent keeps going up despite the Mews being considered affordable housing. Mayor Seda suggested he contact Congressman Smith, Senator Lautenberg and Senator Menendez who have control over federal regulations and the rates charged because the Township has no control over those charges. Council President Stallone stated there were other apartments in town that were under rent control and wondered why the Mews wasn't. Attorney Gilmore agreed to work with the Administrator and get some answers. Mr. Brill commented about the problem with street parking and Johnson Park water testing.

JOHN SUTTLES-403 MEADOWOOD ROAD: He asked Mayor Seda about the Aldridge Road closure and if the residents were notified which he confirmed they were. He was also concerned with Hyson Road being closed since he lived in the area and wanted to know the best way to travel.

PAUL MAYEROWITZ-91 CYPRESS POINT LANE: He stated there were many roads being worked on in Jackson and asked if they gave any thought to his suggestion at the last meeting regarding imposing fines for work going over schedule. Attorney Gilmore looked into it and found contractors would ask for 120 days to do the work instead of 30 days to avoid a penalty. Mr. Mayerowitz stated he read an article in the paper regarding fire district #3 and some contention between the Board of Commissioners and volunteer fireman that make up that fire district as to whether or not they should be hiring a paid chief or a volunteer chief. He couldn't understand what the issue was stating why the fire district would want to pay someone for that job when they had an equally competent individual who would do it on a volunteer basis. Administrator Santos read the article and had some concerns stating in the past they chose a chief from among the volunteers. Mr. Mayerowitz asked if the council could look into it. Mayor Seda explained they would still act on their own because they are a separate governing body and entitled to make their own decisions. Mr. Mayerowitz felt they should go ahead with their consolidation plans.

STAN GOLDMAN-47 SPYGLASS DRIVE: He stated there was a big sign on Manhattan and South Cooksbridge Road that listed events going on in town and wondered if the sign could be rented out until Johnson Park reopened rather than leaving the sign blank. Councilman Martin stated he would sit down with him to discuss that along with some other ideas Mr. Goldman had.

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

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

8:45 PM

RESPECTFULLY SUBMITTED,

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

AME/klj