

BOROUGH OF JAMESBURG

COUNCIL MEETING

MINUTES - DECEMBER 21, 2005

CALL TO ORDER: 7:00pm - Mayor LaMantia called the meeting to order and announced that the same is being held pursuant to the Open Public Meetings Act of 1974 and all provisions of the Act have been met. Any contracts awarded tonight or between tonight and the next meeting require the contractor to comply with N.J.S.A.10:5-31 et. seq. and N.J.A.C. 17:27. In the event of a fire and pursuant to the N.J. Uniform Fire Code, members of the audience were requested to take notice of the exits at the front and rear of the Council Chambers as well as in the main hallway.

FLAG SALUTE: Led by Mayor LaMantia

ROLL CALL: Those Present: Mayor LaMantia
Council President Kostbar
Council member Carpenter
Council member Jennings
Council member Longo
Council member Maloney
Council member Morales
Denise Jawidzik, Business Administrator

Those Absent: Attorney Raffetto
Engineer Dittenhofer

MAYORAL COMMENDATIONS: by Police Commissioner Kostbar for Meritorious Service for Successful Police Investigations to: Lt. Paul Karkoska, Sgt. James Craparotta, Det. Louis Ceras, Ptl. Kevin Wilson, Ptl. Jason Muller, Ptl. Steven Burzachiello and Dispatcher Michael Alongi

ORDINANCE – SECOND READING

THE FOLLOWING ORDINANCE WAS APPROVED ON FIRST READING AT THE REGULARLY SCHEDULED MEETING OF THE MAYOR AND COUNCIL HELD ON NOVEMBER 9, 2005, AND PUBLISHED IN THE NOVEMBER 14, 2005 EDITION OF THE HOME NEWS TRIBUNE. COPIES HAVE BEEN POSTED ON THE MUNICIPAL BULLETIN BOARD AND MADE AVAILABLE TO THE PUBLIC SINCE INTRODUCTION.

ORDINANCE #24-05

AN ORDINANCE TO AUTHORIZE CREATION OF AND PARTICIPATION IN SOUTH CENTRAL MIDDLESEX COUNTY FLOOD CONTROL COMMISSION AND APPOINTMENT OF BOROUGH REPRESENTATIVES

WHEREAS, THERE EXISTS IN THE SOUTH CENTRAL PORTION OF MIDDLESEX COUNTY CERTAIN PROBLEMS OF FLOODING AND FLOOD PREVENTION WHICH CONCERN SEVERAL MUNICIPALITIES, THE COUNTY OF MIDDLESEX AND OTHER GOVERNMENTAL BODIES; AND

WHEREAS, SAID PROBLEMS WERE HIGHLIGHTED BY RECENT STORMS WHICH AFFECTED A LARGE SECTION OF THE MIDDLESEX COUNTY; AND

WHEREAS, THE VARIOUS GOVERNMENTAL UNITS AFFECTED BY SUCH DRAINAGE BASIN RECOGNIZE THE NEED FOR COOPERATIVE EFFORTS TO PREVENT FUTURE FLOODS AND TO ALLEVIATE FLOODING AND FLOOD HAZARDS; AND

WHEREAS, N.J.S.A. 40:14-16 et seq., AUTHORIZES THE ESTABLISHMENT OF A JOINT FLOOD CONTROL COMMISSION AND PROVIDES THAT THE PARTICIPATING MUNICIPALITIES AND COUNTIES MAY ENTER INTO SUCH A COMMISSION AND MAY DEFINE AND LIMIT THE AREAS OF RESPONSIBILITY AND AUTHORITY OF SUCH COMMISSION AND MAY SET FORTH THE TERMS UNDER WHICH APPROPRIATIONS SHALL BE MADE BY THE PARTICIPATING MUNICIPALITIES AND COUNTIES; AND

WHEREAS, THE BOROUGH COUNCIL IS OF THE OPINION THAT THE CREATION OF A JOINT FLOOD CONTROL COMMISSION TO BE KNOWN AS THE "SOUTH CENTRAL MIDDLESEX COUNTY FLOOD CONTROL COMMISSION" IS IN THE BEST INTERESTS OF THE BOROUGH OF JAMESBURG:

NOW THEREFORE, BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, MIDDLESEX COUNTY, NEW JERSEY AS FOLLOWS:

SECTION 1. THE BOROUGH OF JAMESBURG AGREES TO PARTICIPATE IN THE CREATION OF AND OPERATION OF THE SOUTH CENTRAL MIDDLESEX COUNTY FLOOD CONTROL COMMISSION PURSUANT TO N.J.S.A. 40:14-16 et seq. AS FOLLOWS:

- (A) THE MUNICIPALITIES INVITED TO PARTICIPATE IN SAID COMMISSION ARE: BOROUGH OF HELMETTA, BOROUGH OF JAMESBURG, BOROUGH OF SPOTSWOOD, BOROUGH OF SOUTH RIVER, TOWNSHIP OF MONROE, TOWNSHIP OF OLD BRIDGE, AND TOWNSHIP OF EAST BRUNSWICK.
- (B) THE SOUTH CENTRAL MIDDLESEX COUNTY FLOOD CONTROL COMMISSION SHALL BE ESTABLISHED IN ACCORDANCE WITH N.J.S.A. 40:14-16 et seq.
- (C) THE SOUTH CENTRAL MIDDLESEX COUNTY FLOOD CONTROL COMMISSION SHALL:
 - (1) COLLECT, STUDY, AND ANALYZE DATA ON FLOODING, PAST FLOODS, AND THE CAUSES OF FLOODS IN THE AREA;
 - (2) MAKE SUCH DATA AND STUDIES AVAILABLE TO THE PARTICIPATING MEMBERS, TO THE DIVISION OF WATER POLICY AND SUPPLY, THE ARMY CORPS OF ENGINEERS, LOCAL AND COUNTY PLANNING BOARDS, AND OFFICIALS CONCERNED WITH SUBDIVISIONS AND DEVELOPMENT OF PROPERTIES WITHIN THE FLOODWAY AND DRAINAGE AREAS.
 - (3) KEEP ITSELF INFORMED AS TO THE AVAILABILITY OF STATE AND FEDERAL FUNDS AND GRANTS AND THE PROCEDURES FOR APPLYING THEREFORE, AND SHALL MAKE SUCH INFORMATION AVAILABLE TO PARTICIPATING MEMBERS;
 - (4) COORDINATE THE ACTIVITIES OF THE PARTICIPATING MEMBERS RELATING TO FLOODING, FLOOD PREVENTION, BROOK CLEANING AND THE LIKE;
 - (5) ENCOURAGE THE ACQUISITION OF LANDS WITHIN THE FLOODWAY AND LOW LYING AREAS BY APPROPRIATE COUNTY PARK COMMISSIONS, COUNTIES, OR PARTICIPATING MUNICIPALITIES;
 - (6) PUBLICIZE METHODS OF FLOOD CONTROL AND FLOOD PREVENTION;
 - (7) ENCOURAGE ITS PARTICIPATING MEMBERS AND OTHERS TO ADOPT APPROPRIATE ORDINANCES AND REGULATIONS RELATING TO FLOOD CONTROL;
 - (8) ENCOURAGE ITS PARTICIPATING MEMBERS TO SUPPORT OTHER PROGRAMS DESIGNED OR INTENDED TO ALLEVIATE FLOODING;
 - (9) PERFORM SUCH OTHER ACTS AND FULFILL SUCH OTHER FUNCTIONS AS MAY BE PERMITTED BY LAW AND AS DETERMINED BY THE MEMBERS, SUBJECT TO THE LIMITATIONS IN THIS ORDINANCE AND SUBJECT TO THE LIMITATIONS AS SET FORTH IN N.J.S.A. 40:14-16 et seq.
- (D) APPROPRIATIONS
 - (1) THE GENERAL, ADMINISTRATIVE AND OTHER EXPENSES OF THE COMMISSION, AFFECTING THE COMMISSION AS A WHOLE, SHALL BE APPORTIONED AMONG THE MEMBERS IN A MANNER TO BE DETERMINED BY THE MEMBERS, NOT LATER THAN 120 DAYS AFTER THE APPOINTMENT OF ALL REPRESENTATIVES BY THE PARTICIPATING MUNICIPALITIES.
 - (2) WHENEVER A SPECIFIC PROJECT IS TO BE UNDERTAKEN INVOLVING LESS THAN THE INTERESTS OF ALL OF THE PARTICIPATING MEMBERS, OR OF SPECIAL BENEFIT TO LESS THAN ALL OF THE PARTICIPATING MEMBERS, THE APPORTIONMENT OF THE COSTS THEREOF SHALL BE AGREED UPON BY THE PARTICIPATING MEMBERS SPECIALLY BENEFITED THEREBY IN ADVANCE OF AUTHORIZATION OF SUCH PROJECT.

- (3) THE APPORTIONMENTS MAY BE CHANGED BY AGREEMENT AMONG THE PARTICIPATING MUNICIPALITIES AND COUNTIES, PROVIDED, HOWEVER, THAT THERE SHALL BE NO INCREASE IN THE PERCENTAGE TO BE CONTRIBUTED BY ANY PARTICIPANT WITHOUT THE CONSENT OF THE GOVERNING BODY OF SUCH PARTICIPATING MEMBER.
- (E) BUDGET. THE TENTATIVE ANNUAL BUDGET FOR THE COMMISSION SHALL BE ADOPTED BY THE COMMISSION NO LATER THAN 120 DAYS AFTER THE APPOINTMENT OF ALL REPRESENTATIVES BY THE PARTICIPATING MUNICIPALITIES.
- (F) OPERATING PROCEDURES. THE OPERATING PROCEDURES OF THE COMMISSION SHALL BE ADOPTED AT A REGULAR OR SPECIAL MEETING OF THE COMMISSION, BUT NOT LATER THAN 120 DAYS AFTER THE APPOINTMENT OF ALL REPRESENTATIVES BY THE PARTICIPATING MUNICIPALITIES.
- (G) WITHDRAWAL. EACH MEMBER MUNICIPALITY AND COUNTY RESERVES THE RIGHT PURSUANT TO N.J.S.A. 40:14-17d TO WITHDRAW FROM THE COMMISSION; PROVIDED HOWEVER, THAT AT LEAST NINETY (90) DAYS NOTICE OF SUCH INTENTION IS GIVEN TO THE COMMISSION; AND PROVIDED, FURTHER, THAT SUCH WITHDRAWAL AFTER THE ADOPTION OF THE COMMISSION BUDGET FOR A GIVEN YEAR SHALL NOT ABROGATE THE RESPONSIBILITY OF THE MUNICIPALITY OR COUNTY TO MEET ITS OBLIGATIONS UNDER THE BUDGET FOR SUCH YEAR.

SECTION 2 REPRESENTATIVES.

- (A) THE BOARD OF CHOSEN FREEHOLDERS AND EACH MUNICIPAL COUNCIL SHALL APPOINT TWO REPRESENTATIVES TO THE COMMISSION, EITHER OR BOTH OF SAID REPRESENTATIVES MAY BE A MEMBER OF THE BOARD OR COUNCIL OR HOLD OTHER ELECTIVE OR APPOINTIVE OFFICE IN THE RESPECTIVE GOVERNMENTAL UNITS.
- (B) IN ADDITION TO SUCH REPRESENTATIVES, THE BOROUGH COUNCIL MAY APPOINT TWO ALTERNATE REPRESENTATIVES TO THE COMMISSION WHO SHALL SERVE FOR THE TERMS OF ONE YEAR EACH OR UNTIL THE APPOINTMENT AND QUALIFICATION OF THEIR SUCCESSORS. SUCH ALTERNATES SHALL HAVE THE RIGHT TO ATTEND ALL MEETINGS OF THE COMMISSION AND TAKE PART IN ALL DISCUSSIONS. THE ALTERNATES SHALL BE DESIGNATED AS FIRST ALTERNATE AND SECOND ALTERNATE AND IN SUCH ORDER MAY REPRESENT THE BOROUGH OF JAMESBURG AND VOTE IN THE EVENT OF THE ABSENCE OF DISABILITY OF ONE OR BOTH OF THE REGULAR REPRESENTATIVES.
- (C) EACH REGULAR REPRESENTATIVE SHALL SERVE FOR A TERM OF FIVE YEARS OR UNTIL HIS SUCCESSOR HAS BEEN APPOINTED AND HAS QUALIFIED EXCEPT THAT ANY APPOINTED REPRESENTATIVE WHO HOLDS ANOTHER ELECTED OR APPOINTED PUBLIC OFFICE SHALL SERVE AS SUCH REPRESENTATIVE FOR THE TERM OF HIS ELECTED OR APPOINTED OFFICE AND ONLY SO LONG AS HE SHALL HOLD SUCH ELECTED OR APPOINTED PUBLIC OFFICE, NOTWITHSTANDING HIS TERM OF APPOINTMENT AS SUCH REPRESENTATIVE. APPOINTMENTS TO VACANCIES CAUSED BY THE DEATH, RESIGNATION, OR OTHER INABILITY TO SERVE OF A REPRESENTATIVE SHALL BE FILLED FOR THE BALANCE OF THE TERM ONLY. NO ALTERNATE REPRESENTATIVE SHALL AUTOMATICALLY SUCCEED TO A REGULAR REPRESENTATIVE POSITION UPON A VACANCY OCCURRING IN A REGULAR POSITION.

BE IT FURTHER ORDAINED, THAT THE CLERK OF THIS BOROUGH COUNCIL SHALL FORWARD CERTIFIED COPIES OF THIS ORDINANCE TO ALL PARTICIPANTS SET FORTH IN SECTION 1(A); THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION; AND THE SENATORS AND ASSEMBLY PERSONS REPRESENTING MIDDLESEX COUNTY.

SECTION 3. INCONSISTENT ORDINANCES.

ALL ORDINANCES OF PARTS OF ORDINANCES INCONSISTENT WITH OR IN CONFLICT WITH THIS ORDINANCE ARE HEREBY REPEALED TO THE EXTENT OF SUCH INCONSISTENCY.

SECTION 4. PARTIAL INVALIDITY.

IF ANY SECTION, PARAGRAPH, CLAUSE, OR PROVISION OF THIS ORDINANCE SHALL BE ADJUDGED INVALID, SUCH ADJUDICATION, SHALL APPLY ONLY TO THE SECTION, PARAGRAPH, CLAUSE, OR PROVISION SO ADJUDGED AND THE REMAINDER SHALL BE DEEMED VALID AND EFFECTIVE.

SECTION 5. EFFECTIVE DATE.

THIS ORDINANCE SHALL TAKE EFFECT UPON THE FINAL ADOPTION OF ORDINANCES BY ALL OF THE PARTICIPANTS SET FORTH IN SECTION 1(A) HEREOF.

Motion to Open to Public Comment on Ordinance #24-05

Proposed by: Morales

Seconded by: Jennings

All In Favor: Carpenter, Jennings, Kostbar, Longo, Maloney, Morales.

None Opposed, None Abstaining.

Public Comment on Ordinance #24-05

No members of the public wished to be heard at this time.

Motion to Close to Public Comment on Ordinance #24-05

Proposed by: Jennings

Seconded by: Morales

All In Favor: Carpenter, Jennings, Kostbar, Longo, Maloney, Morales.

None Opposed, None Abstaining.

Motion to Approve Ordinance #24-05 on Second Reading:

Proposed by: Morales

Seconded by: Jennings

All In Favor: Carpenter, Jennings, Kostbar, Longo, Maloney, Morales.

None Opposed, None Abstaining.

CONSENT AGENDA DEFINED:

ALL MATTERS LISTED ON TONIGHT'S CONSENT AGENDA ARE TO BE CONSIDERED AS ONE VOTE BY THE BOROUGH COUNCIL AND WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED BELOW. ANY RESOLUTIONS LISTED ON THE AGENDA WITH ** NEXT TO THEIR RESPECTIVE NUMBER ARE TO BE CONSIDERED AS PART OF THE CONSENT AGENDA. THERE WILL BE NO DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY

The whole of the Consent Agenda was approved on the following vote:

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
CARPENTER		X	X			
JENNINGS	X		X			
KOSTBAR			X			
LONGO			X			
MALONEY			X			
MORALES			X			
MAYOR LAMANTIA						

RESOLUTIONS:

RESOLUTION #258-12-21-05**

RESOLUTION ACCEPTING MINUTES

BE IT RESOLVED, THAT THE FOLLOWING MINUTES BE AND ARE HEREBY ACCEPTED AND FILED:

MAYOR AND COUNCIL
November 9, 2005

RESOLUTION #259-12-21-05**

RESOLUTION ACCEPTING REPORTS

BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE FOLLOWING REPORTS BE AND ARE HEREBY RECEIVED AND FILED:

Tax Collector	October, November 2005
Sewer Administrator	October, November 2005
Finance Officer	September, October, November 2005
Police Chief	October, November 2005

RESOLUTION #260-12-21-05**

AUTHORIZE REFUND OF TAX OVERPAYMENTS

WHEREAS, OVERPAYMENTS OF TAXES, HAVE BEEN RECEIVED BY THE TAX COLLECTORS OFFICE IN THE AGGREGATE AMOUNT OF FORTY THOUSAND ONE HUNDRED SEVENTY NINE DOLLARS AND SEVENTY CENTS (\$40,179.70); AND

WHEREAS, THESE PAYMENTS HAVE BEEN PROVEN TO THE TAX COLLECTOR AS OVERPAYMENTS;

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE TAX COLLECTOR BE AND IS HEREBY AUTHORIZED TO ISSUE CHECKS IN THE AGGREGATE AMOUNT OF FORTY THOUSAND ONE HUNDRED SEVENTY NINE DOLLARS AND SEVENTY CENTS (\$40,179.70) IN ACCORDANCE WITH THE CERTIFICATIONS ATTACHED HERETO.

RESOLUTION #261-12-21-05**

REDEMPTIONS OF TAX LIENS

WHEREAS, THE TAX COLLECTOR HAS VERIFIED RECEIPT OF PAYMENTS IN THE AGGREGATE AMOUNT OF ONE THOUSAND ONE HUNDRED THIRTY FOUR DOLLARS AND EIGHTY-FIVE CENTS (\$1,134.85) AS VERIFIED IN THE CERTIFICATION ATTACHED HERETO; AND

WHEREAS, THESE PAYMENTS WERE MADE FOR THE REDEMPTIONS OF THE TAX SALE CERTIFICATES SPECIFIED ON THE ATTACHED CERTIFICATION, THE LIEN-HOLDERS ALSO BEING SPECIFIED.

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE TAX COLLECTOR BE AND IS HEREBY AUTHORIZED TO ISSUE CHECKS IN THE AGGREGATE AMOUNT OF ONE THOUSAND ONE HUNDRED THIRTY FOUR DOLLARS AND EIGHTY-FIVE CENTS (\$1,134.85) TO THE LIEN HOLDERS NAMED ON THE ATTACHED TAX COLLECTOR'S CERTIFICATION.

RESOLUTION #262-12-21-05**

RESOLUTION AUTHORIZING VETERANS DEDUCTION ALLOWANCE

WHEREAS, THE TAX COLLECTOR HAS CERTIFIED, ON THE LETTER OF REQUEST ATTACHED HERETO, THAT A CERTAIN TAX ACCOUNT IS ELIGIBLE FOR A VETERANS DEDUCTION; AND

WHEREAS, THE TAX BILL FOR THIS ACCOUNT DOES NOT CURRENTLY REFLECT THE APPROPRIATE DEDUCTION AND MUST BE ADJUSTED:

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE TAX COLLECTOR BE AND IS HEREBY AUTHORIZED TO ADJUST THE TAX ACCOUNT SPECIFIED AS PER THE ATTACHED LETTER OF REQUEST.

RESOLUTION #263-12-21-05**

RESOLUTION AUTHORIZING VETERANS PROPERTY TAX EXEMPTION

WHEREAS, THE TAX COLLECTOR HAS CERTIFIED, ON THE LETTER OF REQUEST ATTACHED HERETO, THAT A CERTAIN TAX ACCOUNT IS ELIGIBLE FOR A VETERANS PROPERTY TAX EXEMPTION; AND

WHEREAS, THE TAX BILL FOR THIS ACCOUNT DOES NOT CURRENTLY REFLECT THE APPROPRIATE DEDUCTION AND MUST BE ADJUSTED:

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE TAX COLLECTOR BE AND IS HEREBY AUTHORIZED TO ADJUST THE TAX ACCOUNT SPECIFIED AS PER THE ATTACHED LETTER OF REQUEST.

RESOLUTION #264-12-21-05**

RESOLUTION CANCELING 2005 APPROPRIATION BALANCE

WHEREAS, THE BOROUGH OF JAMESBURG ADOPTED ITS BUDGET JULY 27, 2005; AND

WHEREAS, IT HAS BEEN DETERMINED THAT CERTAIN 2005 APPROPRIATION BALANCES MAY BE CANCELLED AS THEY ARE NO LONGER REQUIRED;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG AS FOLLOWS:

1. THAT THE FOLLOWING 2005 APPROPRIATION BALANCE IS NO LONGER NECESSARY:

Sewer – Sewerage Disposal Charge	\$50,000.00
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2. THAT 2 CERTIFIED COPIES OF THIS RESOLUTION BE FILED WITH THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES.
3. THAT THE MUNICIPAL CLERK FORWARD A CERTIFIED COPY OF THIS RESOLUTION TO THE FOLLOWING:
 - a. Chief Financial Officer
 - b. Borough Auditor

RESOLUTION #265-12-21-05**

CANCELLATION OF UNEXPENDED BALANCES OF IMPROVEMENT AUTHORIZATIONS

WHEREAS, THE BOROUGH OF JAMESBURG DID ADOPT THE FOLLOWING ORDINANCE:

ORDINANCE #24-03
AN ORDINANCE PROVIDING FOR CURBS AND SIDEWALKS ALONG FRANKLIN AND VARIOUS STREETS AND APPROPRIATING THE SUM OF \$172,000 THEREFOR, AUTHORIZED IN AND BY THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY; AND

WHEREAS, ALL PURCHASES AND AGREEMENTS HAVE BEEN COMPLETED AND THERE REMAINS UNEXPENDED BALANCES OF \$1,636.34.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE UNEXPENDED BALANCES FOR ORDINANCE #24-03 BE CANCELED AGAINST THE RECEIVABLES.

RESOLUTION #266-12-21-05**

CANCELLATION OF CLICK IT OR TICKET APPROPRIATION AND RECEIVABLE

WHEREAS, THE BOROUGH OF JAMESBURG WAS APPROVED FOR \$4,000 DEPARTMENT OF HIGHWAY TRAFFIC SAFETY CLICK IT OR TICKET GRANT FOR SEAT BELT ENFORCEMENT, AND MADE A PART OF THE 2005 MUNICIPAL BUDGET; AND,

WHEREAS, THE BOROUGH OF JAMESBURG HAS AN UNEXPENDED BALANCE OF \$300.00 IN THAT GRANT APPROPRIATION; AND,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE UNEXPENDED APPROPRIATION BE CANCELED AGAINST THE RECEIVABLE.

RESOLUTION #267-12-21-05**

APPROVE RAFFLE LICENSE #RL-05-05

WHEREAS, THE BOROUGH CLERK'S OFFICE HAS RECEIVED AN APPLICATION, WITH ALL THE PROPER DOCUMENTATION, FROM JAMESBURG B.P.O.E. #2180 TO HOLD AN OFF-PREMISE RAFFLE; AND

WHEREAS, FINDINGS AND DETERMINATIONS HAVE BEEN COMPLETED:

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, THAT LICENSE NUMBER #RA-05-05 BE APPROVED IN THE NAME OF JAMESBURG B.P.O.E. #2180, WITH THE DRAWING TO BE HELD ON APRIL 1, 2006, AT 74 WEST RAILROAD AVENUE, JAMESBURG.

END OF CONSENT AGENDA

RESOLUTION #268-12-21-05

RESOLUTION AUTHORIZING TRANSFERS IN THE 2005 MUNICIPAL BUDGET

WHEREAS, PURSUANT TO N.J.S.A. 40A:4-58, APPROPRIATION TRANSFERS ARE ALLOWABLE DURING THE LAST TWO MONTHS OF A FISCAL YEAR; AND

WHEREAS, IT IS DEEMED NECESSARY THAT SAID TRANSFERS BE DONE THROUGH VARIOUS ACCOUNTS.

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, THAT THE FOLLOWING TRANSFERS BE MADE IN THE 2005 BUDGET APPROPRIATIONS:

	<u>CURRENT FUND</u>	
<u>FROM</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
240.020	Police OE	\$22,000.00
180.020	Planning Board OE	\$6,000.00
440.020	Telephone	\$11,000.00
264.012	Fire Prevention SW	\$3,000.00
<u>TO</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
240.011	Police SW	\$22,000.00
165.020	Engineering OE	\$6,000.00
494.020	Gasoline	\$6,000.00
490.010	Court SW	\$5,000.00
264.025	Fire Prevention OE	\$3,000.00

	<u>CURRENT FUND</u>		
<u>FROM</u>	<u>ACCOUNT NAME</u>		<u>AMOUNT</u>
	Sewer Utility		
<u>From</u>			
501.020	Sewer OE		\$2,000.00
<u>To</u>			
501.011	Sewer S&W		\$2,000.00

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
CARPENTER		X	X			
JENNINGS			X			
KOSTBAR			X			
LONGO			X			
MALONEY			X			
MORALES	X		X			
MAYOR LAMANTIA						

RESOLUTION #269-12-21-05

RESOLUTION APPOINTING FULL TIME EMERGENCY SERVICES DISPATCHER

I, MAYOR ANTHONY LAMANTIA, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT, RETROACTIVELY FROM DECEMBER 5, 2005, STEPHANIE RAMPACEK TO FILL THE VACANCY CREATED UPON THE RESIGNATION OF ROBIN BULL AS FULL-TIME EMERGENCY SERVICES DISPATCHER OF THE BOROUGH OF JAMESBURG.

Council member Jennings reported on the hiring process and applicants interviewed.

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
CARPENTER			X			
JENNINGS	X		X			
KOSTBAR			X			
LONGO		X	X			
MALONEY			X			
MORALES			X			
MAYOR LAMANTIA						

RESOLUTION #270-12-21-05

RESOLUTION ACCEPTING LOCAL 210 CONTRACT

WHEREAS, THE CONTRACT BETWEEN LOCAL 210 (REPRESENTING THE PUBLIC WORKS DEPARTMENT EMPLOYEES) AND THE BOROUGH OF JAMESBURG WILL EXPIRE DECEMBER 31, 2005; AND

WHEREAS, THE BOROUGH OF JAMESBURG WISHES TO ENTER INTO A NEW CONTRACT WITH LOCAL 210, COVERING THE TIME PERIOD FROM JANUARY 1, 2006 TO DECEMBER 31, 2008;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE ATTACHED AGREEMENT BE ACCEPTED AND APPROVED;

BE IT FURTHER RESOLVED, THAT THE MAYOR BE AUTHORIZED TO SIGN AND THE BOROUGH CLERK TO ATTEST THE ATTACHED CONTRACT BETWEEN LOCAL 210 AND THE BOROUGH OF JAMESBURG.

Council member Maloney inquired as to the budgetary impact of this contract.

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
CARPENTER			X			
JENNINGS			X			
KOSTBAR		X	X			
LONGO			X			
MALONEY			X			
MORALES	X		X			
MAYOR LAMANTIA						

RESOLUTION #271-12-21-05

APPROVE PAYMENT OF VOUCHERS

WHEREAS, THE CHIEF MUNICIPAL FINANCE OFFICER HAS CERTIFIED AND SUBMITTED A CONSOLIDATED BILL LIST FOR THE PAYMENT OF CLAIMS; AND

WHEREAS, ALL VOUCHERS LISTED HERewith HAVE BEEN ENCUMBERED AND SUFFICIENT FUNDS ARE AVAILABLE FOR PAYMENT; AND

WHEREAS, THE REQUIRED SIGNATURES OF THE DEPARTMENT HEAD OR COMMITTEE CHAIR, THE FINANCE CHAIRPERSON, THE VENDOR, AND THE CHIEF FINANCIAL OFFICER , HAVE ALL BEEN OBTAINED ON EACH VOUCHER PRESENTED ON THE ATTACHED LIST.

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, THAT THE VOUCHER LIST SUBMITTED IS HEREBY APPROVED FOR PAYMENT IN THE TOTAL AMOUNT OF \$755,043.28

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
CARPENTER			X			
JENNINGS		X	X			
KOSTBAR			X			
LONGO	X		X			
MALONEY			X			
MORALES			X			
MAYOR LAMANTIA						

RESOLUTION #272-12-21-05

RESOLUTION AUTHORIZING A CHANGE ORDER (KNOWN AS CHANGE ORDER #1) TO THE CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND BIG DADDY CONSTRUCTION, INC. FOR THE WOODLAND ROAD AND FRONT STREET CURB AND SIDEWALK PROJECT.

WHEREAS, DUE TO UNANTICIPATED CIRCUMSTANCES WHICH HAVE ARISEN DURING THE WOODLAND ROAD AND FRONT STREET CURB AND SIDEWALK PROJECT, THE BOROUGH ENGINEER HAS RECOMMENDED A CHANGE ORDER (KNOWN AS CHANGE ORDER #1) IN ORDER TO AMEND THE CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND BIG DADDY CONSTRUCTION, INC. ; AND

WHEREAS, THE PROPOSED CHANGE ORDER IS DESCRIBED IN MORE DETAIL IN THE ATTACHED FORM, LAST DATED BY BOROUGH ENGINEER ON NOVEMBER 14, 2005; AND

WHEREAS, THE PROPOSED CHANGE ORDER SHALL CHANGE THE AMOUNT OF THE ORIGINAL CONTRACT BY AN INCREASE IN THE CONTRACT AMOUNT OF EIGHT THOUSAND THREE HUNDRED SEVENTY DOLLARS AND NO CENTS (\$8,370.00); AND

WHEREAS, THE PROPOSED CHANGE ORDER DOES NOT EXCEED THE TWENTY PERCENT (20%) LIMITATION IMPOSED BY LAW; AND

WHEREAS, THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG HAS RECEIVED THE RECOMMENDATIONS OF THE BOROUGH ENGINEER AND BOROUGH BUSINESS ADMINISTRATOR TO PROCEED WITH THE SAID CHANGE ORDER.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG AS FOLLOWS:

1. THAT THE BOROUGH IS AUTHORIZED TO ENTER INTO THE ATTACHED CHANGE ORDER (KNOWN AS CHANGE ORDER #1) WHICH SHALL BE CONSIDERED AN AMENDMENT TO THE ORIGINAL CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND BIG DADDY

CONSTRUCTION, INC. FOR THE WOODLAND ROAD AND FRONT STREET CURB AND SIDEWALK PROJECT.

2. THAT THE BUSINESS ADMINISTRATOR SHALL CERTIFY THAT THERE ARE SUFFICIENT FUNDS TO COVER THE AMOUNT OF THIS CHANGE ORDER.

3. THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL PROVIDED TO EACH OF THE FOLLOWING:

- a. ALAN B. DITTENHOFER, P.E.,C.M.E., BOROUGH ENGINEER
- b. BIG DADDY CONSTRUCTION, INC.
- c. DENISE JAWIDZIK, BOROUGH BUSINESS ADMINISTRATOR
- d. FREDERICK C. RAFFETTO, ESQUIRE, BOROUGH ATTORNEY.

Council member Kostbar stated that he would need to abstain as he has had dealings with this company as a client.

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
CARPENTER		X	X			
JENNINGS	X		X			
KOSTBAR					X	
LONGO			X			
MALONEY			X			
MORALES			X			
MAYOR LAMANTIA						

Motion to set the date and time for the Annual Reorganization Meeting to be held on January 4, 2006, 7:00pm:

Proposed By: Longo

Seconded By: Maloney

All In Favor: Carpenter, Jennings, Kostbar, Longo, Maloney, Morales.

None Opposed, None Abstaining.

COUNCIL MEMBER COMMITTEE REPORTS

BUILDINGS, GROUNDS AND PARKS COMMITTEE & HOLIDAY EVENTS COMMITTEE

Council member Carpenter reported on Historical Association happenings and library events. Also reported on the tree lighting at Veterans' Park, where the Menorah lighting will be held on December 27, at 3:30pm. Congratulated those officers that were issued commendations.

PERSONNEL & NEGOTIATIONS COMMITTEE

Council member Jennings had no further report.

POLICE COMMITTEE

Police Commissioner Kostbar reported that the committee met prior to this evening's Council meeting.

EDUCATION COMMITTEE

Council member Longo reported that fall conferences are completed and report cards have been issued. Also reported on the eclipse program for gifted and talented students. Council member Longo wished to thank the GMB school band director, Melissa Martinez for having the band play at the tree lighting ceremony. The Chamber of Commerce held their horse drawn carriage rides again this year. Congratulated the Police Department on their fine work.

PUBLIC WORKS COMMITTEE & TECHNOLOGY COMMITTEE

Council member Maloney reported that the Department of Public Works is geared up for winter. A meeting was held with Comcast where Comcast urged the Borough's opposition to statewide franchising as being proposed by Verizon. Mr. Maloney will be meeting with Verizon next month to garner their views. Also congratulated Council member Carpenter on a successful tree lighting ceremony and congratulated the Police Department for their commendations and all they do.

PUBLIC SAFETY/ EMERGENCY SERVICES COMMITTEE

Council member Morales reported that the Public Safety/Emergency Services Committee will be meeting next week to project for next year.

Mayor LaMantia thanked all involved with the holiday events. The Holiday Home Decorating Contest is being judged this week. A "job well done" to the Police Department on the commendations.

Members of the public wishing to address the Mayor and Borough Council must approach the podium and state their name and address for the record. There is a five (5) minute time limit for all comments and questions.

MOTION TO OPEN TO PUBLIC COMMENT:

PROPOSED BY: Longo

SECONDED BY: Maloney

ALL IN FAVOR: Carpenter, Jennings, Kostbar, Longo, Maloney, Morales.

None Opposed, None Abstaining.

PUBLIC COMMENT:

Tom Bodall – 22 East Church Street

- The Jamesburg Historical Association is to be the recipient of a bronze marker relating the historic nature of the Lakeview House
- Bookmarks are being distributed to the Borough schoolchildren containing historic trivia.
- This year has been a successful one for the Buckelew House.

MOTION TO CLOSE TO PUBLIC COMMENT:

PROPOSED BY: Longo

SECONDED BY: Maloney

ALL IN FAVOR: Carpenter, Jennings, Kostbar, Longo, Maloney, Morales.

None Opposed, None Abstaining.

MOTION TO ADJOURN:

PROPOSED BY: Kostbar

SECONDED BY: Maloney

ALL IN FAVOR: Carpenter, Jennings, Kostbar, Longo, Maloney, Morales.

None Opposed, None Abstaining.

TIME OF ADJOURNMENT: 7:27 pm