

JACKSON TOWNSHIP COUNCIL MEETING SEPTEMBER 26, 2006

ON TUESDAY, SEPTEMBER 26, 2006, AT 6:30 P.M., THE JACKSON TOWNSHIP COUNCIL HELD IT'S MEETING IN THE MUNICIPAL BUILDING

ROLL CALL:

**COUNCILMAN GUDAITIS ATTORNEY GILMORE
COUNCILWOMAN INGRAM TOWNSHIP CLERK EDEN
COUNCILMAN MARTIN (absent)
COUNCIL VICE PRESIDENT UPDEGRAVE
COUNCIL PRESIDENT STALLONE**

**ALSO IN ATTENDANCE:
MAYOR SEDA
ADMINISTRATOR SEDA**

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 in the Minutes of this meeting.

**RESOLUTION 437R-06
TITLE: RESOLUTION FOR EXECUTIVE SESSION TO AUTHORIZE TOWNSHIP COUNCIL TO ENTER INTO CLOSED DISCUSSIONS CONCERNING MATTERS INVOLVING PERSONNEL, LITIGATION AND OPEN SPACE LAND ACQUISITION**

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and 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
 - b) Litigation
 - c) Potential Land Acquisition
3. It is anticipated that the subject matter discussed may be made public upon its conclusion or final disposition.

DATED: 09/26/06

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

ON TUESDAY, SEPTEMBER 26, 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 **ATTORNEY GILMORE**
COUNCILWOMAN INGRAM **TOWNSHIP CLERK EDEN**
COUNCILMAN MARTIN (absent)
COUNCIL VICE PRESIDENT UPDEGRAVE
COUNCIL PRESIDENT STALLONE

ALSO IN ATTENDANCE:

MAYOR SEDA
ADMINISTRATOR SEDA

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.

PROCLAMATIONS**JACKSON WOMEN OF TODAY**

Mayor Seda read from a Proclamation honoring the Jackson Women of Today for their hard work and dedication in providing leadership training and personal enrichment opportunities throughout the State to people 18 and older for the past 42 years. He also acknowledged their contribution in operating the Jackson Women of Today Food Pantry for 19 years and their support to "Parents of Autistic Children" and proclaimed the week of September 24 through September 30, 2006 as Women of Today Week.

Kathy Mueller accepted the Proclamation thanking everyone for their support.

OCTOBER 2006-NATIONAL BREAST CANCER AWARENESS MONTH

Mayor Seda read from a Proclamation stating breast cancer is the second leading cause of cancer death in women. Early detection is the single most effective method of detecting breast changes long before physical symptoms are seen or felt. He proclaimed October 2006 as National Breast Cancer Awareness Month and October 20th as National Mammography Day in the Township of Jackson.

Westlake Village Representative accepted the Proclamation and invited everyone to join in the walk on October 8th beginning at Johnson Park

MAYORAL APPOINTMENT**MA #13-07/06-OFFICE OF EMERGENCY MANAGEMENT**

Mayor Seda announced the appointment of Lt. Andrew Cheney as Deputy Coordinator, to Jackson Township Office of Emergency Management commencing September 12, 2006 and ending June 30, 2007 to fill the unexpired term of Captain David Newman.

**PRESENTATION BY BARRY OLEJARZ, COORDINATOR – OEM
NATIONAL PREPAREDNESS MONTH**

Barry Olejarz introduced a number of individuals that work with him. He gave an overview of the Office of Emergency Management and the many organizations that work together keeping residents safe, how it grew and how the concerns of the town have grown over the years. They also work together with the County and State. Along with providing evacuation and shelter during times of emergency, they have addressed the

concerns of residents for their animals and included those provisions as well. He covered evacuation and shelters, damage assessment, rescue operation with Great Adventure, trench rescue, hazardous waste, generators and emergency water supplies, etc. high grades regarding terrorism training from the state. Mayor Seda thanked him and his team for the work they do.

COUNCIL COMMENTS

COUNCILMAN GUDAITIS – He welcomed everyone and stated he was happy the budget is behind them and looks forward to what lies ahead and wished everyone a safe trip home.

COUNCILWOMAN INGRAM- She wanted everyone to know the State offers a property reimbursement to seniors and disabled residents that protects them from property increases and the State has extended the deadline to October 31st. The Council members will be available on Wednesday, October 18th and Saturday, October 21st from 10:00am to 2:00pm to assist all residents that are eligible. She stated an article will appear in the Jackson Times with the eligibility requirements and urged everyone to look at it. They will have the forms and will assist in filling them out. She thanked everyone for coming and wished them a safe trip home.

COUNCILMAN MARTIN-absent

COUNCIL VICE PRESIDENT UPDEGRAVE – She thanked everyone for coming and thanked the Jackson Women of Today for the service they provide the community and the food pantry that is a tremendous help. She applauded the emergency management team for the work they do and informed the public of the materials that were provided for their information. Ms. Updegrave stated she attended a Property Tax Sub Committee hearing in Trenton. Assemblyman Malone will set up a separate meeting with Township officials where the public is welcome to attend to discuss items included on the agenda of the previous nights meeting. The date is pending but urged the public to come when they see it advertised because the information presented will be of great importance.

COUNCIL PRESIDENT STALLONE- He welcomed everyone for attending and spoke of the meeting he and Council President Updegrave attended stating it will take a joint effort to push Legislators to make the changes. He then stated the importance in bringing about awareness about breast cancer because early detection means a better chance of beating the disease. He urged everyone to attend the Susan G. Komen Walk for a Cure on October 8 and the Women’s Club at Westlake is working so hard on. He explained Councilman Martin is away on business and regrets not being there. He thanked everyone for coming and reminded everyone to walk on October 8th.

BILLS AND CLAIMS

MOTION TO APPROVE BILLS AND CLAIMS BY: GUDAITIS
MOTION SECONDED BY: INGRAM
YES: GUDAITIS, INGRAM, UPDEGRAVE & STALLONE
ABSENT: MARTIN

CHECK#	VENDOR	AMOUNT
072469	JACKSON TOWNSHIP P/R ACCT	586,626.92
072470	JACKSON TOWNSHIP P/R ACCT	44,052.30
072471	AIR BRAKE & EQUIPMENT INC.	533.48
072472	JUAN BELLU & ASSOC.	778.50

072473	BRICK STARTER & ALTERNATOR, INC.	115.00
072474	C & H AUTOS	65.00
072475	VOID	-0-
072476	CANYON SPRING WATER	446.85
072477	CENTRAL JERSEY HOT MIX	714.28
072478	CENTRAL JERSEY OFFICE EQUIP.	173.00
072479	JANICE CONNOR, PETTY CASH	186.50
072480	COUNTY LINE HARDWARE	13.99
072481	DEPTCO/BUREAU OF	269.00
072482	EAGLE MAINTENANCE SUPPLY	62.40
072483	EDWARDS TIRE COMPANY, INC.	523.35
072484	IKON OFFICE SOLUTIONS	672.20
072485	VOID	-0-
072486	JERSEY CENTRAL POWER & LIGHT	49,811.07
072487	A-1 JDK SPECIALTIES	240.00
072488	J.R. HENDERSONO LABS, INC.	160.00
072489	LAKEWOOD AUTO SUPPLY INC.	35.39
072490	LEE BATTERY SERVICE, INC.	571.80
072491	METEORLOGIX	357.00
072492	NFPA	375.00
072493	NOREIKA GAS INC.	85.87
072494	OCEAN COUNTY NEWSPAPTERS, INC.	366.30
072495	PENNINGTON SALES & SERVICE	396.14
072496	PL CUSTOM BODY & EQUPMENT	33.16
072497	QUICKIE PRINT & COPY SHOP	258.00
072498	BRIAN E RUMPF	2,018.63
072499	RUTGERS, THE STATE UNIVERSITY	198.00
074500	LORI SMITH	150.00
072501	TRICO	520.69
072502	MICHAEL CEPPALUNI DBA/UNITED	100.00
072503	VAN SANT SEWER SERVICE LLC	371.00
072504	WALTER R EARLE CORP.	93.01
072505	W.B. MASON COMPANY	114.12

TOTAL \$691,787.95

CHECK#	VENDOR	AMOUNT
060591-060593	GENERAL TRUST	5,060.50
061320-061333	PARKS & REC	5,125.96
002113	SUBDIVISION	7,710.00
003408-003414	DEVELOPERS	247,836.46

CAPITAL

CHECK#	VENDOR	AMOUNT
060513	18 GLASS CO., INC.	10,640.00
		TOTAL 10,640.00

ORDINANCES, SECOND READING:

ORDINANCE 24-06

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 62 ENTITLED FLOODPLAIN MANAGEMENT OF THE ADMINISTRATIVE CODE OF THE TOWNSHIP OF JACKSON

ATTORNEY GILMORE advised the public these changes are required by the State and Federal Government and it must be adopted by the end of the month in order to qualify for flood hazard insurance. After the passage of the ordinance two certified copies must be sent to the State.

PUBLIC HEARING OPENED: NO ONE CAME FORWARD.

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

**MOTION TO APPROVE ORDINANCE 24-06 ON SECOND READING,
ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED
NEWSPAPER AS REQUIRED BY LAW BY: GUDAITIS
MOTION SECONDED BY: UPDEGRAVE
YES: GUDAITIS, INGRAM, UPDEGRAVE & STALLONE
ABSENT: MARTIN**

ORDINANCE NO. 24-06

**AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AMENDING CHAPTER 62 ENTITLED
FLOODPLAIN MANAGEMENT OF THE ADMINISTRATIVE CODE OF THE
TOWNSHIP OF JACKSON**

**BE IT ORDAINED BY THE MAYOR AND TOWNSHIP COUNCIL OF
THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW
JERSEY, as follows:**

WHEREAS the State of New Jersey Department of Environmental Protection in conjunction with FEMA have requested the Township of Jackson amend the current Floodplain Ordinance to continue participation in the National Flood Insurance Program (NFIP).

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:

1. Chapter 62 entitled **Floodplain Management** is hereby deleted in its entirety and replaced with:

FLOOD DAMAGE PREVENTION

SECTION 62.1. STATUTORY AUTHORIZATION

The Legislature of the State of New Jersey has in N.J.S.A. 40:48-1, et seq., delegated the responsibility to local governmental units to adopt regulations designed to promote public health, safety, and general welfare of its citizenry. Therefore, the Mayor and Township Council of the Township of Jackson, County of Ocean, State of New Jersey does ordain as follows:

SECTION 62.2 FINDINGS OF FACT

[1] The flood hazard areas of Jackson Township are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of

commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

[2] These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

SECTION 62.3 STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- [1] To protect human life and health;
- [2] To minimize expenditure of public money for costly flood control projects;
- [3] To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- [4] To minimize prolonged business interruptions;
- [5] To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, bridges located in areas of special flood hazard;
- [6] To help maintain a stable tax base by providing for the second use and development of areas of special flood hazard so as to minimize future flood blight areas;
- [7] To insure that potential buyers are notified that property is in an area of special flood hazard; and
- [8] To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

SECTION 62.4 METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- [1] Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- [2] Requiring that uses vulnerable to floods including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- [3] Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- [4] Controlling filling, grading, dredging, and other development which may increase flood damage; and,
- [5] Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

SECTION 62.5 DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

"Appeal" means a request for a review of the Zoning Officer's interpretation of any provision of this ordinance or a request for a variance.

"Area of shallow flooding" means a designated AO, AH, or VO zone on a community's Digital Flood Insurance Rate Map (DFIRM) with a one percent annual or greater chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of special flood hazard" means the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year.

"Areas of special flood related erosion hazard" is the land within a community which is most likely to be subject to severe flood related erosion losses. After a detailed evaluation of the special flood related erosion hazard area will be designated a Zone E on the Flood Insurance Rate Map.

"Base flood" means the flood having a one percent chance of being equaled or exceeded in any given year.

"Basement" means any area of the building having its floor subgrade (below ground level) on all sides.

"Breakaway wall" means a wall that is part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

"Coastal high hazard area" means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.

"Development" means any man made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

"Elevated building" means a non-basement building (i) built in the case of a building in a Area of Special Flood Hazard to have the top of the elevated floor or in the case of a building in a Coastal

High Hazard Area to have the bottom of the lowest horizontal structural member of the elevated floor elevated above the ground level by means of piling, columns (posts and piers), or shear walls

parallel to the flow of the water, and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an Area of Special

Flood Hazard "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In Areas of Coastal High Hazard "elevated buildings" also includes a building otherwise meeting the definition of "elevated building" even though the lower area is enclosed by means of breakaway walls.

"Erosion" means the process of the gradual wearing away of land masses.

"Flood or flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- [1] The overflow of inland or tidal waters and/or
- [2] The unusual and rapid accumulation or runoff of surface waters from any source.

"Digital Flood Insurance Rate Map" (DFIRM) means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

"Flood Insurance Study" (FIS) means the official report provided in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

"Flood-related erosion" means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by unusually high water level in a natural body of water, accompanied by a severe storm, or by unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding.

"Flood-related erosion area" or "flood-related erosion prone area" means a land area adjoining the shore of a lake or other body of water, which due to the composition of the shore line or bank and high water levels or wind-driven currents, is likely to suffer flood-related erosion.

"Flood-related erosion area management" means the operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works, and flood plain management regulations.

"Flood plain management regulations" means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a flood plain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.

"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Historic Structure" means any structure that is:

[a] Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

[b] Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district preliminarily determined by the Secretary to qualify as a registered historic district;

[c] Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or

[d] Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

(1) By an approved State program as determined by the Secretary of the Interior;

or

(2) Directly by the Secretary of the Interior in States without approved programs.

"Lowest Floor" means the lowest floor of the lowest enclosed area [including basement]. An unfinished or flood resistant enclosure, useable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a buildings lowest floor provided that such enclosure is not built so to render the structure in violation of other applicable non-elevation design requirements.

"Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreation vehicle".

"Manufactured home park or manufactured home subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"New construction" means structures for which the start of construction commenced on or after the effective date of a floodplain regulation adopted by a community and includes any subsequent improvements to such structures.

"New manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the flood plain management regulations adopted by the municipality.

"Primary frontal dune" means a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves from coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from the relatively steep slope to a relatively mild slope.

"Recreational vehicle" means a vehicle which is [i] built on a single chassis; [ii] 400 square feet or less when measured at the longest horizontal projections; [iii] designed to be self-propelled or permanently towable by a light duty truck; and [iv] designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Reference feature" is the receding edge or bluff or eroding frontal dune, or if such a feature is not present, the normal high water line or the seaward line of permanent vegetation if a high water line cannot be identified.

"60-year setback" means a distance equal to 60 times the average annual long term recession rate at a site, measured from the reference feature.

"30-year setback" means a distance equal to 30 times the average annual long term recession rate a site, measured from the reference feature.

"Sand dunes" means naturally occurring accumulations of sand in ridges or mounds landward of the beach.

"Start of Construction" (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. No. 97-348) includes substantial improvements and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings or piers, or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any

wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Structure" means a walled and roofed building, a manufactured home, or a gas or liquid storage tank, that is principally above ground.

"Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

"Substantial Improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

[1] Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or

[2] Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

"Variance" means a grant of relief from the requirements of this ordinance that permits construction in a manner that would otherwise be prohibited by this ordinance.

SECTION 62.6 GENERAL PROVISIONS

6.1 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the Township of Jackson, Ocean County, New Jersey.

6.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard for the Township of Jackson, Community No. 340375, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

(1) A scientific and engineering report "Flood Insurance Study, Ocean County, New Jersey (all jurisdictions)" dated September 29, 2006.

(2) Flood Insurance Rate Map for Ocean County, New Jersey (all jurisdictions) as shown on index and panel (s) 0015, 0020, 0040, 0042, 0044, 0046, 0083, 0130, 0131, 0132, 0135, 0140, 0145, 0155, 0160, 0164, 0165, 0166, 0167, 0176, 0280 whose effective date is September 29, 2006.

The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study and maps are on file at Jackson Township Townhall located at 95 West Veterans Highway, Jackson, New Jersey 08527.

6.3 PENALTIES FOR NONCOMPLIANCE

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction

thereof be fined not more than or imprisoned for not more than days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent Jackson Township from taking such other lawful action as is necessary to prevent or remedy any violation.

6.4 ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

6.5 INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

- [1] Considered as minimum requirements;
- [2] Liberally construed in favor of the governing body; and,
- [3] Deemed neither to limit nor repeal any other powers granted under State statutes.

6.6 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood Heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.

This ordinance shall not create liability on the part of Jackson Township, any officer or employee thereof or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

SECTION 62.7 DEVELOPMENT PERMIT

7.1 ESTABLISHMENT OF DEVELOPMENT PERMIT

A Development Permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 6.2. Application for a Development Permit shall be made on forms furnished by the Zoning Officer and may include, but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing.

Specifically, the following information is required:

[1] Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;

[2] Elevation in relation to mean sea level to which any structure has been floodproofed.

[3] Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 8.2-2; and,

[4] Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

7.2 DESIGNATION OF THE LOCAL ADMINISTRATOR

The Zoning Officer is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

7.3 DUTIES AND RESPONSIBILITIES OF THE

Duties of the Zoning Officer shall include, but not be limited to:

7.3-1 PERMIT REVIEW

[1] Review all development permits to determine that the permit requirements of this ordinance have been satisfied.

[2] Review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.

[3] Review all development permits to determine if the proposed development is located in the floodway, assure that the encroachment provisions of Section 8.3(1) are met.

[4] Review all development permits in the costal high hazard area of the area of special flood hazard to determine if the proposed development alters sand dunes so as to increase potential flood damage.

7.3-2 USE OF OTHER BASE FLOOD AND FLOODWAY DATA

When base flood elevation and floodway data has not been provided in accordance with Section 6.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Zoning Officer shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer Sections 8.2-1, SPECIFIC STANDARDS, Residential Construction, and 8.2-2, SPECIFIC STANDARDS, Nonresidential Construction.

7.3-3 INFORMATION TO BE OBTAINED AND MAINTAINED

[1] Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

[2] For all new or substantially improved floodproofed structures:

- [i] verify and record the actual elevation (in relation to mean sea level); and
- [ii] maintain the floodproofing certifications required in Section 7.1 (3).

[3] Maintain for public inspection all records pertaining to the provisions of this ordinance.

7.3-4 ALTERATION OF WATERCOURSES

[1] Notify adjacent communities and the New Jersey Department of Environmental Protection, Flood Plain Management Section and the Land Use Regulation Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

[2] Require that maintenance is provided within the altered or relocated portion of said watercourse so the flood carrying capacity is not diminished.

7.3-5 INTERPRETATION OF FIRM BOUNDARIES

Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and

actual filed conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in SECTION 7.4.

7.4 VARIANCE PROCEDURE

7.4-1 APPEAL BOARD

[1] The Zoning Board as established by Jackson Township shall hear and decide appeals and requests for variances from the requirements of this ordinance.

[2] The Zoning Board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Zoning Officer in the enforcement or administration of this ordinance.

[3] Those aggrieved by the decision of the Zoning Board, or any taxpayer, may appeal such decision to the Superior Court of New Jersey, as provided by law.

[4] In passing upon such applications, the Zoning Board, shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:

- (i) the danger that materials may be swept onto other lands to the injury of others;
- (ii) the danger to life and property due to flooding or erosion damage;
- (iii) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

- (iv) the importance of the services provided by the proposed facility to the community;
- (v) the necessity to the facility of a waterfront location, where applicable;
- (vi) the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
- (vii) the compatibility of the proposed use with existing and anticipated development;
- (viii) the relationship of the proposed use to the comprehensive plan and flood plain management program of that area;
- (ix) the safety of access to the property in times of flood for ordinary and emergency vehicles;
- (x) the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
- (xi) the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

[5] Upon consideration of the factors of Section 7.4-1(4) and the purposes of this ordinance, the Zoning Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

[6] The Zoning Officer shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.

7.4-2 CONDITIONS FOR VARIANCES

[1] Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (i-xi) in SECTION 7.4-1(4) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

[2] Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the

structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

[3] Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

[4] Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

[5] Variances shall only be issued upon:

- (i) a showing of good and sufficient cause;
- (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant; and,
- (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or
- (iv) victimization of the public as identified in SECTION 7.4- 1(4), or conflict with existing local laws or ordinances.

(6) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

SECTION 62.8 PROVISIONS FOR FLOOD HAZARD REDUCTION

8.1 GENERAL STANDARDS

In all areas of special flood hazards the following standards are required:

8.1-1 ANCHORING

[1] All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

[2] All manufactured homes shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

8.1-2 CONSTRUCTION MATERIALS AND METHODS

[1] All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

[2] All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

8.1-3 UTILITIES

[1] All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

[2] New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters;

[3] On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and

[4] Electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

8.1-4 SUBDIVISION PROPOSALS

[1] All subdivision proposals shall be consistent with the need to minimize flood damage;

[2] All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

[3] All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and,

[4] Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least 50 lots or 5 acres (whichever is less).

8.1-5 ENCLOSURE OPENINGS

All new construction and substantial improvements having fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, or other covering or devices provided that they permit the automatic entry and exit of floodwaters.

8-2 SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data have been provided as set forth in Section 6.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or in SECTION 7.3-2, Use of Other Base Flood Data, the following standards are required:

8.2-1 RESIDENTIAL CONSTRUCTION

[1] In Zones A1-30 or AE zones new construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above base flood elevation;

[2] require within any AO zone on the municipality's FIRM that all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet (at least two feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

New Construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above base flood elevation.

8.2-2 NONRESIDENTIAL CONSTRUCTION

[1] In A1-30 or AE all new Construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement,

elevated to the level of the base flood elevation; or together with the attendant utilities and sanitary facilities, shall:

[2] require within any AO zone on the municipality's FIRM that all new Construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet (at least two feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures; or

New Construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation; or

[3] be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;

[4] have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,

[5] be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in SECTION 7.3-3 (2).

8.2-3 MANUFACTURED HOMES

[1] Manufactured homes shall be anchored in accordance with Section 8.1-1(2).

[2] All manufactured homes to be placed or substantially improved within an area of special flood hazard shall be elevated on a permanent foundation such that the top of the lowest floor is at or above the base flood elevation.

8-3 FLOODWAYS

Located within areas of special flood hazard established in SECTION 6.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters

which carry debris, potential projectiles, and erosion potential, the following provisions apply:

[1] Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless a technical evaluation demonstrates that encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.

[2] If SECTION 8.3(1) is satisfied, all new construction and substantial improvements must comply with SECTION 8.0 PROVISIONS FOR FLOOD HAZARD REDUCTION.

[3] In all areas of special flood hazard in which base flood elevation data has been provided and no floodway has been designated, the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than two-tenths (0.2) of a foot at any point.

SECTION 62.9 All ordinances or parts of ordinances inconsistent herewith are hereby repealed. In particular, the present provisions of Chapter 62 of the Code of the Township of Jackson entitled "Floodplain Management" are hereby repealed.

SECTION 62.10 If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid such adjudication shall apply only to that

section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed to be valid and effective.

SECTION 62.11 This ordinance shall take effect immediately upon endorsement of the Mayor and subsequent 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 the regular meeting of the Township Council of the Township of Jackson, in the County of Ocean, held on the 12th day of September, 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 September, 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 so heard concerning this ordinance. Prior to 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, R.M.C.
TOWNSHIP CLERK

DATED: 09-26-06

ORDINANCES, SECOND READING:

ORDINANCE 25-06

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER 85 ENTITLED “RAFFLES AND BINGOS” IN ORDER TO INCREASE FEES AS A RESULT OF STATE FEE INCREASES

PUBLIC HEARING OPENED:

KATHY MUELLER-500 BEGONIA COURT: She asked how much the State is increasing the fees? Clerk Eden gave a 50/50 raffle example as being increased from \$10.00 to \$20.00, payable to the State and the Township and offered a copy of the Ordinance.

MOTION TO CLOSE PUBLIC HEARING BY: GUDAITIS

MOTION SECONDED BY: INGRAM

YES: GUDAITIS, INGRAM, UPDEGRAVE & STALLONE

ABSENT: MARTIN

MOTION TO APPROVE ORDINANCE 24-06 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED NEWSPAPER AS REQUIRED BY LAW BY: GUDAITIS

MOTION SECONDED BY: INGRAM

YES: GUDAITIS, INGRAM, UPDEGRAVE & STALLONE

ABSENT: MARTIN

ORDINANCE 25-06

AN ORDINANCE OF THE TOWNSHIP OF JACKSON,

**OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER 85 ENTITLED
“RAFFLES AND BINGOS” IN ORDER TO INCREASE FEES AS A RESULT OF
STATE FEE INCREASES**

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

SECTION 1: Sections 85-12 entitled “License Fees for Raffles”, 85-13 entitled “License Fees for Bingo” and 85-14 entitled “License Fees to Become Property of Municipality” are hereby deleted and replaced with the following:

85-12 LICENSE FEES FOR RAFFLES

There is hereby established the following license fees for Raffles which will take effect October 2, 2006:

- A. Twenty (\$20.00) Dollars for each day upon which a raffle is held with respect to which all tickets or rights to participate are sold only to persons present at the time of the drawing or allotment of prizes (on premise raffles). This fee shall not apply to all registered nonprofit organizations that shall be considered exempt from a licensing fee for any on-premises draw raffle awarding cash prizes (50/50) having a value of \$400.00 or less or merchandise prizes having a combined retail value of less than \$400.00
- B. Twenty (\$20.00) Dollars for each One Thousand (\$1,000.00) Dollars of the value of prizes awarded in each raffle with respect to which tickets or rights to participate may be sold in advance of the occasion of the drawing or allotment of prizes (off-premises raffle).
- C. Twenty (\$20.00) Dollars for non-draw raffles being carnival games/wheels and games to be charged at a rate of Twenty (\$20.00) Dollars for each wheel or game conducted on any day or series of six consecutive days in one week.
- D. Twenty (\$20.00) Dollars for off-premises to draw raffles awarding cash as a prize (50/50's), Twenty (\$20.00) Dollars per One Thousand (\$1,000.00) Dollars or part thereof of retail value of the awarded prize(s).
- E. Special Door Prizes: No fee and no license, provided the merchandise is wholly donated and has a retail value of less than \$50.00 (Note: Cannot be conducted when other games of chance are being conducted, held or operated).
- F. Twenty (\$20.00) Dollars for calendar raffle per One Thousand (\$1,000.00) Dollars or part thereof of retail value of the awarded prize.
- G. Twenty (\$20.00) Dollars for instant raffle for each day on which instant raffle tickets are sold or offered for sale -or- Seven Hundred Fifty (\$750.00) Dollars for a one (1) year license.
- H. Twenty (\$20.00) Dollars for Golf-Hole-In-One for each One Thousand (\$1,000.00) or part thereof of retail value of ancillary prize(s).
- I. Fifty (\$50.00) Dollars for armchair races per licensed day of operation.
- J. One Hundred (\$100.00) Dollars for casino nights per occasion.

85-13 LICENSE FEES FOR BINGO

There is hereby established the following license fees for Bingos which will take effect October 2, 2006:

License fees for bingo shall be Twenty (\$20.00) Dollars for each occasion upon which any game or games are to be conducted under such license.

85-14 LICENSE FEES BECOME PROPERTY OF MUNICIPALITY

All license fees set forth herein are payable to the Township of Jackson. This is in addition to and not part of a separate fee to be payable to the State Legalized Games of Chance Control Commission through the administrative collection process of the Township of Jackson. Fees for bingo licenses and raffle licenses in categories above referenced in § 85-12A, B C, D, E, F, G, H, I, and J are due in full at the time the application is filed with the municipality. For raffle licenses in § 85-12D, F and H the fee is due at the time the application is filed, and, if the awarded prize(s) exceeds \$1,000, the additional fee as set forth in said section is due upon the filing of the report of operations.

SECTION 2. This Ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

SECTION 3. This Ordinance shall take effect October 2, 2006 (inclusive of 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 Committee of the Township of Jackson, in the County of Ocean, State of New Jersey, held on September 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 September, 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: 09-26-06

ORDINANCE FIRST READING – NONE AT THIS TIME

PUBLIC HEARING OPENED, RESOLUTIONS ONLY- NO ONE CAME FORWARD

MOTION TO CLOSE PUBLIC HEARING, RESOLUTIONS ONLY BY: GUDAITIS

MOTION SECONDED BY: UPDEGRAVE

YES: GUDAITIS, INGRAM, UPDEGRAVE & STALLONE

ABSENT: MARTIN

RESOLUTION 445R-06

TITLE: APPOINT BARBARA SPIELMAN TO THE RENT LEVELING BOARD (APARTMENTS AND MOBILE HOME PARKS)

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: INGRAM

YES: GUDAITIS, INGRAM, UPDEGRAVE & STALLONE

ABSENT: MARTIN

WHEREAS, a vacancy exists on the Jackson Township Rent Leveling Board; and

WHEREAS, the Governing Body is authorized by Chapter 86 of the Municipal Code of the Township of Jackson to appoint members to the Rent Leveling Board (Apartment and Mobile Home Parks); and

WHEREAS, it is the desire of the Township Council to fill said vacancy.

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

1. Barbara Spielman is hereby appointed as Alternate No. 1 to the unexpired term of Sarah Sedar commencing immediately and ending June 30, 2007.
2. Appointee shall perform such duties and responsibilities as set forth by statute and the municipal code of the Township of Jackson.
3. Appointee shall serve without compensation.
4. Copies of this Resolution to Municipal Administrator, Rent Leveling Board, Appointee and any other interested parties.

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

DATED: 09-26-06

RESOLUTION 446R-06

TITLE: APPOINT COUNCIL VICE PRESIDENT, ANN M. UPDEGRAVE, AS A REPRESENTATIVE OF THE COUNCIL TO THE CENTRASTATE HEALTH CARE SYSTEM BOARD OF TRUSTEES

MOTION TO APPROVE BY: GUDAITIS

MOTION SECONDED BY: INGRAM

YES: GUDAITIS, INGRAM, UPDEGRAVE & STALLONE

ABSENT: MARTIN

WHEREAS, CentraState Healthcare System has requested that the Township of Jackson appoint an individual to represent Jackson Township on the CentraState healthcare System Board of Trustees; and

WHEREAS, CentraState Healthcare System is a provider of medical services to many residents of Jackson; and

WHEREAS, the Township Council believes it to be in the best interest of Jackson to have a member of the Township Council sit on the CentraState Healthcare System Board of Trustees; and

WHEREAS, it is the desire of the Township Council to fill said position.

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. Ann M. Updegrave is hereby appointed to serve as a member of the Board of Trustees of CentraState Healthcare System, Freehold, New Jersey, for a term commencing immediately through June 30, 2007.

2. Appointee shall serve without compensation.

3. Copies of this Resolution to Municipal Administrator, Robert O'Donnell, Chairman, Board of Trustees, CentraState Healthcare System, Appointee and any other interested parties.

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

DATED: 09/26/06

RESOLUTION 447R-06

TITLE: APPOINT COUNCILMAN JASON J. GUDAITIS AS A REPRESENTATIVE OF THE COUNCIL TO THE KIMBALL MEDICAL CENTER BOARD OF TRUSTEES

MOTION TO APPROVE BY: UPDEGRAVE

MOTION SECONDED BY: INGRAM

YES: GUDAITIS, INGRAM, UPDEGRAVE & STALLONE

ABSENT: MARTIN

WHEREAS, Kimball Medical Center has requested that the Township of Jackson appoint an individual to represent Jackson Township on the Kimball Medical Center Board of Trustees; and

WHEREAS, Kimball Medical Center is a provider of medical services to many residents of Jackson; and

WHEREAS, the Township Council believes it to be in the best interest of Jackson to have a member of the Township Council sit on the Kimball Medical Center Board of Trustees; and

WHEREAS, it is the desire of the Township Council to fill said position.

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. Councilman Jason J. Gudaitis is hereby appointed to serve as a member of the Board of Trustees of Kimball Medical Center, Lakewood, New Jersey, for a term commencing immediately through June 30, 2007.

2. Appointee shall serve without compensation.

3. Copies of this Resolution to Municipal Administrator, Board of Trustees, Kimball Medical Center, Lakewood, Appointee and any other interested parties.

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

DATED: 09/26/06

RESOLUTION 450R-06

TITLE: RESOLUTION RECOGNIZING THE MONTH OF AS "NATIONAL PREPAREDNESS MONTH"

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

WHEREAS, the Ocean County Board of Health recognizes the month of September as “National Preparedness Month”; and

WHEREAS, National Preparedness Month is a nationwide coordinated effort held each September to encourage Americans to take simple steps to prepare for emergencies in their homes, businesses and schools. National Preparedness Month 2006 is being sponsored by the US Department of Homeland Security; and

WHEREAS, the goal of National Preparedness Month is to increase public awareness about the importance of preparing for emergencies including natural disasters and potential terrorist threats and to encourage individuals to take action; and

WHEREAS, the effort provides Americans with a variety of opportunities to learn more about emergency preparedness. The Ocean County Health Department will encourage individuals to create a personal and family emergency supply kit, make a family emergency plan, be informed about different threats and get involved in preparing their community; and

WHEREAS, National Preparedness Month provides an opportunity for families and businesses to think about their level of emergency preparedness and take action to increase it.

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

1. That the Mayor and Township Council hereby proclaim September as “National Preparedness Month” to increase public awareness of the importance of preparing for emergencies and to encourage individuals to take action.
2. Copies of this Resolution to Ocean County Board of Chosen Freeholders, Ocean County Board of Health, Ocean County Mayors, Municipal Administrator, Jackson Township Director of Public Safety, Jackson Township Office of Emergency Management and any other interested parties.

DATED: 09/26/06

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

**RESOLUTION 452R-06
 TITLE: APPROVE APPOINTMENT OF STEPHEN COSTANZO TO THE
 ZONING BOARD OF ADJUSTMENT**

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

WHEREAS, a vacancy exists on the Local Zoning Board of Adjustment.

WHEREAS, it is the desire of the township Council to fill said vacancy; and

WHEREAS, the Governing Body is authorized pursuant to Chapter 109-8 of the Municipal Code of the Township of Jackson to make appointments to the Local Zoning Board of Adjustment.

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. Stephen Costanzo is hereby appointed to the Zoning Board of Adjustment to fill the unexpired term of John Straka for a term commencing immediately and ending June 30, 2009.
2. Appointee shall serve without compensation.
3. Copies of this resolution to Municipal Administrator, Zoning Board of Adjustment, appointee and any other interested parties.

DATED: 09/26/06 ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

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

RESOLUTION 438R-06
TITLE: AUTHORIZE TAX OVERPAYMENT REFUNDS

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

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.

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>YEAR-QTR</u>	<u>AMOUNT</u>
66.23	19	Gateway Title Agency, LLC	2006 – 3 rd	\$2,049.34
66.28	41	Michael L. Ostrowsky, Esq Trust Account	2006 – 3 rd	2,253.52
75.01	3610.1102	Brandon M. Lovero C/o Thomas Van Dort, Esq. – Trust Account	2006 – 2 nd	512.65
88	4	William & Bonnie Dweck C/o Nestor Winters, Esq. - Trust Account	2005 – 2 nd 2005 – 3 rd	59.41 .50
111	3604.371	Patricia McKenna	2005 – 4 th	855.29
122.02	14	Anthony & Loretta Marie Ricardy	2006 – 3 rd	1,257.11
5.01	12.18	First American R. E. Tax Service	2006 – 3 rd	1,720.10

9.03	34	First American R. E. Tax Service	2006 – 3 rd	1,080.28
58.02	21.02	First American R. E. Tax Service	2006 – 3 rd	1,849.97
66.09	3.268	First American R. E. Tax Service	2006 – 3 rd	2,200.74
66.09	3.377	First American R. E. Tax Service	2006 – 3 rd	1,923.52
66.09	47.13	First American R. E. Tax Service	2006 – 3 rd	1,626.73
75.17	30	First American R. E. Tax Service	2006 – 3 rd	1,338.15
78.25	11	First American R. E. Tax Service	2006 – 3 rd	1,208.07
99.01	37.08	First American R. E. Tax Service	2006 – 3 rd	2,148.91
99.07	2	First American R. E. Tax Service	2006 – 2 ND 2006 – 3 rd	1,647.17 1,896.68
111	3604.085	First American R. E. Tax Service	2006 – 3 rd	490.75
111.07	24	First American R. E. Tax Service	2006 – 3 rd	262.06

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>YEAR-QTR</u>	<u>AMOUNT</u>
138.05	3.01	First American R. E. Tax Service	2006 – 3 rd	1,895.73
143.07	7	First American R. E. Tax Service	2006 – 3 rd	314.48
Total Refund:				\$28,591.16

DATED: 09/26/06

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

RESOLUTION 439R-06

TITLE: AUTHORIZE BINGO/RAFFLE LICENSE TO: PTA OF SAINT ALOYSIUS CHURCH (#RA-1124 & #RA-1125)

MOTION TO APPROVE BY: UPDEGRAVE

MOTION SECONDED BY: INGRAM

YES: GUDAITIS, INGRAM, UPDEGRAVE & STALLONE

ABSENT: MARTIN

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

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

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

PTA OF SAINT ALOYSIUS CHURCH
(#RA-1124 AND #RA-1125)

2. Copies of the Resolution to interested parties.

DATED: 09/26/06

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

RESOLUTION 440R-06

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY NEW JERSEY AUTHORIZING RELEASE TO ARCON DEVELOPMENT, LLC OF THE CASH BOND ISSUED FOR 1 DANTE COURT, A/K/A BLOCK 106.02, LOT 10.12

MOTION TO APPROVE BY: UPDEGRAVE

MOTION SECONDED BY: INGRAM

YES: GUDAITIS, INGRAM, UPDEGRAVE & STALLONE

ABSENT: MARTIN

WHEREAS, Arcon Development, LLC. has requested the Release of a Cash Bond for winter conditions in the amount of \$1,000.00 pertaining to 1 Dante Court, a/k/a Block 106.02, Lot 10.12, Jackson Township; and

WHEREAS, Wayne R. McVicar, P.E., Township Engineer, Remington, Vernick & Vena, has reviewed and approved the release of said cash bond in a letter report dated May 24, 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 \$1,000.00 heretofore posted with the Township may and hereby is released to Arcon Development, LLC.

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

DATED: 09/26/06

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

RESOLUTION 441R-06

TITLE: AUTHORIZE THE TOWNSHIP TO DRAW AGAINST MAINTENANCE GUARANTEE POSTED BY LENNAR FOR THE PROJECT KNOWN AS WESTLAKE VILLAGE – SECTION 3C

MOTION TO APPROVE BY: UPDEGRAVE

MOTION SECONDED BY: INGRAM

YES: GUDAITIS, INGRAM, UPDEGRAVE & STALLONE

ABSENT: MARTIN

WHEREAS, Lennar posted a Maintenance Bond #SU-5006293 issued by Arch Insurance Company dated March 24, 2004 in the amount of \$4,680.00 to guarantee the completion of certain punch list items in Westlake Village, Section 3C; and

WHEREAS, Alan B. Dittenhofer, Township Engineer, has reported by letter dated September 1, 2006 that the below listed improvements have not been completed despite numerous requests:

1. Repair drainage problem in the rear yard of 1, 3 & 5 Rye Court
2. Replace missing tree to left of driveway for 14 Rye Court
3. Replace dead tree to left of driveway at 1 & 7 Rye Court

4. Trees in front of 9, 10 & 11 Rye Court are in a state of decline ; and

WHEREAS, the Township Engineer has recommended that the Maintenance Bond be used to complete the bonded improvements by public contract administered by the Township; and

WHEREAS, the Township Engineer’s estimated cost to complete the outstanding improvements has yet to be determined, however, sufficient funding to complete the above listed items exists in the maintenance guarantee amount; and

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 Township Attorney is authorized to take all action necessary to draw down on the Maintenance Guarantee issued by Arch Insurance Company in an amount sufficient to complete the outstanding bonded improvements by public contract administered by the Township at the Westlake Village Section 3C subdivision.
2. A certified copy of this Resolution shall be provided to Arch Insurance Company, Lennar, Township Administrator, Township Attorney, Alan Dittenhofer, Township and any other interested parties.

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

DATED: 09/26/06

RESOLUTION 442R-06

TITLE: AUTHORIZE INSTALLMENT AGREEMENT FOR DELINQUENT TAXES ON BLOCK 78.22 LOT 1 PURSUANT TO 54:5-19 et seq.

MOTION TO APPROVE BY: UPDEGRAVE

MOTION SECONDED BY: INGRAM

YES: GUDAITIS, INGRAM, UPDEGRAVE & STALLONE

ABSENT: MARTIN

WHEREAS, 54:5-19 et seq. permits an installment plan on delinquent taxes and municipal charges prior to Tax Sale, and the owner of Block 78.22, Lot 1, 62 S. Cooks Bridge Road, has requested an installment plan for delinquent taxes through the third quarter of 2006; and

WHEREAS, the homeowner has already paid to the Tax Collector the sum of \$ 1800.00, an acceptable amount down on the total delinquency, in good faith as a demonstration of ability to fund the plan; and

WHEREAS, the homeowner will make 36 monthly installments of approximately \$690.00 beginning in October of 2006, and keep subsequent taxes and other municipal charges up to date while the agreement is in effect; and

WHEREAS, the Tax Collector has reviewed the request and the owners’ ability to pay, and recommends that the plan be approved; and

WHEREAS, it is now the desire of the governing body to act upon the tax installment plan so submitted by the Tax collector.

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

1. That the mayor and Township Committee of Jackson Township hereby authorize the installment plan covering the property known as Block 78.22, Lot 1, the down payment, the terms of the agreement, the approximate amount of each monthly installment .

2. That in the event that any of these installments or payments for subsequent taxes and/or municipal charges are not made in accordance with the agreement approved herein, the township shall have the right to proceed with the regular statutory collection procedures including, but not limited to, Tax Sale and subsequent foreclosure.

DATED: 09/26/06 ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

RESOLUTION 443R-06
TITLE: AUTHORIZE INSTALLMENT AGREEMENT FOR DELINQUENT TAXES ON BLOCK 132, LOT 22

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

WHEREAS, 54:5-19 et seq. permits an installment plan on delinquent taxes and municipal charges prior to Tax Sale, and the owner of Block 132, Lot 22, 1060 Farmingdale Road, has requested an installment plan for delinquent taxes through the third quarter of 2006; and

WHEREAS, the homeowner has already paid to the Tax Collector the sum of \$ 2400.00, an acceptable amount down on the total delinquency, in good faith as a demonstration of ability to fund the plan; and

WHEREAS, the homeowner will make 36 monthly installments of approximately \$910.00 beginning in October of 2006, and keep subsequent taxes and other municipal charges up to date while the agreement is in effect; and

WHEREAS, the Tax Collector has reviewed the request and the owners' ability to pay, and recommends that the plan be approved; and

WHEREAS, it is now the desire of the governing body to act upon the tax installment plan so submitted by the Tax collector.

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

1. That the mayor and Township Committee of Jackson Township hereby authorize the installment plan covering the property known as Block 132, Lot 22, the down payment, the terms of the agreement, the approximate amount of each monthly installment .
2. That in the event that any of these installments or payments for subsequent taxes and/or municipal charges are not made in accordance with the agreement approved herein, the township shall have the right to proceed with the regular statutory collection procedures including, but not limited to, Tax Sale and subsequent foreclosure.

DATED: 09/26/06 ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

RESOLUTION 444R-06
TITLE: AUTHORIZE PURCHAE OF THREE (3) FORD F-250'S UNDER STATE CONTRACT #64080 ISSUED TO PRINCETON NASSAU CONOVER FORD

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

WHEREAS, the Department of Public Works has indicated there is a need within the Department for three full size, 4WD pickup trucks with snow plows; and

WHEREAS, Princeton’s Nassau Conover Ford Lincoln Mercury Inc., has State Contract #A64080 for 2006/2007 Ford 4WD F250 XL Regular Cab Pick Up with Snow Plow Option; and

WHEREAS, The Township of Jackson, pursuant to N.J.S.A. 40A11:-12a and N.J.A.C. 5:35-7.29 9 (c) may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State Contracts entered into on behalf of the State by Division of Purchase and Property in the Division of the Treasury; and

WHEREAS, purchases made utilizing State Contracts are awarded pursuant to a fair and open process; and

WHEREAS, the Chief Financial Officer has certified that \$61,000.00 is available for this purchase in the Capital Budget, X-04-55-805-902.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Council of the Township of Jackson, County of Ocean, State of New Jersey do hereby authorize the purchase of three 2006/2007 Ford 4WD F250 XL Regular Cab Pick Up Trucks with Snow Plows from Princeton’s Nassau Conover Ford Lincoln Mercury Inc., 902 Route 206, Princeton, NJ 08540, an approved State Contract Vendor, with a properly executed purchase order.

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

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

DATED: 09/26/06

**RESOLUTION 448R-06
 TITLE: AUTHORIZE THE PREPARATION, ADVERTISEMENT AND
 RECEIPT OF PROPOSALS FOR OPEN SPACE CONSULTANT**

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

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

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

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

1. That the Township Council does hereby authorize the preparation, advertisement and receipt of sealed proposals for the following Professional Services:

Open Space Consultant

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. Copies of this Resolution to Municipal Administrator, Purchasing Agent and any other interested parties.

DATED: 09/26/06 ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

RESOLUTION 449R-06
TITLE: AUTHORIZE THE ADVERTISEMENT AND ACCEPTANCE OF PROPOSALS (REP’S) FOR REVALUATION OF GREAT ADVENTURE PROPERTY

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

WHEREAS, the Township of Jackson has been directed to complete a revaluation of all real property located within the Township; and

WHEREAS, a contract has been previously awarded for the revaluation of all real property within the Township of Jackson with the specific exclusion of the Six Flag Properties; and

WHEREAS, the Six Flags Properties require a specialized revaluation specifically tailored to Amusement Parks; and

WHEREAS, based upon the specific requirements of this revaluation, it is the desire of the Mayor and Township Council to authorize the preparation, advertisement and acceptance of proposal for this project; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Council of the Township of Jackson, County of Ocean, State of New Jersey do hereby authorize the preparation, advertisement and solicitation of proposals for the Revaluation of Six Flags Properties, specifically The Great Adventure Amusement Park, The Safari Park and The Hurricane Harbor Water Park.

A copy of this resolution shall be forwarded to the Municipal Administrator, the Tax Assessor and the Purchasing Agent.

DATED: 09/26/06 ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK

RESOLUTION 451R-06
TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING AN AGREEMENT FOR DEER CARCASS REMOVAL WITH KELLY WINTHROP, LLC

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

WHEREAS, since 2002, the Township of Jackson has utilized the State Contract established at the request of the NJDOT for the removal of deer carcasses from all state, county and municipal roads; and

WHEREAS, this service was provided at no cost to the Township; and

WHEREAS, due to budget constraints, the NJDOT has changed it's policy and effective October 1, 2006, the NJDOT will remove deer carcasses on state owned roadways only; and

WHEREAS, proposals were received by the Purchasing Agent for this service for the Township roads and right of ways from the following:

Deer Carcass Removal Service LLC	\$79.00 per carcass
Kelly Winthrop. LLC	\$55.00 per carcass

WHEREAS, the Purchasing Agent recommends an agreement with Kelly Winthrop LLC. as the lowest responsible proposal.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Council of the Township of Jackson, County of Ocean, State of New Jersey do hereby authorize an agreement with to Kelly Winthrop, LLC, 1110 New Parkview Place, West Palm Beach, FL 33417 for the removal of deer carcasses on Township roads and right of ways with a duly authorized purchase order.

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

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

DATED: 09/26/06

DISCUSSION AGENDA:

Administrator Santos referred to Resolution 451R-06 regarding deer carcass removal and that this removal had been done by the NJ Department of Transportation. Things have changed and the Township now has to pay for any supply funding. Depending on the time of year, the cost will vary but believed it would be several thousands of dollars that will be reflected in the 2007 budget for providing this service.

He then explained to Council that he received a letter from Matthew Kunz, Public Safety Director, stating they had a tranquilizer gun (previously owned and operated by the Township). Great Adventure has requested the Township consider transferring ownership of the gun to Great Adventure as they have an individual with the proper certification. The Director of Public Safety is recommending the tranquilizer and all related equipment be transferred to Great Adventure with the understanding they assist in providing services with wild or exotic animals.

MOTION TO TRANSFER TRANQUILIZER GUN AND RELATED EQUIPMENT TO GREAT ADVENTURE BY: UPDEGRAVE
MOTION SECONDED BY: INGRAM
YES: GUDAITIS, INGRAM, UPDEGRAVE & STALLONE
ABSENT: MARTIN

Clerk Eden advised the Council the League of Municipalities will be meeting on November 14th. She reminded them of the Township Council Meeting on November 14th asking if they wished to reschedule for November 13th.

MOTION TO RESCHEDULE MEETING FROM NOVEMBER 14TH TO NOVEMBER 13TH BY: INGRAM

MOTION SECONDED BY: GUDAITIS

YES: GUDAITIS, INGRAM, UPDEGRAVE & STALLONE

ABSENT: MARTIN

PUBLIC HEARING, ANY TOPIC

STAN GOLDMAN-47 SPYGLASS DRIVE: He stated there were many editorials as a result of the budget passing written by several political people blaming the present Council for the increase. He felt the Council should do something to publish the positive actions the Council is taking with the upcoming 2007 budget. Mayor Seda was aware of the articles and spoke to the individual responsible stating he apologized and promised to write another article making corrections as a result of their conversation. Council President Stallone stated their actions as a Council will reflect the positive things they are doing. Councilwoman Ingram also addressed Mr. Goldman's comments assuring him they are looking into many cost saving opportunities. Council Vice President Updegrave discussed previous conversations with Mr. Salerno regarding the budget and some resistance she experienced when questioning the former Administrator. Mayor Seda stated, as a Committeeman, he voted against the Open Space tax and stopped a promotion that wasn't warranted. Mr. Goldman asked about ratables and Mayor Seda stated they are working on the roads and welcome businesses and how they will help with revenue but it won't mean taxes would go down. Mr. Goldman stated everyone in the room paid taxes and they were affected.

MR. HOFFSTEIN-48 BALTUSTROL DRIVE: He asked about the school budget that went before the Committee last year and who looked at it? Mayor Seda stated when the residents vote down the school budget it automatically goes before the governing body and given three weeks to make changes. The Committee hired an outside person qualified to review the budget. If the school feels they can't live with the cuts that were made they appeal to the State and they approve what the school asked for and the governing body has no say. Mayor Seda stated the only way things would change is if there was better communication with the Board of Education and they discuss ways of sharing services to help cut costs and has every hope 2007 would bring about some positive changes. Council President Stallone stated it was discussed at the meeting with the State to move the school election to November.

PAUL MAYEROWITZ-91 CYPRESS POINT LANE: He stated flights at McGuire Air Force Base were getting lower and asked if there were flight restrictions regarding how low they could fly. Mayor Seda stated he would look into it but recalled a change in the flight pattern to accommodate new aircraft. Mr. Mayerowitz felt it was odd that they only received two bids for deer carcass removal and they chose an out of state company. Administrator Santos explained it was temporary as stated in the Resolution. Mr. Mayerowitz suggested Bills and Claims should be available to the public prior to the Council voting and stated viewing them on the website was after the fact. He then asked about the new vehicles being purchased and what they do with the old ones. Administrator Santos explained the funding for the vehicles was provided in 2005. He added, as an example, when they approve to buy three trucks they want three trucks back and then they would decide whether to auction them off or use them elsewhere in the Township. Mr. Mayerowitz then stated municipal department heads were obligated to act in good faith and have a fiduciary responsibility to the residents of Jackson and should ignore any order to suppress information that was not in the best interest of the town. Attorney Gilmore stated under the present form of government a Township employee is required to go to their direct supervisor, Mayor, Council, and or Administrator. Mr. Mayerowitz asked who is held responsible if the Town doesn't perform the re-evaluation

every ten years as required under State law? Attorney Gilmore explained the Ocean County Tax Board watches the ratio and when a town falls below a certain ratio the town is ordered to perform a revaluation and the State could get a court order to force the revaluation. Mr. Mayerowitz suggested the governing body appoint a representative from the Council to sit on the School Board Finance Committee as part of the budget process to communicate between the school and Council. Mayor Seda said the Board would be willing to discuss it but if they didn't want it the Township couldn't force them but felt they would be open minded about it. He then stated Council President Stallone and one member of the Council would attend staff meetings to keep informed of the daily operations of the various departments.

GARY BLACK-76 LEWIS LANE: He stated he was writing a letter to the editor about unfair reporting practices and not informing the public the money in the budget was already spent by the previous Administration which has caused a lot of problems. Mr. Black felt this has been the most informative governing body he's ever seen and finds it very refreshing. He recalled many times when Mr. Seda asked questions he was personally attacked and he shouldn't have had to deal with that. He agrees the school boards are spending like crazy and they need to clean house.

TONY ALFANO-2135 WEST COUNTY LINE ROAD: He addressed the helmet law and wanted to make sure the police enforce the law because he witnessed an officer passing by a group of youths not wearing helmets. He offered to work with the Township in any way possible to get the message across. Mayor Seda stated he would call the Director of Public Safety to start a process of issuing warnings.

STAN GOLDMAN-47 SPYGLASS DRIVE: He stated he lost a family member because he wasn't wearing a helmet and suggested they put something in the local paper aimed toward parents in seeing to it their children wear helmets.

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

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

9:30 PM

RESPECTFULLY SUBMITTED,

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

AME/klj