

ON MONDAY, DECEMBER 27, 2004, AT 6:30 P.M., THE JACKSON TOWNSHIP COMMITTEE HELD IT'S MEETING IN THE MUNICIPAL BUILDING

ROLL CALL:

COMMITTEEMAN BRODERICK	ATTORNEY STARKEY
COMMITTEEMAN KAFTON	ADMINISTRATOR SALERNO
COMMITTEEMAN REILLY	TOWNSHIP CLERK EDEN (Absent)
DEPUTY MAYOR GRISANTI	
MAYOR GIBLIN	

RESOLUTION 611R-04

TITLE: RESOLUTION FOR EXECUTIVE SESSION TO AUTHORIZE TOWNSHIP COMMITTEE TO ENTER INTO CLOSED DISCUSSIONS CONCERNING MATTERS INVOLVING PERSONNEL, LITIGATION AND OPEN SPACE LAND ACQUISITION

MOTION TO APPROVE BY: BRODERICK

MOTION SECONDED BY: KAFTON

YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

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 Committee 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: 12/27/04

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

ON MONDAY, DECEMBER 27, 2004 THE JACKSON TOWNSHIP COMMITTEE 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:

COMMITTEEMAN BRODERICK	ATTORNEY STARKEY
COMMITTEEMAN KAFTON	ADMINISTRATOR KENNEDY
COMMITTEEMAN REILLY	TOWNSHIP CLERK EDEN (Absent)
DEPUTY MAYOR GRISANTI	
MAYOR GIBLIN	

MAYOR GIBLIN: For the public's edification Township Clerk Eden is ill and won't be in attendance tonight and our Administrator, Andrew Salerno, will be taking her place.

As Clerk of this meeting, I publicly announce that in compliance with the provisions of the "Open Public Meetings Act" adequate notice of this meeting of the Jackson Township Committee has been advertised in the manner prescribed by law. This statement shall be entered into the Minutes of this meeting.

OATH OF OFFICE (TOWNSHIP CLERK):

ADMINISTRATOR SALERNO: The oath of office has been removed from the agenda because Township Clerk Eden is not present.

COMMITTEE COMMENTS

COMMITTEEMAN BRODERICK: He thanked everyone for coming out and told them to drive home safely. He explained that he wanted to commend three police officers, Sergeant Campbell, Detective Cowitt and Detective Senatore, who broke a large burglary ring. These three individuals exemplify police work and he is very proud as a Committeeman to have these three officers as part of our Police Department and he hopes that other officers will follow their lead. They worked many long hours resolving many burglaries and recovering stolen property not only in our community but in other communities as well. He went on to say that he wanted to take a moment to thank Deputy Mayor Grisanti for everything he has done for this Committee and for his friendship. Mr. Grisanti has been a strong supporter of open space, rolling back taxes and has accomplished everything he was put in office to do. He explained this would be Mr. Grisanti's last meeting and they will be welcoming Mark Seda to the dais. Committeeman Broderick wished Mr. Grisanti well and said he hopes he will be staying with them in the political arena for some time to come.

COMMITTEEMAN KAFTON: He began by recognizing Doris and Cliff Beck who were in the audience and have come up from Florida. He then stated that he too wanted to take the time to thank Mr. Grisanti for his service. He has been part of an administration who has preserved more open space than any other administration in Jackson's history, has slowed down growth and has tried to preserve Jackson's quality of life. He stated that Mr. Grisanti will be missed on this Committee and he wished him well in whatever he will do. In closing, he thanked him on behalf of the town for the wonderful service he has given to them. He wished everyone a safe new year and reminded everyone that the Reorganization Meeting will be on January 1st at 12:00 PM in this room.

COMMITTEEMAN REILLY: He stated that as the year comes to a close he wanted to thank the citizens of Jackson for their trust in him as a public servant as well as the rest of the Committee. He then thanked Mr. Grisanti for the work he has done and wished him well in his future endeavors. He stated that he looks forward to welcoming Mark Seda to the Committee on January 1st. He wished everyone an enjoyable holiday season with their friends and family. In closing he reminded everyone that the Reorganization Meeting is on January 1st at 12:00 PM.

DEPUTY MAYOR GRISANTI: He began by thanking his fellow Committeemen for their kind words. He stated that this is his last Committee meeting at the dais, but he still plans on staying involved. These past six years did go very quick, but at some points did seem like it was going slow. He explained that seventeen days into his first term he received a call from the Director of Public Safety telling him that there was a loose tiger running around town and it took five years to get that resolved. He is proud to have served Jackson Township. He explained that no one Committeeman can work alone and they have to work as a team. He thanked his fellow Committeemen for working with him. They weren't always in agreement but that is what professionals and friends do,

you come to a decision and move on. Over the past two months he figured out how much time he spent on this job and he stopped counting when he reached 150 Committee Meetings, but now it is about 175 meetings and that does not include the three years on the Planning Board. He is proud to have served in several different capacities. His second year he was Deputy Mayor in the Republican administration, in 2001 he served as Mayor and this year he was Deputy Mayor. When he looks back he has no regrets and he always tried to make the right decision. He wished his fellow Committeemen luck in their future endeavors and wished Mr. Seda luck on his first term.

MAYOR GIBLIN: He thanked everyone for letting him serve as Mayor of Jackson Township and he enjoyed every aspect of it. He actually performed a wedding ceremony earlier this evening and wished all the couples that he did perform their ceremonies the best in their future endeavors. He went on to thank Mr. Grisanti. He stated that several years ago he got to know him when he ran for the Board of Education and during his endeavors here as a Committeeman. He has always been an inspiration to him and he wasn't someone that was just looking out for a political party, but the best interest of all the residents of town. He stated that he has modeled himself after Mr. Grisanti because that is what he has done over the past four years, he never asks someone who they are or where they're from he just tries to help them with their problem. He will miss Mr. Grisanti and hopes he will serve on some of their boards in the future. He believes that Mr. Grisanti is here to stay and he will work hard for the residents of Jackson. In closing, he asked everyone to drive slowly because there is some black ice out there. He explained that it wasn't black this morning around 10:30 AM when he played tag with a curb and lost. He wished everyone a happy new year and stated he will see everyone on January 1st at the Reorganization Meeting.

BILLS AND CLAIMS

MOTION TO APPROVE BILLS AND CLAIMS BY: KAFTON
MOTION SECONDED BY: BRODERICK
YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN
NO: REILLY (CME & JCA)

CHECK#	VENDOR	AMOUNT
067542	JACKSON TOWNSHIP P/R ACCOUNT	532,371.79
067543	JACKSON TOWNSHIP P/R ACCOUNT	36,713.10
067544	ACTION OFFICE SUPPLIES INC.	VOID .00
067545	ACTION OFFICE SUPPLIES INC.	1,583.84
067546	RICHARD & KATHLEEN AMBOS	250.00
067547	AMERICAN TRANSMISSION	900.00
067548	AOS WEB-COM, INC.	570.00
067549	ARCH WIRELESS	19.15
067550	JOHNSON'S GROCERY t/a	118.33
067551	ASBURY PARK PRESS, INC.	1,311.40
067552	B&H PHOTO	1,333.29
067553	BIG SKY RACKS INC.	15.00
067554	BIRDSALL ENGINEERING, INC.	900.00
067555	BOARD OF FIRE COMMISSIONERS	95,476.00
067556	BOARD OF FIRE COMMISSIONERS	177,137.87
067557	BOARD OF FIRE COMMISSIONERS	526,654.28
067558	BOARD OF FIRE COMMISSIONERS	390,483.50
067559	RICHARD BORYS	243.75
067560	BROUWER HANSEN & IZDEBSKI	590.00
067561	BUTLER OFFICE INTERIORS	780.00
067562	CABLEVISION	59.95
067563	CAMPBELL PET CO.	93.21
067564	CDW GOVERNMENT, INC.	1,121.00
067565	GARY & EVANGELINA CHAMBERS	190.76

067566	HILL-DONNELLY/CITY PUBLISHING	231.64
067567	CME ASSOCIATES	814.25
067568	COHENS MODERN PRINT SVCE. INC.	78.00
067569	COMPUSA STORES L P	72.21
067570	COMPLETE SECURITY SYSTEMS INC.	360.00
067571	COPY DYNAMICS	619.00
067572	COSTCO WHOLESALE 229	177.88
067573	COUNTRYWIDE – TAX DEPT.	75,777.54
067574	COUNTY LINE HARDWARE	73.40
067575	CPR TECHNOLOGY	133.80
067576	DAVIS & STANTON	90.00
067577	DEPTCOR/BUREAU OF	250.50
067578	DISTRIBUTION & SUPPORT SERVS.	1,192.30
067579	FAIRLITE ELECTRIC SUPPLY CO.	1,135.14
067580	FARLEY'S ICE CREAM	80.00
067581	LILY ANN FARLEY	151.96
067582	FOX EQUIPMENT COMPANY, INC.	2,010.00
067583	FRA TECHNOLOGIES	375.00
067584	GALL'S INCORPORATED	1,452.61
067585	GARDEN STATE WINDSHIELD REPAIR	160.00
067586	GIANT SERVICE INC.	891.00
067587	LAW OFFICES OF EDMUND GLASNER	3,333.33
067588	GRAINGER-TRENTON	162.91
067589	IKON OFFICE SOLUTIONS	206.89
067590	JACKSON TWP. CAPITAL IMP. FUND	250,000.00
067591	JACKSON TWP. BOARD OF ED.	4,380,631.00
067592	JACKSON TWP. GENERAL TRUST FUND	85,892.36
067593	JACKSON AUTO BODY	310.00
067594	JERSEY CENTRAL POWER & LIGHT	VOID .00
067595	JERSEY CENTRAL POWER & LIGHT	39,593.24
067596	A-1 JDK SPECIALTIES	10.00
067597	JERZ MECHANICAL INC.	3,750.00
067598	JML MEDICAL INC.	1,073.25
067599	JOHNSON & TOWERS INC.	383.30
067600	JOHNNY ON THE SPOT	2,254.40
067601	J.R. HENDERSON LABS, INC.	120.00
067602	LAKEWOOD AUTO SUPPLY INC.	844.11
067603	LANIGAN ASSOCIATES, INC.	3,393.00
067604	LAWTON PRINTING INC	34.15
067605	WILLI & DEBORAH LEBLUE	222.47
067606	LEE BATTERY SERVICE, INC.	522.96
067607	JOSEPH & SUSAN LICATA	671.37
067608	L.J. MAKRANCY & SONS	28,136.48
067609	LOWE'S COMPANIES, INC.	63.52
067610	MAHER APPRAISALS	2,200.00
067611	MGL FORMS-SYSTEMS	884.60
067612	MICROFLEX MEDICAL CORP.	145.00
067613	MICROGRAPHIC COMP. SERVICES, INC.	245.00
067614	MID-STATE ABSTRACT COMPANY	7,095.00
067615	MONMOUTH – OCEAN TCTA	25.00
067616	MICHAEL MORVAY	125.00
067617	MOTOROLA	4,167.49
067618	SCOTT NAJARIAN	348.69
067619	NECI	495.00
067620	NEXTEL COMMUNICATIONS	7,273.99
067621	N.J. DEPT. OF ENVIRONMENTAL	296.95
067622	N.J.E.M. ASSOCIATION	540.00
067623	NJ NATIONAL SAFETY COUNCIL	450.00
067624	OCEAN COUNTY NEWSPAPERS, INC.	723.16
067625	OCEAN COUNTY CLERK	32.00
067626	OCEAN COUNTY VETERINARY HOSP.	113.00

067627	PARKER, MCCAY & CRISCUOLO, P.C.	640.62
067628	PEDRONI FUEL COMPANY, INC.	9,182.20
067629	SHARON PINKAVA	90.00
067630	TOM CLANCY	604.80
067631	QUALITY COMMUNICATIONS, INC.	770.00
067632	RAGAN DESIGN GROUP	4,347.50
067633	STATE TOXICOLOGY LABORATORY	120.00
067634	RITTENHOUSE KERR FORD INC.	220.57
067635	RUDERMAN AND GLICKMAN, P.C.	1,750.00
067636	RUTGERS UNIVERSITY	175.00
067637	SCANTEK	4,168.00
067638	SCHOOR DEPALMA INC.	375.00
067639	SECARE, DELANOY, MARTINO &	2,083.00
067640	SEELY EQUIPMENT & SUPPLY	150.43
067641	PETER & VICTORIA SERREINO	626.90
067642	SHERWIN WILLIAMS COMPANY, INC.	287.20
067643	SHOPRITE/PERLMART, INC.	98.02
067644	SOUTHERN BELLE BRASS	441.88
067645	STRAUSS AND ASSOCIATES	2,410.00
067646	SUPPLY SAVER	623.00
067647	TECHNICAL BUILDING SERVICES	163.75
067648	GUARANTEED PRODUCTS INC. D/B/A	325.00
067649	TED TOBIASSEN	443.52
067650	TRENTON BRAKES, INCORPORATED	1,788.59
067651	TRENDWAY CORPORATION	6,921.05
067652	VAN SANT EQUIPMENT	41.42
067653	VAN SANT SEWER SERVICE LLC	75.00
067654	ELENA P. VELTRE	235.00
067655	VERIZON	VOID .00
067656	VERIZON	1,780.48
067657	VETERINERY SURG. & DIAG. SPEC.	59.15
067658	EDWARD & ANDREA VIRELLA	230.64
067659	WALTER R. EARLE CORPORATION	1,495.49
067660	WASTE MANAGEMENT OF N.J. INC.	44,750.00
067661	EASTERN ORGANIC RESOURCES LLC	67.50
067662	ZEP MANUFACTURING COMPANY	679.00

CHECK #	ACCOUNT	AMOUNT
009066	JACKSON TWP. CAPITAL IMP. FUND	62,000.00
001113-001114	INDUSTRIAL COMMISSION	10,000.00
000298	N.J. STATE DEPT. OF HEALTH	100.20
002076-002077	SUBDIVISION	9,624.30
060186-060828	PARKS & REC	9,884.31
060326-060331	GENERAL TRUST	69,973.10
002175-002210	DEVELOPERS	310,973.76

CAPITAL

CHECK #	ACCOUNT	AMOUNT
060274	EAGLE CONSTRUCTION SVC. INC.	52,621.56
060275	JACKSON TOWNSHIP CURRENT FUND	11,165.72
060276	JCA ASSOCIATES	666.00
060277	STAVOLA CONTRACTING CO., INC.	63,583.50
060278	WARNOCK FLEET, INC.	34,004.10
060279	WILENTZ GOLDMAN & SPITZER	4,359.28

TOTAL 166,400.16

ORDINANCES, SECOND READING:

43-04

TITLE: BOND ORDINANCE PROVIDING FOR VARIOUS 2004 ROADWAY IMPROVEMENTS AND IMPROVEMENTS TO THE LEGLER WATER SYSTEM – PHASE II, BY AND IN THE TOWNSHIP OF JACKSON, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (THE “TOWNSHIP”); APPROPRIATING \$1,204,483.18. THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,147,100.00 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

PUBLIC HEARING OPENED:

ED BALDWIN, 12 HONEYSUCKLE LANE: He asked what the issuance of this bond does to the debt rating of Jackson? He then asked what the total debt is and how this bond will effect it? He later asked how much revenue is brought into town by taxes, etc.? In closing, he stated he supported this. Administrator Salerno explained with the issuance of this bond it will put the township’s debt ratio at .87%, which is less then 1% and the law allows up to 3%. The total net debt including this authorization is \$28,476,754.34 on an average equalized evaluation of \$3,250,967,944.00. Mr. Salerno then explained that the annual revenue to the town equals expenditures. Last year expenditures were budgeted at \$31 Million plus. In New Jersey you have to have a balanced budget where your revenues are equal to your expenditures and last year the town’s revenue was equal to the \$31 Million Dollars. This will also be included in the township’s debt service portion of the budget and will come from general revenues. There will be no negative impact.

MOTION TO CLOSE PUBLIC HEARING BY: KAFTON

MOTION SECONDED BY: REILLY

YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

MOTION TO APPROVE ORDINANCE 43-04 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED NEWSPAPER AS REQUIRED BY LAW BY: KAFTON

MOTION SECONDED BY: BRODERICK

YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

ORDINANCE 43-04

WHEREAS, the Township Committee recognizes the valuable services that have been provided by the Industrial Commission to the residents of Jackson since the Commission’s inception in 1958; and

WHEREAS, the Township Committee has determined that the Industrial Commission has fulfilled its purpose and that the services provided by the Industrial Commission are no longer necessary; and

WHEREAS, the Township Committee is presently in the process of creating an Economic Development and Advisory Committee with the purpose of promoting economic development in Jackson Township;

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

1. Chapter 3-174 and Chapter 17, Sections 1 through 9, of the Code of the Township of Jackson are hereby deleted.
2. The Chairman of the Industrial Commission is hereby instructed to execute any documentation deemed necessary by the Township Attorney in order to provide for a proper dissolution of the Commission.

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 December 8, 2003, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 22nd day of December, 2003, at 7:30 P.M. or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning this Ordinance.

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

ANN MARIE EDEN
TOWNSHIP CLERK

DATED: 12/27/04

44-04

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF SALE FOR PROPERTY SOLD DURING PUBLIC LAND SALE HELD ON NOVEMBER 30, 2004

PUBLIC HEARING OPENED: NO ONE CAME FORWARD.

MOTION TO CLOSE PUBLIC HEARING BY: BRODERICK
MOTION SECONDED BY: GRISANTI
YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

MOTION TO APPROVE ORDINANCE 44-04 ON SECOND READING, ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED NEWSPAPER AS REQUIRED BY LAW BY: GRISANTI
MOTION SECONDED BY: BRODERICK
YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

ORDINANCE 44-04

WHEREAS, the Township held a duly noticed public auction on November 30, 2004 for the proposed sale of various parcels of municipally owned land; and

WHEREAS, the Township accepted the highest bids by Resolution 585R-04 on this date; and

WHEREAS, the Township desires to authorize the sale of land, pursuant to the provisions of N.J.S.A. 40:12-13, and has determined that the property is not needed for public use;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the

Township of Jackson, County of Ocean and State of New Jersey, as follows:

1. The Mayor is authorized to execute, and the Clerk to attest, to Contracts for the sale of the individual properties identified below:

Block/Lot	Address	Bid Price	Buyer
82.01/64.02	97 E. Veterans Hwy.	\$199,500.00	James Picon
130.02/11.03	995 Farmingdale Road	\$420,000.00	Albert Cicconi
9.01/214-15	934 Charles Street	\$231,000.00	Thomas Loftus
111/58.01	76 Magnolia Drive	\$157,500.00	Jeanine Lapi

2. The sales are subject to all of the restrictions and obligations set forth in the public notice of auction, the resolution authorizing the sale, the contracts of sale, Resolution 585R-04 and this ordinance, including a provision for a deed restriction that prohibits any subdivision of the properties into lots that would not conform with the minimum requirements of the respective zones in which the property is located.
3. If any selection, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such adjudication shall apply only to that selection, paragraphs, subdivision, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.
4. This ordinance shall take effect immediately upon final passage and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at a regular meeting of the Township Committee of the Township of Jackson, in the County of Ocean, State of New Jersey, held on December 13, 2004 and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 27th day of December, 2004, at 7:30 P.M. or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning this Ordinance.

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

DATED: 12/13/04

ANN MARIE EDEN, RMC
TOWNSHIP CLERK

45-04

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, ESTABLISHING THE SALARIES FOR ALL OF THE VARIOUS OFFICIALS AND EMPLOYEES OF THE TOWNSHIP FOR THE YEAR 2005 AND THEREAFTER

PUBLIC HEARING OPENED: NO ONE CAME FORWARD.

MOTION TO CLOSE PUBLIC HEARING BY: BRODERICK

MOTION SECONDED BY: GRISANTI

YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

**MOTION TO APPROVE ORDINANCE 45-04 ON SECOND READING,
 ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED
 NEWSPAPER AS REQUIRED BY LAW BY: GRISANTI
 MOTION SECONDED BY: BRODERICK
 YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN
 ABSTENTIONS: KAFTON (POLICE ONLY)**

ORDINANCE 45-04

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

SECTION 1. For the year 2005 and for each year thereafter, the salaries set forth in "Schedule A" which is annexed hereto and made a part hereof, are hereby established for the officials and employees whose titles are set forth therein.

SECTION 2. The provisions of this Ordinance shall be effective for the year 2005 and for each year thereafter except as may be amended or supplemented by subsequent ordinances.

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

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

SECTION 5. This ordinance shall take effect immediately upon final passage and publications as required by law.

DATED: 12/13/04

**ANN MARIE EDEN, RMC
 TOWNSHIP CLERK**

SCHEDULE A

<u>TITLE/CLASSIFICATION</u>	<u>SALARY RANGE</u>	
<u>MAXIMUM</u>	<u>MINIMUM</u>	
Accountant	25,500	40,000
Account Clerk	23,516	37,846
Administrative Clerk	26,823	43,358
Administrative Secretary	26,823	65,000
Aide to Mayor and T.C.	44,500	70,000
Animal Control Officer	33,925	44,725
Agency Aide	28,000	34,700
Assessing Aide	25,170	40,878
Assessing Clerk	23,516	37,846
Assessing Clerk (Typing)	23,516	37,846

Assistant Animal Control Officer	27,400	35,500
Assistant Municipal Tax Assessor	29,028	46,665
Assistant Municipal Tax Collector	32,335	51,074
Assistant Municipal Treasurer	28,531	50,000
Assistant Municipal Clerk	28,660	44,000
Assistant Payroll Supervisor	23,516	37,846
Assistant Public Works Director	55,000	68,000
Assistant Purchasing Agent	32,335	51,074
Building Inspector	35,500	53,550
Building Maintenance Worker	29,500	37,000
Building Sub-Code Official	39,500	62,500
Chief Financial Officer	54,500	86,100
Clerk	23,516	37,846
Clerk Typist	23,516	37,846
Code Enforcement Officer	30,500	48,900
Computer Service Technician	30,500	48,900
Construction Code Official	54,500	81,900
Deputy Municipal Court Admin.	29,028	46,665
Deputy Tax Assessor	32,335	51,074
Director of Economic & Industrial Development	40,000	75,000
Director of Public Safety	74,500	127,100
Director of Recreation	54,500	78,000
Director of Public Works	54,500	81,900
Electrical Inspector	35,500	53,600
Electrical Inspector/Plumbing Inspector	35,500	53,600
Electrical Sub-Code Official	39,500	62,500
Engineering Aide	25,000	35,000
Equipment Operator	31,000	38,500
Fire Protection Sub-Code Official	39,500	62,500
Fire Protection Inspector	35,500	53,600
Forester	35,500	59,500
Heavy Equipment Operator	32,300	39,800
Housing Inspector	30,500	45,500
Investigator, Public Works	35,500	49,500
Laborer	28,000	34,700
Maintenance Repairer	30,250	37,750
Mechanic	32,300	39,800
Mechanic's Helper	29,500	37,000
Motor Broom Driver	31,000	38,500
Municipal Administrator	74,500	115,000
Municipal Court Administrator	32,335	51,074
Municipal Department Head (Motor Pool and Vehicle Maintenance)	45,500	59,500
Municipal Engineer	75,000	100,000
Municipal Tax Assessor	54,500	86,100
Omnibus Operator	29,500	37,000
Payroll Supervisor	26,823	47,250
Personnel Director	54,500	78,000
Planning Board Secretary	25,000	37,300
Plumbing Inspector	35,500	53,600
Plumbing Sub-Code Official	39,500	62,500
Police Captain	117,421	123,825
Police Lieutenant	104,840	108,618
Police Patrolman	32,209	77,422
Police Patrolman-Detective	1,000	above Ptl. Grade
Police Patrolman-Traffic Safety	1,000	above Ptl. Grade
Police Sergeant	86,717	88,260
Police Sergeant-Detective	1,000	above Sgt. Grade
Police Sergeant-Traffic	1,000	above Sgt. Grade

Principal Account Clerk	25,170	40,878
Principal Account Clerk/Telephone Operator	25,170	40,878
Principal Account Clerk Typing	25,170	40,878
Principal Assessing Clerk	25,170	40,878
Principal Assessing Clerk (Typing)	25,170	40,878
Principal Clerk	25,170	40,878
Principal Clerk (Typing)	25,170	40,878
Principal Clerk Typist/Telephone Operator	25,170	40,878
Principal Public Safety Telecommunicator	30,400	40,500
Principal Purchasing Asst. Typist	25,170	40,878
Principal Tax Clerk	25,170	40,878
Principal Tax Clerk (Typing)	25,170	40,878
Program Development Specialist I	40,000	60,000
Public Safety Telecommunicator	31,575	42,375
Public Safety Telecommunicator Trainee	30,575	31,375
Purchasing Agent	25,500	70,000
Purchasing Asst./Typing	23,516	37,846
Recreation Aide	25,170	40,878
Recreation Leader Arts & Crafts	25,170	40,878
Recreation Program Administrator (Sr. Citizen)	42,500	57,300
Sanitation Driver	30,250	37,750
Sanitation Worker	28,500	36,000
School Crossing Guard Supervisor	21,495	35,700
Secretarial Assistant	25,997	41,980
Security Guard	25,500	37,300
Senior Account Clerk	24,335	38,673
Senior Account Clerk/Telephone Operator	24,335	38,673
Senior Assessing Aide	25,997	41,980
Senior Assessing Clerk	24,335	38,673
Senior Assessing Clerk (Typing)	24,335	38,673
Senior Building Maintenance Worker	30,250	37,750
Senior Clerk	24,335	38,673
Senior Clerk Typist	24,335	38,673
Senior Code Enforcement Officer	35,500	49,500
Senior Maintenance Repairer	31,000	38,500
Senior Maintenance Rep. (Carpenter)	32,300	39,800
Senior Maintenance Rep. (Electrical)	32,300	39,800
Senior Mechanic	33,500	41,000
Senior Public Safety Telecomm.	34,375	44,375
Senior Purchasing Asst./Typing	24,335	38,673
Senior Tax Clerk	24,335	38,673
Senior Tax Clerk (Typing)	24,335	38,673
Sign maker Wood & Metal/Truck Driver	30,250	50,250
Superintendent of Recreation	44,500	62,500
Supervising Account Clerk	25,997	41,980
Supervising Assessing Clerk	25,997	41,980
Supervising Clerk	25,997	41,980
Supervising Clerk Typist	25,997	41,980
Supervising Laborer	33,500	41,000
Supervising Public Safety Tel.	35,575	46,375
Supervising Tax Clerk	25,957	49,000
Supervisor, Bldg. Service &		
Supervisor Recreation Maintenance	39,500	54,500
Supervisor, Streets & Roads	39,500	56,000
Tax Clerk	23,516	37,846
Tax Clerk (Typing)	23,516	37,846
Tax Collector	54,500	86,100
Technical Asst. to Const. Official	25,997	41,980
Township Clerk	54,500	78,000

Truck Driver	29,500	37,000
Truck Driver (Rack)	30,250	37,750
Violations Clerk	25,170	40,878
Welder	31,000	38,500
Zoning Officer	44,500	71,400
Zoning Officer/Code Enforcement Officer	44,500	71,400

SCHEDULE A (Cont'd.)

<u>PART TIME, HOURLY, SEASONAL TITLE/CLASSIFICATION</u>	<u>SALARY RANGE</u>	
	<u>MINIMUM</u>	<u>MAXIMUM</u>
Affirmative Action Officer	1,250	2,000
Advisory Panel on Res. Group Homes		
Board Secretary	75/mtg.	120/mtg.
Alarm Review Board Secretary	75/mtg.	100/mtg.
Animal Control Officer	16.31/hr	21.50/hr
Assessing Aide	9.15/hr.	14.50/hr.
Bus Attendant	7.76/hr.	11.00/hr.
Building Inspector	10.00/hr.	21.00/hr.
Building Sub-Code Official	12.50/hr.	24.00/hr.
Building Maintenance Worker	14.18/hr	16.10/hr
Chorus Director	12.00/hr.	20.00/hr.
Clerk	12.92/hr	14.13hr
Clerk, Board of Health	1,250	2,000
Clerk, Environmental Comm.	1,250	2,000
Clerk, Food Handlers	1,250	2,000
Clerk Typist	12.92/hr	14.13/hr
Code Enforcement Officer	10.00/hr.	21.00/hr.
Computer Technician Aide	2,500	3,500
Coordinator of Safety Programs	2,500	3,500
Court Attendant	9.50/hr.	13.00/hr
Data Processing Comm. Board Secretary	75/mtg.	100/mtg.
Deputy Municipal Clerk	3,000	4,500
Dog Canvassers	7.50/hr.	12.00/hr.
Emerg. Management Services Coordinator	5,000	7,000
Emerg. Management Services Board Secretary	75/mtg.	100/mtg.
Environmental Comm. Sec.	75/mtg.	100/mtg.
Electrical Inspector	10.00	21.00
Electrical Sub-Code Official	12.50/hr.	24.00/hr.
Elevator Sub-Code Official	1,500	3,500
Emergency Medical Technician	8.00/hr.	12.50/hr.
Employee Benefits Clerk	2,600	3,600
Fire Inspector	10.00/hr.	21.00/hr.
Fire Sub-Code Official	12.50/hr.	24.00/hr
Forester	2,500	4,500
Handicapped Commission Secretary	75/mtg.	100/mtg.
Historical Commission Board Secretary	75/mtg.	100/mtg.
Housing Inspector	2,000	3,500
Housing Inspector/PT	7.50/hr.	21.00/hr.
Identification Clerk	750	2,000
Instructor/Handicapped Commission	12.00/hr.	24.00/hr.
Jackson Pathfinders Board Secretary	75/mtg.	100/mtg.
Judge, Municipal Court	54,500	64,500
Juvenile Conf. Board Secretary	75/mtg.	100/mtg.
Laborer, Seasonal	12.00/hr	17.87/hr
Mayor's Private Residential Secretary	75/mtg.	100/mtg.
Mayor's Youth Advisory Council Secretary	75/mtg.	100/mtg.
Mechanic	15.52/hr	19.13/hr

Municipal Alliance Board Secretary	75/mtg.	100/mtg.
Mobile Home Adv Board Secretary	75/mtg	100/mgt
Municipal Alliance Coordinator	7,800	9,000
Noise Control Officer	1,250	1,750
OmniBus Operator	14.18/hr	16.10/hr
Planning Board Secretary/PT	4,000	6,000
Planning Board Secretary	105/mtg.	120/mtg.
Plumbing Inspector	10.00/hr.	21.00/hr
Plumbing Sub-Code Official	12.50/hr.	24.00/hr.
Program Coordinator	2,500	3,500
Program Coordinator Special Events	2,000	8,500
Police Matron	250	1,250
Principal Purchasing Assistant Typist	6,000	9,000
Public Safety Telecommunicator	15.18/ht	20.37/hr
Public Safety Tele. Trainee	14.69	15.08hr.
Public Works Trainee	8.00/hr.	16.00/hr.
Purchasing Asst./Typing	4,000	6,000
Recreation Aide	6.00/hr.	14.00/hr.
Recreation Asst. Softball Supervisor	5.05/hr.	12.50/hr.
Recreation Board Secretary	75/mtg.	100/mtg.
Recreation Ceramics Instructor	8.00/hr.	22.50/hr.
Recreation Clinician	12.00/hr.	20.00/hr.
Recreation Leader Arts & Crafts	10.30/hr.	17.00/hr.
Recreation Non-Certified Umpires	15/game	20/game
Recreation Summer Camp Coordinator	11.75/hr.	22.00/hr.
Recreation Summer Camp Counselors	5.15/hr.	9.50/hr.
Recreation Summer Camp Head Leader	8.40/hr.	14.00/hr.
Recreation Summer Camp Leader	6.40/hr.	12.00/hr.
Recreation Summer Camp Supervisor	11.25/hr.	18.00/hr.
Recreation Basketball Instructor (Per Clinic)	60	140.00
Recreation Softball Supervisor	5.05/hr.	16.50/hr.
Recreation Instructor Arts & Crafts	8.00/hr.	22.50/hr.
Recreation Arts & Crafts Asst.	5.05/hr.	12.50/hr.
Recreation Certified Referees	15/game	35/game
Recreation Referees	5.05/hr.	14.50/hr.
Recreation Tennis Instructor	8.00/hr.	22.50/hr.
Recreation Certified Umpires	25/game	80/game
Recreation Weightlifting Supervisor	6.00/hr.	19.00/hr.
Recreation Asst. Weight. Supervisor	5.05/hr.	19.00/hr.
Recreation Winter Wrestling Asst. Supervisor	5.05/hr.	19.00/hr.
Recreation Scorekeepers	5.05/hr.	12.50/hr.
Recreation Theatre Arts Inst.	8.00/hr.	22.50/hr.
Recreation Achievement Director	10.00/hr.	19.00/hr.
Recreation Achievement Asst.	5.05/hr.	12.50/hr.
Recreation Supervisor Teen Night	6.00/hr.	16.50/hr.
Recreation Golf Instructor	8.00/hr.	22.50/hr.
Recreation Clinical (Umpires)	8.00/hr.	22.50/hr.
Recreation Children's Theatre Supervisor	8.00/hr.	19.00/hr.
Recreation Children's Theatre Asst.	5.05/hr.	16.00/hr.
Recreation Tennis Asst.	5.05/hr.	16.00/hr.
Recreation Winter Wrest. Supervisor	6.00/hr.	19.00/hr.
Recreation Winter Basketball Supervisor	6.00/hr.	19.00/hr.
Recycling Coordinator	4,000	5,000
Rent Leveling Board Secretary (Mobile Homes)	105/mtg.	120/mtg.
Rent Leveling Board Secretary (Apartments)	105/mtg.	120/mtg.
Registrar of Vital Statistics	500	8,000
(Salary to be paid equal to fees received)		
School Traffic Guards	6.00/hr.	14.00/hr.
Security Guard	12.25/hr.	17.06/hr.

Senior Clerk Typist	13.37	14.58/hr
Senior Public Safety Tele.	16.14/hr	21.33/hr
Shade Tree Commission Board Secretary	75/mtg.	100/mtg.
Special Police Officer II	7.50/hr.	14.00/hr.
Special Police Officer I	7.00/hr.	14.50/hr.
Task Force on Public Safety		
Board Secretary	75/mtg.	105/mtg.
Township Committee Member	7,500	9,500
Township Committee Member (Mayor)	8,000	10,000
Tourism and Bus. Development Council		
Board Secretary	75/mtg.	100/mtg.
Unsafe Structures Board Secretary	105/mtg.	120/mtg.
Water Systems Licensed Operator	2,500	3,500
Welfare Board Secretary	75/mtg.	105/mtg.
Zoning Board Secretary	105/mtg.	120/mtg.

ORDINANCE 46-04 – NOT USED

47-04

TITLE: AN ORDINANCE OF THE TOWNSHIP OF JACKSON AMENDING CHAPTER 109 ARTICLE VII (Pinelands Area Requirements) of the MUNICIPAL LAND USE AND DEVELOPMENT CODE OF THE TOWNSHIP OF JACKSON TO INCLUDE AN EXPANDED WILDLIFE HABITAT BUFFER

PUBLIC HEARING OPENED:

GEORGE FISHER, 84 BOWMAN ROAD: He asked about Dove Creek and the buffer zones in that area? He later added that this particular tributary is not a trickle but a major waterway. He thinks this should be looked at and considered. The other issue he had was it was said this area wasn't around endangered species. He explained that part of this plan is to change much of the zoning strictly because of the endangered species issues and many of the properties located adjacent to this area have been identified as endangered species territory.

LEAH FURY (RAGAN DESIGN GROUP): She explained that regarding Dove Creek this proposal has emerged from the Toms River Corridor Task Force study. They decided on the Toms River main stem and the Ridgeway Branch for the buffer. This was based on several factors including the endangered species that were identified. This particular buffer will serve as a connector between some of the nodes of threatened and endangered species. This will hopefully create a wildlife corridor where they can travel. Additionally, the Dove Branch wasn't singled out because some of the tributaries are very small and sometimes only a trickle. The task force felt the 600 foot buffer wasn't appropriate for those tiny branches.

EDWARD BALDWIN, 12 HONEYSUCKLE LANE: He stated that he does support the Ordinance, but he does have some questions. There are portions of it that are very precise but other areas are very vague. He referred to a section (paragraph 1, sub-paragraph E, sub-paragraph 1) that states the applicant may prepare a plan for the construction of 1 reasonably sized single-family house. He asked what reasonably sized mean? He went on to say there was another section that was vague (1F-1) which talks about how infrastructure must be located as far as possible from the wetlands. He then referenced (1F-3) it talks about the proposed structure must be situated to minimize the amount of clearing, but no more than 15,000 sq. ft.. If you go back to the reasonably sized house you should be able to arrive at a size for a house based on the amount of land you can clear. In closing, he stated he wanted to point out that if this ordinance was challenged there is room for a case. He recommended that the language be tightened up

or have the Planning Board modify the zoning regulations or some other method to provide some boundaries.

LEAH FURY (RAGAN DESIGN GROUP): She agreed that the ordinance is vague, but the reasoning was they didn't know if it would be arbitrary to set square footage for a house. She said that by the context of the audience if somebody is requesting this waiver to build a house in this buffer it is going to go before one of the township's boards and in which case there would be discussion between the board and the applicant. She later added that when the Township Committee passes an ordinance in the Pinelands it has to go to the Pinelands for approval. At that time, if the Pinelands felt that it is not tight enough the Pinelands will then make recommendations to the Committee and ask that the ordinance be altered. The Pinelands Commission has supported the Toms River Corridor Study and has indicated to the Township Committee that when this ordinance is adopted and approved by them and challenged they will support the Township Committee in their efforts to defend the ordinance. Mayor Giblin stated that it says the clearing should be no more than 15,000 sq. ft., but what if somebody wants to build a 47,000 sq. ft. house in a previously cleared area? They won't be penalized for the area already cleared and that is why there is different terminology. He said that Mr. Baldwin does point out some interesting clarifications, but he believes it will come back to the discussions that will take place with the board and Pinelands, etc. He believes that discussions will allow somebody to build something they are entitled to without harming the endangered species, etc. He believes that somebody can sue over this or anything else, but he believes this ordinance does exactly what it is intended to do. It will slow down residential growth in the protected areas of the Toms River Corridor.

RICHARD BIZUB, 133 WILLOW DRIVE: He stated that he has been a resident of Jackson for seventeen years and he is also a ground water geologist. He commended the Township Committee on this protective ordinance and stated that there are other places in the state trying to get larger buffers but Jackson is on the forefront on this. He believes this ordinance is important for reasons that people have stated previously such as open space preservation, protecting wetlands, endangered species and passive recreation. He wanted to add that this ordinance also has a positive impact on water quality and quantity. The Pinelands Commission's science staff has been doing research for fifteen years on the Toms River area and the Pinelands area in general and they have identified some pyramids in our streams particularly in the areas of Route 528, 571 and Bowman Road. Larger buffers will help in the future to eliminate or minimize additional impact on the streams in the Toms River Corridor area because larger buffers do protect water quality. From a water quantity standpoint in Jackson and in South Jersey in general 90% of the water we see in our streams, rivers and wetlands comes from ground water. The statewide water supply master plan has identified this area as being in a water supply deficit. We are taking the water and using it faster than we are recharging it. The United States Geological Survey has also identified the Toms River area in a deficit. The Bureau of Allocation in the DEP is concerned about giving out too much water in the Toms River and in South Jersey. He spoke about a well in Camden County that went on-line and within two weeks dried up a stream. In Burlington County a cranberry farmer turned on a pump and a 16-acre lake vanished. In Whiting some ground water remodeling was done about two years ago and they have identified that by having large withdrawals through the local water company would essentially deplete the streams. We are slowly killing our streams by drying them up. This ordinance is very proactive in minimizing those future impacts. He believes the ordinance is flexible, if somebody wants to build they have the opportunity with waiver provisions. He believes this ordinance will stick and he hopes they will pass it tonight.

THERESA LETTMAN (PINELANDS PRESERVATION ALLIANCE): She stated they were a part of the Toms River Study as Jackson was and they are very supportive of the ordinance. This is a very important part of the study in protecting that corridor. She has spent the last eight months educating Jackson residents on the Toms River Corridor Study, etc. and to be supportive of the things the Township Committee is doing to protect this corridor also. She has been convinced that the Pinelands Preservation Alliance and

the Township Committee were wrong in not including the Dove Mill Branch. She thinks the reason why the Dove Mill Branch was not considered because by looking at the map it was considered developed. If you take a closer look you can see the development that exists is actually agriculture. She let them know that the Pinelands Commission will have a hearing on this ordinance and she will carry her comments to them. She thinks the residents are correct and the Dove Mill Branch needs to be considered and they need to go back and take another look.

MOTION TO CLOSE PUBLIC HEARING BY: BRODERICK
MOTION SECONDED BY: KAFTON
YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

COMMITTEEMAN REILLY: He believes that Mr. Fisher and Mr. Baldwin made good points about tightening up the ordinance. He also stated that he would like Ms. Lettman to bring to the Pinelands Commission the recommendation about the Dove Mill Branch.

LEAH FURY: She stated she believes that is a good recommendation about the Dove Branch. She didn't mean to insinuate that it is a trickle because it is a good flowing tributary. She thinks if the Committee does adopt this ordinance tonight it is possible to amend it in the future. She feels it should be adopted tonight so they can get it to the Pinelands for approval. She added that to go with this ordinance there is a map that shows Jackson Township with the Ridgeway Branch and the main stem and a 600 foot buffer off of the wetlands that is associated with those two waterways. It is to be used as a guide only. When someone comes in for a development application they will always have to get a wetlands delineation so the buffer can be set specifically on their property. Ms. Fury stated that the Pinelands Commission from the beginning of this Toms Rivers Corridor and as it progressed has been working with the township. The concept to implement a 600 foot buffer along the Toms River to preserve critical habitat is a simple one. It took some time to get it implemented because they had to create this relief mechanism. The relief mechanism is fairly unusual because there is some minimum threshold of economic use for each person's property. When the Pinelands Commission reviews this they may have some additional comments. While they were waiting for them to come up with their proposal for the relief mechanism the Township Committee wanted to move forward. The Township Committee didn't want to wait any longer for the Pinelands Commission to come up with a solution, so we are putting forward our solution and they will respond. Mayor Giblin stated that they are doing this to take the proactive step and we anticipate legal challenges to this. Mr. Broderick and Ms. Fury have assured him that the Pinelands Commission will stand hand and hand with them in defending those lawsuits.

MOTION TO APPROVE ORDINANCE 47-04 ON SECOND READING,
ADVERTISE THE NOTICE OF PASSAGE AND APPROVAL IN AN APPROVED
NEWSPAPER AS REQUIRED BY LAW BY: KAFTON
MOTION SECONDED BY: BRODERICK
YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

ORDINANCE 47-04

WHEREAS, the Township Committee desires to enact ordinance provisions that will make the zoning requirements in the Township consistent with the recommendations set forth in the Master Plan and Master Plan Re-examinations; and

WHEREAS, the Township Committee and the Planning Board have reviewed the findings set forth in "A Regional Natural Resource Protection Plan for the Toms River Corridor" and have determined that the recommendations for an expanded buffer requirement along the main stem of the Toms River and the Ridgeway Branch will advance the public interest in protecting vital habitat and ensuring that threatened and

endangered species have an opportunity to thrive in Jackson Township.

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

1. Section 109-91.1 Toms River Corridor Buffer shall be added as follows:

A. Purpose and intent.

It is the purpose and intent of this section to ensure that a balance between human settlement and conservation of wildlife habitat may be maintained over the long term. The buffer requirements set forth in this section are intended to compliment existing and future tools for preservation and protection of critical natural resources. As a result of the study conducted by the Toms River Corridor Taskforce¹, it has been determined that there are inadequate mechanisms in place for the protection of upland habitats of threatened and endangered species. Lots that fall wholly or partly within the wetlands/uplands buffer must comply with the regulations of the underlying zoning designation, all other applicable regulations as well as the regulations set forth in this section.

B. Applicability. Along the main stem of the Toms River and the Ridgeway Branch within the Pinelands National Reserve in Jackson Township, the minimum wetlands buffer requirement of 300 feet shall be applied, and in addition an uplands buffer 300 feet in width shall also be applied. The total buffer width is 600 feet from the wetlands boundary associated with the Toms River and Ridgeway Branch. A map entitled "Toms River Corridor buffer overlay" (dated December 6, 2004) is intended to serve as a guide and for explanatory purposes, but for each property the actual location of the wetlands and buffer delineations will require field verification and approval by the Pinelands Commission.

C. Permitted Uses. The following uses shall be permitted within the buffer:

- 1) Passive Open Space
- 2) Forest Preservation
- 3) Trail extension as approved by municipal Planning Board

D. Prohibited Uses. The following uses shall be prohibited within the buffer except as specified in 109-91.1E below:

- 1) Development of any kind
- 2) Buildings or structures, impervious surface, fences or improvements
- 3) Stormwater Management basins
- 4) Clearing, except as mentioned in 109-91.1C(3) above
- 5) Ball fields or recreation facilities

E. Exceptions. Notwithstanding the use restrictions contained in this section, lots that meet one of the following conditions may be granted relief from strict adherence to the buffer requirement. The relief mechanism has been designed to ensure that to the maximum extent possible, each property owner may attain a minimum threshold of economic use of the property. The applicant is responsible for demonstrating hardship to justify the waiver.

- 1) On lots in the FA-1, FA-2, FA-6, PV, RD, RD-1, RD-9 zoning districts in which the entire property is effectively consumed by the buffer matrix such that no building can be constructed that would meet the bulk requirements of the zone, the applicant may prepare and submit a plan that allows for the construction of one reasonably sized single-family house. The proposal and

¹ The Toms River Corridor Taskforce consisted of members of the Pinelands Commission and the Pinelands Commission staff, representatives of Jackson Township and Manchester Township, NJ DEP's Division of Watershed Management, NJ DEP's Endangered and Nongame Species Program, Ocean County Planning Department, Navy Lakehurst Engineering Station, NJ DEP Green Acres program, Pinelands Preservation Alliance, NJ Conservation Foundation and NJ Audubon Society; as well as technical contributors.

buffer waiver request will be reviewed by the municipal Planning Board and subject to approval by the Pinelands Commission. Permits for construction within the buffer will not be issued until a waiver has been obtained and the footprint of disturbance has been located on a plot plan and approved by the Planning Board. The criteria that shall be considered by the Planning Board and Pinelands Commission are listed in 109-91.1F below.

- 2) On lots in the PM-1 and PVC-2 zoning districts in which the entire property is effectively consumed by the buffer matrix such that no building can be constructed that would meet the bulk requirements of the zone, the applicant may prepare and submit a concept plan that allows for the construction of a building, not to exceed 3,000 square feet of non-residential development. The proposal and buffer waiver request will be reviewed by the municipal Planning Board and subject to approval by the Pinelands Commission. The criteria that shall be considered by the Planning Board and Pinelands Commission are listed in 109-91.1F below.
- 3) Lots in the RG-2 zoning district:
 - a) On lots in the RG-2 zoning district that are not to be served by public sewer and where the entire property is effectively consumed by the buffer matrix such that no building can be constructed that would meet the bulk requirements of the zone, the applicant may prepare and submit a plan that allows for the construction of one reasonably sized single-family house on a minimum of one acre with an alternate-design septic system (in accordance with section 109-71G(4)(f)). The proposal and buffer waiver request will be reviewed by the municipal Planning Board and subject to approval by the Pinelands Commission. Permits for construction within the buffer will not be issued until a waiver has been obtained and the footprint of disturbance has been located on a plot plan and approved by the Planning Board. The criteria that shall be considered by the Planning Board and Pinelands Commission are listed in 109-91.1F below.
 - b) On lots in the RG-2 zoning district that are to be served by a public sewer system, in which the entire property is effectively consumed by the buffer matrix such that no building can be constructed that would meet the bulk requirements of the zones, the applicant may prepare and submit a plan that allows for the construction of one single-family house that complied with the standards set forth for lots served by public sewer in section 109-81 (RG-2 Regional Growth Zone). The criteria that shall be considered by the Planning Board and Pinelands Commission are listed in 109-91.1F below.

F. Criteria. In considering a buffer reduction waiver request, the Planning Board and the Pinelands Commission shall bear in mind the following criteria in determining whether a hardship exists and what relief should be granted.

- 1) The proposed structure must be located as far as is practically possible from the wetlands.
- 2) The buffer must be maintained to the maximum extent possible to accomplish the goals set forth in the *Regional Natural Resource Protection Plan for the Toms River Corridor*.
- 3) The proposed structure must be situated to minimize the amount of clearing of vegetation and trees that will be required and in no case shall the clearing be more than 15,000 square feet.
- 4) Where adjacent lots are developed, the buffer on the subject lot shall not be reduced to less than the existing buffer on the adjacent lot.
- 5) The reduction in buffer shall not be permitted to endanger known threatened or endangered inhabitants within the buffer.
- 6) Where the buffer originates on one side of an existing paved road and the

subject property is impacted by the buffer, but is on the opposite side of the existing paved road, and the buffer on the subject property does not exceed 100 feet, the buffer may be waived.

- 2. All other provisions of chapter 109 of the Codified Ordinances of the Township of Jackson shall remain in full force and effect, except to the extent modified herein.
- 3. This Ordinance shall take effect immediately upon due passage, publication according to law and approval by the Pinelands Commission.

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 December 13, 2004, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 27th day of December, 2004, 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: 12/13/04

ORDINANCE FIRST READING

PUBLIC HEARING OPENED, RESOLUTIONS ONLY: NO ONE CAME FORWARD

MOTION TO CLOSE PUBLIC HEARING, RESOLUTIONS ONLY BY: GRISANTI

MOTION SECONDED BY: BRODERICK

YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

RESOLUTION 629R-04

TITLE: AUTHORIZE 2004 BUDGET TRANSFER #2

MOTION TO APPROVE BY: BRODERICK

MOTION SECONDED BY: GRISANTI

YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

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

:

WHEREAS, under the provisions of N.J.S.A. 40A:4-58, “Should it become necessary, during the last 2 months of the fiscal year, or the first three months of the current year to expend for any other purposes specified in the budget an amount in excess of the respective sums appropriated therefore and there shall be an excess in any appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, the governing body

may, by resolution setting forth the facts, adopted by not less than 2/3 vote of the full membership thereof, transfer the amount of such excess to those appropriations deemed to be insufficient; no transfers may be made to appropriations for contingent expenses or deferred charges.”

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

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

1. The following annexed transfer schedule (#2) for the 2004 Municipal Operating Budget of the Township of Jackson are hereby made for the above stated reasons:
2. This resolution shall take effect upon two-thirds affirmative vote by the full governing body of the Township of Jackson.
3. Copies of this resolution to the Administrator, Chief financial Officer and Auditor.

**ANN MARIE EDEN, RMC
TOWNSHIP CLERK**

DATED: 12/27/04

**TOWNSHIP OF JACKSON
ANNEXED TO AMEND APPROPRIATION TRANSFER RESOLUTION #2
2004 BUDGET APPROPRIATIONS
PASSED AT THE MEETING OF DECEMBER 27, 2004**

Dept. Code	Description	Amount	Sub-Totals
TRANSFERS FROM (INSIDE CAPS):			
4-01-20-100-011	Administration S&W	\$ 19,000.00	
4-01-20-130-020	Finance O. E.	4,000.00	
4-01-20-145-020	Tax Collector O. E.	6,500.00	
4-01-20-150-011	Tax Assessor S&W.	10,500.00	
4-01-22-199-029	Unsafe Structure O.E.	22,630.00	
4-01-30-413-057	Purchase of Office Equipment	2,000.00	
4-01-28-370-020	Recreation O..E.	10,000.00	
4-01-20-105-011	Human Resources	2,000.00	
4-01-23-220-090	Emplyee Group Insurance	68,000.00	
4-01-22-195-20	Uniform Construction Code O..E..	10,000.00	
4-01-26-300-020	Snow Removal	15,000.00	
TRANSFERS FROM (INSIDE CAP'S)			\$ 169,630.00
TRANSFERS TO (INSIDE CAP):			
4-01-20-120-011	Municipal Clerk S & W	\$ 4,000.00	
4-01-20-130-011	Financial Administration S. W	4,000.00	
4-01-20-145-011	Collection of Taxes S, & W.	6,500.00.	
4-01-20-150-020	Assessment of Taxes O. & E.	500.00	
4-01-20-155-027	Legal Services	10,000.00	
4-01-20-165-011	Engineering Services S.&W.	3,000.00	
4-01-22-198-011	Code Enforcement S&W	9,000.00	
4-01-22-199-011	Unsafe Structure Committee S&W	30.00	
4-01-25-281-011	Juvenile Conference S&W	100.00	
4-01-26-290-011	Streets & Roads S&W	20,000.00	
4-01-26-310-011	Buildings & Grounds S&W	5,000.00	

4-01-26-315-011	Vehicle Maintenance S & W	30,000.00
4-01-27-340-011	Animal Control S & W	4,000.00
4-01-28-372-011	Office of the Golden Age S & W	11,000.00
4-01-28-373-011	Handicapped Commission S&W	3,500.00
4-01-31-430-071	Utilities Electric	5,000.00
4-01-31-446-079	Natural Gas	14,000.00
4-01-32-465-128	Sanitary Landfill	40,000.00

TOTAL TRANSFERS TO (INSIDE CAPS): \$169,630.00

TRANSFERS FROM (OUTSIDE CAPS):

TOTAL TRANSFER FROM (OUTSIDE CAPS): \$ -0-

TRANSFERS TO (OUTSIDE CAPS):

TOTAL TRANSFER TO (OUTSIDE CAP): \$ -0-

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

RESOLUTION 612R-04

TITLE: AUTHORIZE TAX OVERPAYMENT REFUNDS

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: BRODERICK

YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

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 Committee to have these overpayments returned to the respective taxpayers;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee 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 is made apart hereof.
2. Copies of this Resolution to the Tax Collector and respective taxpayers, and any other interested parties.

**OVERPAYMENT REFUNDS
DECEMBER 27, 2004
TOWNSHIP OF JACKSON**

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>YEAR-QTR</u>	<u>AMOUNT</u>
10	9	RUTHANNE RAIA & MIKE B. RUIZ	2004 - 4 TH	\$ 911.05

53	2.08	COUNTRYWIDE TAX SERVICES CORPORATION	2004 – 3 RD	1,336.30
66.15	23	STANLEY & ELIZABETH DUBROFF	2004 – 4 TH	250.00
75.01	3601.117	COHEN DUNKLEY	2003 – 4 TH	600.00
75.42	26.24	JEFF LEWIS	2003 – 4 TH	800.00
82.09	4	GREG & MELISSA GARGULINSKI	2004 – 4 TH	317.53
96.04	1	DENNIS & TONI CARROLL	2004 – 4 TH	1,710.30
109.01	2.03	THOMAS J. BURKE, JR. & A. MARGOTTA	2004 - 4 TH	250.00
119.03	16	RICHARD & DEBRA RAMPPEN	2003 – 4 TH	800.00
125.01	61	FIRST AMERICAN R.E. TAX SERVICE	2004 – 1 ST	915.63
143.15	17	CITIMORTGAGE C/O FIRST AMERICAN	2004 – 4 TH	7,044.47
66.09	31.09	WELLS FARGO HOME MORTGAGE	2004 – 4 TH	266.55
75.01	47.134	WELLS FARGO HOME MORTGAGE	2004 – 4 TH	11.92
75.01	3602.197	WELLS FARGO HOME MORTGAGE	2004 – 4 TH	589.45
75.08	35	WELLS FARGO HOME MORTGAGE	2004 – 4 TH	3.66
78.29	3	WELLS FARGO HOME MORTGAGE	2004 – 4 TH	1,070.99
34	33.19	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	926.52
40	83.03	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	66.78
52	39	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	141.95
66.09	2.22	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	63.18
66.09	3.131	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	2,174.14
66.09	31.12	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	4,213.89
68	5.03	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	1,633.68
74	12	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	1,357.24
75.01	3601.163	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	504.73
82.01	9.02	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	1,319.14
96.09	65	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	116.44
97	9	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	45.56
98.01	29	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	1,013.40
102.02	2	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	102.43
111.05	16	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	3,105.12
111.10	41	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	1,526.28
125.01	8.02	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	395.72
125.02	14	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	44.42
125.07	10	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	949.64
126.42	2	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	110.78
126.45	8.04	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	1,381.32

128.11	21	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	168.90
129.02	4.06	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	7,294.92
131	1.10	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	867.82
132	13.07	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	4,724.48
135.08	66	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	4,108.09
135.08	67	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	24.52
135.15	11	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	2,019.53
135.15	42	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	51.37
140.02	11.23	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	1,761.87
143.15	13	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	4,891.75
143.18	11	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	4,181.39
144.01	18.01	FIRST AMERICAN R.E. TAX SERVICE	2004 – 4 TH	404.16

DATED: 12/27/04

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

RESOLUTION 613R-04

**TITLE: APPROVE TOWNSHIP COMMITTEE MEETING MINUTES
NOVEMBER 22, 2004**

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: BRODERICK

YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

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 Committee for their approval;

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

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

NOVEMBER 22, 2004

- b. Copies of this resolution to any interested parties.

DATED: 12/27/04

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

RESOLUTION 614R-04

**TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON,
OCEAN COUNTY, NEW JERSEY AUTHORIZING THE
EXTENSION OF AN AGREEMENT BETWEEN THE TOWNSHIP
AND JOHN PUGLISI RELATED TO THE RIGHT OF**

REVERSION ON PROPERTY KNOWN AS BLOCK 56.08, LOTS 1-5, 7-8 AND 12.

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: BRODERICK

YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

WHEREAS, John Puglisi owns property in the Whitesville Industrial Park, known as Block 56.08, Lots 1-5, 7-8 and 12, which was conveyed to Mr. Puglisi by the Jackson Township Industrial Commission; and

WHEREAS, the deed to the property contains a certain clause giving the Township and the Industrial Commission a right of reversion under certain circumstances; and

WHEREAS, Mr. Puglisi has requested an agreement to clarify the right of reversion and the Township, believing it to be fair and equitable to reach such an agreement therefore did adopt on August 11, 2003 Resolution No. 366R-03 which is attached hereto and made a part hereof; and

WHEREAS, certain unforeseen title issues unrelated to the right of reversion did appear during this extended time whereby it was not feasible for Mr. Puglisi to make the necessary applications to the appropriate Jackson Township Land Use Agency for the desired approvals; and

WHEREAS, it is believed that such title issues can be resolved so that the applications may be made prior to June 30, 2005.

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

1. The time within which to file the necessary applications as described in Resolution No. 366R-03 and the agreement authorized to be signed by said resolution shall have the periods therein and therefore extended until June 30, 2005.
2. That upon the adoption of this resolution, the Clerk is authorized and directed to forward a certified copy of it to John Puglisi.

DATED: 12/27/04

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

RESOLUTION 615R-04

TITLE: AMEND RESOLUTION 030R-03 APPOINTING MEMBER TO RENT CONTROL BOARD

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: BRODERICK

YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

WHEREAS, the Township Committee previously appointed a member to the Rent Control Board per Resolution No. 030R-03; and

WHEREAS, a need exists to amend said appointment pursuant to Chapter 86-13 of the Municipal Code of the Township of Jackson, and

WHEREAS, the Mayor and Township Committee are authorized, pursuant to the Municipal Code of the Township of Jackson, to appoint members to the Rent Control Board for terms set forth in said Code; and

WHEREAS, it is the desire of the Mayor and Township Committee to amend previous appointment per Resolution No. 030R-03; and

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

1. The following individual is hereby appointed to the Jackson Township Rent Control Board as a Member commencing immediately

Donna Hopkins – Term effective through December 31, 2005

2. Appointee shall perform such duties and responsibilities as set forth by State 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 Control Board, appointee and any other interested parties.

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

DATED: 12/27/04

RESOLUTION 616R-04

TITLE: AUTHORIZE BID AWARD FOR SUPPLEMENTAL SNOW REMOVAL TO VARIOUS VENDORS FOR THE PERIOD COMMENCING JANUARY 1, 2005 THROUGH DECEMBER 31, 2005

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: BRODERICK

YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

WHEREAS, Jackson Township previously advertised and received bids on November 23, 2004 at 11:00 a.m. for Supplementary Snowplowing in accordance with the Township’s bid specifications; and

WHEREAS, at the time and place for the receipt of bids, six (6) bids were received from the following bidders setting forth the various prices based on the size of the equipment, as set forth on the attached schedule A; and

WHEREAS, the Director of Public Works has reviewed and determined that the following vendors, in conjunction with specified equipment and hourly rates, be awarded

contracts for the following supplemental snowplow equipment for CY 2005

<u>VENDOR</u>	<u>ITEM</u>	<u>AMOUNT</u>
Bil-Jim Construction Company	Grader	\$315.00
Bil-Jim Construction Company	Backhoe	\$180.00
Jersey Shore Contracting	F-250's	\$119.00
Jersey Shore Contracting	F-350's	\$119.00
Jersey Shore Contracting	F-450's	\$145.00
B & R Land	F-250's	\$119.00
J.H. Brothers	Tandem/Single	\$135.00
J.R. Custom Landscaping	Tandem/DbL	\$160.00
J.R. Custom Landscaping	Loader	\$265.00

WHEREAS, Galloway Enterprises and Blue Jacket Construction submitted bids after the 11:00 a.m. deadline and said bids were not opened and returned; and

WHEREAS, said bids have been reviewed by the Director of Public Works, Sergio Panunzio. The Director is now recommending for the award of this contract for Supplementary Snow Plowing Services commencing January 1, 2005 through December 31, 2005 be awarded to Bil-Jim Construction Co., Inc., Jersey Shore Contracting, J.H. Brothers, B & R Land Improvements, LLC and J.R. Custom Landscaping, Inc., (as outlined above) and as all bid documents are in proper form and order.

WHEREAS, certification of funds by the Chief Financial Officer will be authorized after the adoption of the temporary Operating Budget for CY 2005.

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

1. That the Township Committee of Jackson Township hereby awards a contract to Bil-Jim Construction Co., Inc., Jersey Shore Contracting, J.H. Brothers, B & R Land Improvements, LLC and J.R. Custom Landscaping, Inc. for Supplementary Snow Plowing Services for CY 2005 in accordance with the Township's bid specifications;
2. That upon the adoption of the within resolution, the Clerk is authorized and directed to forward a certified copy to Administration, Chief Financial Officer, Director of Public Works, each bidder and any other interested parties.

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

DATED: 12/27/04

RESOLUTION 617R-04

TITLE: AUTHORIZE BID AWARD TO HUNTER JERSEY PETERBILT FOR THE SUPPLY AND DELIVERY OF THREE (3) DUMP TRUCKS WITH OPTIONAL PLOW ATTACHMENT

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: BRODERICK

YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

WHEREAS, the Department of Public Works has requested authorization to award a bid for the supply and delivery of three (3) dump trucks with optional plow attachment; and

WHEREAS, Jackson Township previously advertised for the receipt of bids on November 30, 2004 at 11:00 a.m. for the supply and delivery of three (3) dump trucks with optional plow attachment;

WHEREAS, one bid was received from Hunter Jersey Peterbilt, 524 Monmouth Road, Highway No. 537, P.O. Box 729, Clarksburg, new Jersey for the supply and delivery of three (3) dump trucks with optional plow attachment for a total bid price in the amount of \$350,305.63 (see attached "Schedule A"); and

WHEREAS, the Chief Financial Officer has certified that a maximum amount of \$350,305.63 is available for this purpose in Account No. X-04-55-999-902; and

WHEREAS, the Director of Public Works has recommended that the bid for the supply and delivery of three (3) dump trucks with optional plow attachment be awarded to Hunter Jersey Peterbilt; and

WHEREAS, it is now the desire of the Mayor and Township Committee to act upon the recommendation of the Director of Public Works.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Jackson, County of Ocean, State of New Jersey, that the Director of Public Works is hereby authorized to award the bid for the supply and delivery of three (3) mason dump trucks with optional plow attachment to Hunter Jersey Peterbilt. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution. Certified copies of this resolution to Administration, Finance, Director of Public Works, Motor Pool (Truck Division), Hunter Jersey Peterbilt, and any other interested parties.

DATED: 12/27/04

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

RESOLUTION 618R-04

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO US HOME CORPORATION OF THE CASH BONDS ISSUED FOR WESTLAKE VILLAGE, A/K/A VARIOUS BLOCKS AND LOTS AS FOLLOWS.

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: BRODERICK

YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

WHEREAS, US Home Corporation has requested the Release of Cash Bonds pertaining to Westlake Village, Various Block and Lots in Jackson Township as follows:

Block	Lot	Address	Amount
66.24	7	11 St. Andrews Road	\$1,000.00
66.11	18	35 Medinah Court	\$1,500.00

and;

WHEREAS, Richard A. Nusser, P.E., Township Engineer, CME Associates, has reviewed and approved the release of said cash bonds in letter reports dated December 14, 2004, which letter reports are made a part hereof; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Jackson, County of Ocean and State of New Jersey, that the Cash Bonds listed above, heretofore posted with the Township may and hereby are released to US Home Corporation. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

DATED: 12/27/04

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

RESOLUTION 619R-04

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO K-LAND # 11, LLC OF THE

CASH BONDS ISSUED FOR HAMPSHIRE HILLS, A/K/A VARIOUS BLOCKS AND LOTS AS FOLLOWS.

**MOTION TO APPROVE BY: GRISANTI
 MOTION SECONDED BY: BRODERICK
 YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN**

WHEREAS, K-Land # 11, LLC has requested the Release of Cash Bonds pertaining to Hampshire Hills, Various Block and Lots in Jackson Township as follows:

Block	Lot	Address	Amount
135.15	25	47 Knightsbridge Place	\$1,500.00
135.10	11	133 Piccadilly Drive	\$1,500.00
135.05	20	48 Knightsbridge Place	\$1,500.00
135.08	95	7 Earl Court	\$1,500.00
135.06	18	4 Sussex Place	\$1,000.00

and;

WHEREAS, Richard A. Nusser, P.E., Township Engineer, CME Associates, has reviewed and approved the release of said cash bonds in letter reports dated December 7, 2004, which letter reports are made a part hereof; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Jackson, County of Ocean and State of New Jersey, that the Cash Bonds listed above, heretofore posted with the Township may and hereby are released to K-Land #11, LLC. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

DATED: 12/27/04 **ANN MARIE EDEN, R.M.C.
TOWNSHIP CLERK**

**RESOLUTION 620R-04
 TITLE: AUTHORIZE A PROFESSIONAL SERVICES AGREEMENT WITH J.C.A. ASSOCIATES FOR MONTHLY LANDFILL GAS TESTING AND QUARTERLY INSPECTION AT THE LEGLER LANDFILL FACILITY**

**MOTION TO APPROVE BY: GRISANTI
 MOTION SECONDED BY: BRODERICK
 YES: BRODERICK, KAFTON, GRISANTI & GIBLIN
 NO: REILLY**

WHEREAS, the position of Special Projects Engineer is to be appointed by the Township Committee; and

WHEREAS, the Township is in need of a Special Projects Engineer to perform monthly landfill gas testing and quarterly inspection of the Legler Landfill Facility; and

WHEREAS, the Local Public contracts Law (N.J.S.A. 40A:11-1 et seq.) requires the Notice of a resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised; and

WHEREAS, the Chief Financial Officer has certified that a maximum of \$38,680.00 is

available in the 2004 Municipal Operating Budget for this purpose.

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

1. That JCA Associates, Inc. is hereby appointed to the position of Special Projects Engineer for the monthly gas testing and quarterly inspections of the Legler Landfill Facility
2. This appointment is made without competitive bidding for "Professional Services" to be performed by a person authorized by law to practice a recognized profession.
3. The Mayor and Township Clerk are hereby authorized to execute and deliver the contract attached hereto to said appointee.
4. A Notice of this appointment shall be advertised as required by law.
5. That upon adoption of this resolution, the Clerk is authorized and directed to forward a certified copy of it to the Administrator, Chief Financial Officer and JCA Associates, Inc.

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

DATED: 12/27/04

RESOLUTION 621R-04

TITLE: RESOLUTION OF THE TOWNSHIP OF JACKSON, OCEAN COUNTY, NEW JERSEY AUTHORIZING RELEASE TO DAWN POLHEMUS OF THE CASH BOND ISSUED FOR 335 W. VETERANS HIGHWAY A/K/A BLOCK 40, LOT 25

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: BRODERICK

YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

WHEREAS, Dawn Polhemus has requested the Release of a Cash Bond for winter conditions in the amount of 500.00 pertaining to 335 W. Veterans Highway, a/k/a Block 40, Lot 25, Jackson Township; and

WHEREAS, Richard A. Nusser, P.E., Township Engineer, CME Associates, has reviewed and approved the release of said cash bond in a letter report dated December 17, 2004, which letter report is made a part hereof; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Jackson, County of Ocean and State of New Jersey, that the Cash Bond for winter conditions in the amount of \$500.00 heretofore posted with the Township may and hereby is released to Dawn Polhemus.

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: 12/27/04

RESOLUTION 622R-04

TITLE: APPROVE APPOINTMENT OF BASKETBALL SUPERVISOR; RECREATION DEPARTMENT

MOTION TO APPROVE BY: GRISANTI

**MOTION SECONDED BY: BRODERICK
YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN**

WHEREAS, a need exists in the Recreation Department for the appointment of a Supervisor for the Men’s Open Basketball Program; and

WHEREAS, it is the desire of the Mayor and Township Committee to fill said position.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, THAT:

1. The following is hereby appointed to the position and at the salary prescribed below:

CRAIG BROWNFIELD SUPERVISOR \$10.00/HR.

2. Said appointment is effective immediately on a temporary part-time basis.

3. Copies of this Resolution to Appointee, Municipal Administrator, Chief Financial Officer, Director of Recreation, Director of Personnel, and any other interested parties.

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

DATED: 12/27/04

**RESOLUTION 623R-04
TITLE: APPROVE APPOINTMENT OF SAFETY COORDINATOR (TABLED UNTIL 1/10/05 COMMITTEE MEETING)**

**RESOLUTION 624R-04
TITLE: Resolution Authorizing the Issuance of a Duplicate Tax Sale Certificate Pursuant to Chapter 99 Public Laws of 1997**

**MOTION TO APPROVE BY: GRISANTI
MOTION SECONDED BY: BRODERICK
YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN**

WHEREAS, the Tax Collector of this municipality has previously issued a tax sale certificate to Jackson Township, which certificate is dated December 6, 1991 covering premises commonly known and referred to as Lot 24.01, in Block 75.42 as set out on the municipal tax map then in use which certificate bears number 91-250, recorded in the Ocean County Clerks Office on February 11, 1993 in Mortgage Book 3710 Page 0493 and was subsequently assigned to Baldora, Inc. and said assignment was recorded in the Ocean County Clerks Office on July 17, 1996 in assignment of Mortgage Book 461 Page 1000 and Corrective Assignment of Tax Certificate No. 91-250 recorded in the Ocean County Clerks Office on February 22, 2000 in Ocean Record Book 10039 Page 897 and subsequently assigned to The Armstrong Group on May 31, 2000 and recorded in the Ocean County Clerks Office on July 25, 2000 in Ocean Recording Book 10152 Page 1916, and ;

WHEREAS, the purchaser/assignee of the aforesaid tax sale certificate has indicated to

the Tax Collector that they have lost or otherwise misplaced the original tax sale certificate and have duly filed the appropriate Affidavit of Loss with the Tax Collector, a copy of which is attached hereto;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Jackson in the County of Ocean and State of New Jersey, that the Tax Collector of the municipality be and is hereby authorized, upon receipt of the appropriately executed and notarized Loss Affidavit, to issue the appropriate tax sale certificate to the said purchaser covering the certificate lost as previously described, all in accordance with the requirements of Chapter 99 of Public Laws of 1997.

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

Copy: Tax Collector

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

DATED : 12/27/04

RESOLUTION 625R-04

TITLE: APPROVE CHIEF FINANCIAL OFFICER'S MONTHLY REPORT FOR OCTOBER AND NOVEMBER

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: BRODERICK

YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

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

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

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

1. The CHIEF FINANCIAL OFFICER'S Report for the month of October & November 2004 is hereby approved.
2. Copies of this Resolution to Treasurer, Administrator, Township Attorney, and any other interested parties.

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

DATED : 12/27/04

RESOLUTION 626R-04

TITLE: APPROVE APPOINTMENT OF PART-TIME CLERICAL IN THE OFFICE OF PLANNING & ZONING

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: BRODERICK

YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

WHEREAS, a need exists in the Planning & Zoning Office for the appointment of a Clerk on a full time temporary basis; and

WHEREAS, it is the desire of the Mayor and Township Committee to fill said position.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, THAT:

1. The following is hereby appointed on a full time temporary basis as a Clerk in the Planning & Zoning Office:

GINA M. GIRGENTI

2. Said appointment shall be at an hourly rate of \$12.92 per hour effective January 3, 2005 with no holiday and/or benefit compensation.
3. Copies of this Resolution to Appointee, Municipal Administrator, Chief Financial Officer, Personnel Director, and any other interested parties.

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

DATED : 12/27/04

RESOLUTION 627R-04

TITLE: AUTHORIZE CANCELLATION OF TAXES ON BLOCK 9.03, LOT 12 FOR 2004

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: BRODERICK

YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

WHEREAS, Block 9.03 Lot 12 was merged with lot 11 in 2003 and should not exist as a separate line item in 2004, and;

WHEREAS, Lot 12 erroneously appears on the 2004 Tax list as a separate line item and needs to be cancelled.

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. The tax Collector is directed to cancel the open balance of taxes for 2004 on Block 9.03 Lot 12 on the amount of \$5.23.
2. The Tax Assessor will remove Block 9.03 Lot 12 from the 2005 Tax List.

Copy to: Tax Collector

Tax Assessor
Finance

DATED: 12/27/04

ANN MARIE EDEN, RMC
TOWNSHIP CLERK

RESOLUTION 628R-04

TITLE: AUTHORIZE DANIEL BURKE, TOWNSHIP ENGINEER TO NEGOTIATE CONTRACT AWARD FOR PROJECT ENTITLED "REPAIRS TO THE HVAC SYSTEM SERVICING THE JACKSON JUSTICE COMPLEX"

COMMITTEEMAN KAFTON: He asked if they received contracts on this.

ADMINISTRATOR SALERNO: He explained that today was the second bid opening, but they did not receive any bids. After the second attempt to solicit bids they are requesting that the Township Engineer be authorized to negotiate a contract.

COMMITTEEMAN BRODERICK: He explained that nobody wants to touch that project at the Justice Complex because it is a nightmare that keeps coming back.

MOTION TO APPROVE BY: GRISANTI
MOTION SECONDED BY: BRODERICK
YES: BRODERICK, KAFTON, GRISANTI & GIBLIN
ABSTENTIONS: REILLY

WHEREAS, Daniel Burke, P.E., Township Engineer has requested authorization to negotiate a contract award for repairs to the HVAC System Servicing the Justice Complex; an

WHEREAS, Jackson Township advertised for receipt of bids on November 23, 2004 at 10:00 a.m. and again on December 27, 2004 at 11:00 a.m.

WHEREAS, on both attempts no bids –0- were received for this contract; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(3), the Township Committee may authorize negotiated contract awards without public advertising;

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

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

1. Daniel Burke, P.E., Township Engineer is hereby authorized to negotiate a contract award for repairs to the HVAC system servicing the Justice Complex.
2. The Mayor and Township Clerk are authorized to sign or issue any appropriate documentation to give effect to the within resolution.

DATED: 12/27/04

ANN MARIE EDEN, RMC
TOWNSHIP CLERK

RESOLUTION 630R-04

TITLE: APPROVE APPOINTMENT OF DAN BURKE AS COMMUNITY DEVELOPMENT BLOCK GRANT REPRESENTATIVE AND ANDREW SALERNO AS ALTERNATE REPRESENTATIVE FOR CY 2005

MOTION TO APPROVE BY: GRISANTI
MOTION SECONDED BY: BRODERICK
YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

WHEREAS, Jackson Township previously entered into an agreement with the County of Ocean entitled “Agreement Between the County of Ocean and Certain Municipalities located herein for the establishment of a cooperative means of conducting certain community development activities”; and

WHEREAS, the Township Committee as a prerequisite in applying for said Community Development Activities Funding for 2005, must appoint a representative and a alternate to represent the Township;

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

1. That Dan Burke is hereby appointed as Jackson Township’s Community Development Block Grant Representative and Andrew Salerno, as Alternate to the Ocean County Development Block Grant Program for the calendar year 2005.

2. That the Clerk is authorized and directed to forward a certified copy of it to the Director of the Ocean County Community Development Block Grant Program, appointees and to any other interested parties.

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

DATED: 12/27/04

RESOLUTION 631R-04

TITLE: APPROVE APPOINTMENT OF WINTER BASKETBALL PERSONNEL; RECREATION DEPARTMENT

MOTION TO APPROVE BY: GRISANTI

MOTION SECONDED BY: BRODERICK

YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN

WHEREAS, a need exists in the Recreation Department for the appointment of personnel for the 2004/2005 Recreation Basketball Program; and

WHEREAS, it is the desire of the Mayor and Township Committee to fill said position.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWNSHIP COMMITTEE OF THE TOWNSHIP OF JACKSON, COUNTY OF OCEAN, STATE OF NEW JERSEY, THAT:

1. The following is hereby appointed to the position and at the salary prescribed below:

Jennifer Okulewicz	Score/Timekeeper	\$5.25/Hr.
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2. Said appointment is effective immediately on a temporary part-time basis.

3. Copies of this Resolution to Appointee, Municipal Administrator, Chief Financial Officer, Director of Recreation, Director of Personnel, and any other interested parties.

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

DATED: 12/27/04

PUBLIC HEARING, ANY TOPIC:

VICKY RICKABAUGH, 5 STANLEY PLACE: She stated at the last Township Committee Meeting she asked about a helicopter ride and she was surprised that half the Committee didn’t know anything about it and only Mr. Kafton took the ride. She asked who paid for this private helicopter ride? She explained that she was told by Mr. Kafton that as a Committeeman he had the right to go look for developable commercial land. She then asked if they had hired an individual for \$40,000 - \$60,000 to go and find

commercial land? She said another statement that was made to her was the helicopter ride was made by Mr. Kafton and General Leslie Clark. She educated herself regarding General Clark and obtained a biography on him and basically all his contracts are military contracts based out of Little Rock Arkansas. She was told that this gentleman was affiliated with Midfair. In 1980 they had a situation where someone wanted to dump military waste (radon) and she asked if it was possible that this helicopter ride was for that purpose? Mayor Giblin and Committeeman Broderick responded absolutely not. Ms. Rickabaugh went on to ask if this helicopter ride was to look at Mitch Leigh's land to be developed? She explained she is asking that because Mr. Kafton stated that it was land by Great Adventure. Her last question was to Mr. Kafton and she asked if he or any of his entities had any verbal or contractual agreements with Mr. Leigh or any other developer in this town to broker, buy, sell or develop homes, condos or any other land? Mayor Giblin explained that the helicopter ride was paid for by the developer in conjunction with the Economic Development Council. He then commented on her question regarding the radon and said it would be absurd to think this Committee would do that with all the progress they have made in preserving the environment. He then went on to say that they had hired Barry Lefkovich as the Township Economic and Development Coordinator and pay him about \$35,000 a year. The Economic Development Committee meets once a month and there are many applications that come before them. The people that come before the EDC have no knowledge of Jackson and it is not uncommon for Mr. Lefkovich or any other member of the EDC to show the people around town and Mr. Kafton is a member of the EDC. Ms. Rickabaugh commented that Mr. Kafton is also a realtor and if he finds out something before the rest of the population perhaps he can invest. Mayor Giblin replied that as far as Mr. Kafton's business dealings he fills out a financial disclosure form like the rest of them. Her question is very broad and would be hard for Mr. Kafton to commit himself to anything that may or may not happen in the future. Committeeman Kafton stated that there are other people who sit up her as elected officials and don't do very much. He takes his job very seriously and lived in this town his entire life. When someone comes to this town and wants to build a project his first concern is the environmental impact, the second concern is how it will impact the residents in the area and then he wants to know how it will monetarily benefit the residents. He is going to find these answers out whether it is by driving a car, walking or by helicopter. He told Ms. Rickabaugh that if she wants to know what he is involved in his Financial Disclosure Statement is a public record and she has printed it out many times and mailed it to people. He will always put the best interest of the residents of this community first and he is up here to protect the people he represents. In closing Ms. Rickabaugh asked what Mr. Kafton's personal association is with the Chairperson of the Zoning Board and if he works with him? Committeeman Kafton declined to answer.

DENISE GARNER, 14 EVERGREEN COURT: She began by saying that the ordinance they passed tonight was a good thing for the people in South Jersey. Although the Toms River is not really drinking water it will protect ground water, which will go into the aquifers that they do use. She asked about the Metedeconk because they are looking at developing there. The articles in the Tri-Town and The Asbury Park Press are saying they are very happy that this was passed. She stated that this hasn't passed anywhere, they haven't gotten one permit from the DEP. She asked how they could be writing that this is completed and they can move ahead with this? She asked what they are going to do to protect that area because it is drinkable water and 25% of that is in Jackson and it is going down to Brick Township? She also questioned them about the area out by 195 being shut down because the township didn't get permits there either? She asked the Mayor if he understood the permit process with the DEP? Mayor Giblin stated what he thinks she is asking how Jackson Commons got through the Zoning Board? He deferred the question to Leah Fury.

LEAH FURY (RAGAN DESIGN GROUP): She stated that it would probably be better if Ms. Garner checked the minutes and not the newspapers. She went on to say that only one use variance for the height of the hotel for Jackson Commons has gone through. There is also a preliminary approval with a host of conditions, but the resolution wasn't passed yet. The preliminary approval does not grant them the approval

to build anything. It gives them a general approval to continue to move forward. They don't have their DEP permits, stream encroachment permits or their transition area waivers for the buffer. She explained that the Zoning Board has requested they get every permit required including the 300 foot buffer. Deputy Mayor Grisanti addressed Ms. Garner and said she is on the Environmental Commission and he hasn't seen one memo from them expressing any concern. Ms. Garner said those meetings are held at the same time as the Environmental Commission and Mayor Giblin and Committeeman Broderick stated they don't want to have joint meetings. Committeeman Broderick stated that he never said that and Ms. Garner comes up here every week and attacks the Committee for what they haven't done. He asked Ms. Garner if she has filled out a Financial Disclosure Statement since she has been on the Environmental Commission? Ms. Garner told he that isn't required. She then asked if they would go to Brick Township and ask them if they would like to purchase some open space to protect their drinking water? Mayor Giblin explained that they would do everything within reason to protect that area. He stated that if he went to Brick he would ask how they are going to protect Forge Pond where they are going to put a community recreation center there. Attorney Starkey explained that this was preliminary approval and doesn't give them the right to build. Committeeman Reilly asked Ms. Fury to explain what they are allowed to do with a preliminary approval? Leah Fury explained with preliminary approval they really can't do anything until they come up with a plan. There are several steps before they get to put a shovel in the ground. First they have to meet the conditions of the conformance plan. This has the developer come back and meet several proposals they set forth. As the planner for the Zoning Board the Committee asked her and Mr. Ragan to draw up some alternate plans to show how they would like to see the development so they could preserve resources, buffers, steep slopes and minimize the amount of impervious surfaces in the entire area. The developer said they don't want to revise the plans right now, but they will meet with those conditions before they are allowed to build anything. The Zoning Board set forth a preliminary conceptual approval and they have to meet all the conditions before they can submit an application for final approval. Committeeman Reilly asked if the developer could move ahead with water and sewer? Ms. Fury stated they could move ahead with water and sewer because they are off site with approvals from the Jackson Township MUA. Regardless of what was said about the project moving forward, it is moving forward with all the conditions that go with it. The DEP has to approve every stream encroachment permit, which means they should require a 300 foot buffer. The applicant withdrew its DEP permits not long ago. Committeeman Kafton explained they backed the 300 foot buffer and the 600 foot buffer in the Toms River. They have increased residential zoning to 3 acres. This administration has a proven record to protect this town and they put her on the Environmental Commission to do the same.

DAN GROSS, 18 POINT CIRCLE: He thanked the Committee for all their hard work this year. He stated that he didn't always agree with Mr. Grisanti in the past, but he respects his six years of service and he does great work for the community. He stated that he appreciated his article in the paper and it was well noted. He wished him well on his future endeavors.

GERARD REDMOND, 12 VILLANOVA DRIVE: He expressed that he was happy that the Committee backing the 600 foot buffer on the Toms River. He hopes they will back the 300 foot buffer on the Metedeconk. They are in a situation now where one of the last open areas on the north end of town off of County Line Road is about to be developed. The developer is trying to knock the 300 foot buffer down to 150 feet. He asked if the Committee would back the 300 foot buffer? He later added that he believes that they will stand behind it. He mentioned the areas by Crystal Brook, 60 Acres and the Brookwood III Development being a great place to look at for open space. Attorney Starkey cautioned the Committee on answering because when there is a matter pending before one of their land use boards they really shouldn't comment. The Zoning Board is going to have another public hearing on this so the public can come up and speak and at some point this might involve litigation. Mayor Giblin stated that they don't pass an ordinance to get defeated. They are prepared to back any ordinance they passed because

they think it is the right thing to do. Committeeman Reilly stated that without mentioning an application he was always in favor of a 300 foot buffer. Deputy Mayor Grisanti stated that Mr. Redmond made a good point and maybe Andy Strauss should take a look at that piece of land. He stated that this would be a good time to speak to the developer because Category 1 may effect the amount of houses he wanted to build. Mayor Giblin asked Administrator Salerno to send Mr. Strauss a note and ask him to take a look at that area.

**MOTION TO CLOSE PUBLIC HEARING ON ANY TOPIC BY: BRODERICK
MOTION SECONDED BY: KAFTON
YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN**

DISCUSSION AGENDA:

RE: REORGANIZATION MEETING

MAYOR GIBLIN: He explained that the Reorganization Meeting is Saturday at 12:00 PM.

RE: CHARTER STUDY COMMISSION

ADMINISTRATOR SALERNO: He explained that this concerns the funding mechanism that he is recommending the Committee to adopt. In November the voters approved the Charter Study Commission and as part of that process they need to present a budget to the Committee for adoption and approval. Given that we are now in the budget process they will be included as a separate line item in the Administrator's budget. He will be meeting with Tim Dolan, Charter Study Chairperson, to go over some issues. Meanwhile, so the Charter Study Commission can operate they will be included in the temporary budget, which will be presented to the Committee at the Reorganization Meeting. Mayor Giblin stated that he attended one of the Charter Study meetings and they do a good job and he was able to answer some questions for them. Committeeman Kafton stated that all of the Committeemen including Mr. Seda are invited to attend the next meeting (1/11, 7:00 PM) so they can ask them some questions regarding this form of government.

MOTION TO ADJOURN BY: KAFTON

MOTION SECONDED BY: GIBLIN

**YES: BRODERICK, KAFTON, REILLY, GRISANTI & GIBLIN
8:45 PM**

RESPECTFULLY SUBMITTED,

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

AME/tvc