

BOROUGH OF JAMESBURG

COUNCIL MEETING

MINUTES – FEBRUARY 23, 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 P.L. 1975. Also announced, 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
Attorney Raffetto
Denise Jawidzik, Business Administrator

Those Absent: Engineer Dittenhofer

Introduction of 2005 Local Municipal Budget

Proposed by: Kostbar
Seconded by: Morales

Council member Kostbar remarked that this is a lean budget and only drastic cuts in services could cause a major reduction in the tax rate

All In Favor: Carpenter, Jennings, Kostbar, Longo, Morales
Opposed: Maloney
None Abstaining.

Council member Kostbar questioned the reason for Council member Maloney's opposing vote as no reasonable suggestions to reduce the budget have been made. Council member Maloney stated that he had no suggestions, but feels the taxpayers should not be made to bear such an increase because the governing body is not smart enough to find a way to reduce the proposed increase. Mayor LaMantia remarked that Council members have had the budget document for two or three weeks and have also held a budget workshop meeting to discuss how or where to make cuts in order to get the budget introduced by the required deadline. Council member Jennings made comment regarding past budgets, which were too severe, causing problems in every day operations of the Borough due to the lack of funds. Council member Longo remarked that the budget is necessary to efficiently and responsibly keep services – the Borough has to hope for State Aid to reduce the taxpayer burden.

MAYORAL APPOINTMENT - Of Donna Valesse as Alternate #1 to the Land Use Board to fill the unexpired term of Ramona Schilling, which expires December 31, 2005

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

Resolution #093-02-23-05 was removed while the remainder of the Consent Agenda was approved on the following vote:

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

RESOLUTIONS:

RESOLUTION #079-02-23-05**

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL

February 9, 2005
February 16, 2005

RESOLUTION #080-02-23-05**

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	January 2005
Sewer Administrator	January 2005
Chief of Police	December 2004

RESOLUTION #081-02-23-05**

WHEREAS, AN EMERGENT CONDITION HAS ARISEN WITH RESPECT TO CERTAIN MANDATORY EXPENSES DUE TO THE DELAY OF THE ADOPTION OF THE BUDGET, AND NO ADEQUATE PROVISION HAS BEEN MADE IN THE 2005 TEMPORARY APPROPRIATIONS FOR THE AFORESAID PURPOSE, AND N.J.S.A. 40A:4-20 PROVIDES FOR THE CREATION OF AN EMERGENCY TEMPORARY APPROPRIATION FOR THE PURPOSE OF THE ABOVE MENTIONED; AND

WHEREAS, THE TOTAL EMERGENCY TEMPORARY RESOLUTIONS ADOPTED IN THE YEAR 2005 PURSUANT TO THE PROVISIONS OF CHAPTER 96 P.L. 1951 (N.J.S.A. 40A:4-20) INCLUDING THIS RESOLUTION TOTAL \$2,620,987.00

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE BOROUGH OF JAMESBURG, THAT IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A.40A:4-20 THAT AN EMERGENCY TEMPORARY APPROPRIATION BE AND THE SAME IS HEREBY MADE FOR THE FOLLOWING INDICATED APPROPRIATIONS:

	Code	Salary/Wages	Code	Other Expenses	Total
General Admin.	100.011	(\$3,000.00)	100.021	\$10,000.00	\$7,000.00
Mayor & Council	110.012	\$20,000.00	110.03	(\$700.00)	\$19,300.00
Municipal Clerk	120.011	\$30,000.00	120.02	\$2,000.00	\$32,000.00
Financial Admin	130.011	\$25,000.00	130.02		\$25,000.00
Annual Audit			135.02	\$5,175.00	\$5,175.00
			140.02	\$1,500.00	\$1,500.00
Collection of Taxes	145.011	\$5,000.00	145.021	\$0.00	\$5,000.00

Assessment of Taxes	150.011	\$10,000.00	150.02	\$4,000.00	\$14,000.00
Legal Services	155.011	\$6,000.00	155.02	\$20,000.00	\$26,000.00
Dept. on Aging	164.011	\$1,000.00	164.024	\$2,000.00	\$3,000.00
Engineering Services			165.02	\$15,000.00	\$15,000.00
Planning Board	180.012	\$1,000.00	180.02	\$10,000.00	\$11,000.00
Zoning Officer	205.011	\$20,000.00	205.022		\$20,000.00
Liability Insurance			210.02	\$22,000.00	\$22,000.00
Other Insurance		0	211.02	\$13,000.00	\$13,000.00
Workers Comp		0	215.116	\$22,665.00	\$22,665.00
Employee Group Insurance		0	220.092	\$200,000.00	\$200,000.00
Unemployment Insurance			225.02	\$6,000.00	\$6,000.00
Police	240.011	\$600,000.00	240.02	\$60,000.00	\$660,000.00
Office Emerg Mgmt			252.03	\$1,000.00	\$1,000.00
Fire Prevention	264.011	\$10,000.00	264.025	\$4,000.00	\$14,000.00
Municipal Prosecutor	275.012	\$5,500.00			\$5,500.00
Public Works	290.011	\$20,000.00	290.025	\$13,000.00	\$33,000.00
Solid Waste Removal		0	305.02	\$40,000.00	\$40,000.00
Bldgs & Grounds			310.024	\$18,000.00	\$18,000.00
Board of Health	330.011	\$6,000.00	330.02	\$10,000.00	\$16,000.00
Animal Control	340.011	\$8,000.00	340.02	\$5,000.00	\$13,000.00
Recreation		0	370.065	\$20,000.00	\$20,000.00
Library			390.02	\$90,000.00	\$90,000.00
Celebration Public Events			420.116	\$1,500.00	\$1,500.00
Electricity		0	430.071	\$15,000.00	\$15,000.00
Street Lighting		0	435.075	\$40,000.00	\$40,000.00
Telephone		0	440.02	\$15,000.00	\$15,000.00
Water & Sewer		0	445.072	\$4,000.00	\$4,000.00
Natural Gas		0	446.117		\$0.00
PFRS			475.114		\$0.00
PERS			471.02		\$0.00
Social Security		0	472.115	\$90,000.00	\$90,000.00
MCIA Energy Aggreg.			481.02	\$8,000.00	\$8,000.00
MCIA Recycling			482.02	\$80,000.00	\$80,000.00
Snow Emergency	485.01	\$2,650.00	485.02	\$248.00	\$2,898.00
Middlesex Cty SPCA			486.02	\$9,000.00	\$9,000.00
Third Party Billing			487.02	\$20,000.00	\$20,000.00
Municipal Court	490.011	\$50,000.00	490.022	\$3,000.00	\$53,000.00
Dispatch	491.011	\$100,000.00	491.026	\$100,000.00	\$200,000.00
MTMUA ILSA			492.02	\$111,000.00	\$111,000.00
Bloodborne Pathogens			493.02	\$1,500.00	\$1,500.00
Gasoline Interlocal		0	494.074	\$10,000.00	\$10,000.00
Public Defender	495.012	\$1,000.00			\$1,000.00
Stormwater Mgmt.	496.01	\$11,000.00	496.02	\$20,000.00	\$31,000.00
S.B. Computer ILSA			497.02	\$9,000.00	\$9,000.00
Landlord Trash			498.02	\$20,000.00	\$20,000.00
MCUA Debt Service			499.02	\$12,949.00	\$12,949.00
MCUA Solid Waste			500.02	\$99,000.00	\$99,000.00
Sewer Operating	501.011	\$80,000.00	502.02	\$350,000.00	\$430,000.00
		\$1,009,150.00		\$1,612,837.00	\$2,621,987.00

BE IT FURTHER RESOLVED, THAT SAID EMERGENCY TEMPORARY APPROPRIATION WILL BE PROVIDED FOR IN THE 2005 BUDGET OF THE BOROUGH OF JAMESBURG UNDER THE AFOREMENTIONED TITLES.

FURTHER, THAT A CERTIFIED COPY OF THIS RESOLUTION BE FORWARDED TO THE DIRECTOR OF LOCAL GOVERNMENT SERVICES.

RESOLUTION #082-02-23-05**

RESOLUTION AUTHORIZING TRANSFER IN APPROPRIATION RESERVES

WHEREAS, VARIOUS 2004 BILLS HAVE BEEN PRESENTED FOR PAYMENT THIS YEAR, WHICH BILLS WERE NOT COVERED BY ORDER NUMBER AND/OR RECORDED AT THE TIME OF TRANSFERS BETWEEN THE 2004 BUDGET APPROPRIATION RESERVE IN THE LAST TWO MONTHS OF 2004; AND

WHEREAS, N.J.S.A. 40A:4-59 PROVIDES THAT ALL UNEXPENDED BALANCES CARRIED FORWARD AFTER THE CLOSE OF THE YEAR ARE AVAILABLE, UNTIL LAPSED AT THE CLOSE OF THE SUCCEEDING YEAR, TO MEET SPECIFIC CLAIMS, COMMITMENTS OR CONTRACT INCURRED DURING THE PRECEDING FISCAL YEAR, AND ALLOW TRANSFERS TO BE MADE FROM UNEXPENDED BALANCES WHICH ARE EXPECTED TO BE INSUFFICIENT DURING THE FIRST THREE MONTHS OF THE SUCCEEDING YEAR; AND

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE TRANSFERS IN THE AMOUNT OF \$1,000.00 BE MADE BETWEEN THE 2004 BUDGET APPROPRIATION RESERVES AS FOLLOWS:

<u>ACCOUNT:</u>	<u>FROM</u>	<u>TO</u>
Assessor O/E	\$1,000.00	
LOSAP		\$1,000.00

RESOLUTION #083-02-23-05**

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 VETERAN 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 #084-02-23-05**

RETURN OF PREMIUM ON A TAX SALE CERTIFICATE

WHEREAS, THE TAX COLLECTOR HAS RECEIVED A PREMIUM IN THE AMOUNT OF SIX HUNDRED DOLLARS (\$600.00) ON TAX SALE CERTIFICATE #04-0011 BEING HELD BY BERKSHIRE INVESTMENT; AND

WHEREAS, THE AFOREMENTIONED CERTIFICATE HAS BEEN REDEEMED.

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 RETURN THE PREMIUM IN THE AMOUNT OF SIX HUNDRED DOLLARS (\$600.00) TO THE AFOREMENTIONED CERTIFICATE HOLDER.

RESOLUTION #085-02-23-05**

REDEMPTION OF TAX LIEN

WHEREAS, THE TAX COLLECTOR HAS VERIFIED RECEIPT OF PAYMENT IN THE AMOUNT OF FOUR HUNDRED EIGHTY-ONE DOLLARS AND TWELVE CENTS (\$481.12) AS VERIFIED IN THE CERTIFICATION ATTACHED HERETO; AND

WHEREAS, THIS PAYMENT WAS MADE FOR THE REDEMPTION OF THE TAX SALE CERTIFICATE SPECIFIED ON THE ATTACHED CERTIFICATION, THE LIEN-HOLDER 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 A CHECK IN THE FOUR HUNDRED EIGHTY-ONE DOLLARS AND TWELVE CENTS (\$481.12) TO THE LIEN HOLDER NAMED ON THE ATTACHED TAX COLLECTOR'S CERTIFICATION.

RESOLUTION #086-02-23-05**

AUTHORIZE REFUND OF TAX OVERPAYMENT

WHEREAS, AN OVERPAYMENT OF TAXES, HAS BEEN RECEIVED BY THE TAX COLLECTORS OFFICE IN THE AMOUNT OF ONE THOUSAND FOUR HUNDRED TWENTY-TWO DOLLARS AND FIFTY-TWO CENTS (\$1,422.52); AND

WHEREAS, THIS PAYMENT HAS BEEN PROVEN TO THE TAX COLLECTOR AS AN OVERPAYMENT;

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 A CHECK IN THE AMOUNT OF ONE THOUSAND FOUR HUNDRED TWENTY-TWO DOLLARS AND FIFTY-TWO CENTS (\$1,422.52) IN ACCORDANCE WITH THE CERTIFICATION ATTACHED HERETO.

RESOLUTION #087-02-23-05**

APPROVE LAUNDRY LICENSES

WHEREAS, AN APPLICATION HAS BEEN SUBMITTED BY MARIA G. COLON FOR FORTY (40) LAUNDRY LICENSES; AND

WHEREAS, THE CLERK'S OFFICE IS IN RECEIPT OF THE APPROPRIATE FEES FOR THE AFOREMENTIONED LICENSES:

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT LICENSES #LL-09-05, THROUGH #LL-48-05 BE AND ARE HEREBY APPROVED IN THE NAME OF MARIA G. COLON.

RESOLUTION #088-02-23-05**

APPROVE LAUNDRY MACHINE LICENSES

WHEREAS, AN APPLICATION HAS BEEN SUBMITTED BY LIMITED FOR SIX (6) LAUNDRY LICENSES BY TALL TREE APARTMENTS, L.L.C.; AND

WHEREAS, THE CLERK'S OFFICE IS IN RECEIPT OF THE APPROPRIATE FEES FOR THE AFOREMENTIONED LICENSES:

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, THAT LAUNDRY LICENSES #LL-49-05, #LL-50-05, #LL-51-05, #LL-52-05, #LL-53-05 AND #LL-54-04 BE AND ARE HEREBY APPROVED IN THE NAME OF TALL TREE APARTMENTS, L.L.C.

RESOLUTION #089-02-23-05**

APPROVE LAUNDRY MACHINE LICENSES

WHEREAS, AN APPLICATION HAS BEEN SUBMITTED BY DAVID STEWART FOR TWO (2) LAUNDRY LICENSES; AND

WHEREAS, THE CLERK'S OFFICE IS IN RECEIPT OF THE APPROPRIATE FEES FOR THE AFOREMENTIONED LICENSES:

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, THAT LAUNDRY LICENSES #LL-55-05 AND #LL-56-05 BE AND ARE HEREBY APPROVED IN THE NAME OF DAVID STEWART.

RESOLUTION #090-02-23-05**

RESOLUTION AMENDING SCHEDULE A OF THE AGREEMENT FOR THE FURNISHING OF AMBULANCES BETWEEN THE BOROUGH OF JAMESBURG AND THE JAMESBURG FIRST AID SQUAD, INC.

WHEREAS, THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, ON OCTOBER 23, 2002, HAVE ENTERED INTO A CONTRACT WITH DYNAMIC CLAIMS MANAGEMENT, INC. FOR THIRD PARTY BILLING ADMINISTRATION; AND

WHEREAS, UNDER THE TERMS OF THE AFOREMENTIONED CONTRACT, THE BOROUGH OF JAMESBURG NEGOTIATED WITH THE JAMESBURG FIRST AID SQUAD FOR THE FURNISHING OF EMERGENCY SERVICE AMBULANCES, WHICH WERE LISTED ON SCHEDULE A OF THE CONTRACT; AND

WHEREAS, THE JAMESBURG FIRST AID SQUAD HAS ACQUIRED A NEW AMBULANCE, SPECIFICALLY A FORD E450 TYPE III AMBULANCE, VIN #1FDXE45F63HB64052 :

NOW, THEREFORE BE IT RESOLVED, THAT THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY APPROVE OF THE AMENDMENT TO SCHEDULE A OF THE CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND THE JAMESBURG FIRST AID SQUAD, INC. IN ORDER TO ADD A FORD E450 TYPE III AMBULANCE, VIN #1FDXE45F63HB64052.

RESOLUTION #091-02-23-05**

RESOLUTION ACCEPTING LENGTH OF SERVICE AWARD PROGRAM LIST OF ACTIVE VOLUNTEER MEMBERS

WHEREAS, PURSUANT TO SECTION 16-3.7OF CHAPTER VXi (LENGTH OF SERVICE AWARDS PROGRAM) OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG, NEW JERSEY (2000)", THE EMERGENCY SERVICE ORGANIZATION (JAMESBURG VOLUNTEER FIRST AID SQUAD) IS TO CERTIFY A LIST OF ACTIVE VOLUNTEER MEMBERS WHO ARE ELIGIBLE TO PARTICIPATE IN THE PLAN TO THE PLAN ADMINISTRATOR; AND

WHEREAS, THE PLAN ADMINISTRATOR IS TO FORWARD SAID CERTIFIED LIST TO THE BOROUGH COUNCIL FOR APPROVAL; AND

WHEREAS, IN ACCORDANCE WITH THE AFOREMENTIONED CITATION, THE EMERGENCY SERVICE ORGANIZATION HAS CERTIFIED A LIST OF ELIGIBLE MEMBERS TO THE PLAN ADMINISTRATOR, A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF:

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, THAT THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG GRANT APPROVAL OF THE ATTACHED LIST OF ACTIVE VOLUNTEER MEMBERS OF THE JAMESBURG FIRST AID SQUAD FOR ELIGIBILITY IN THE LENGTH OF SERVICE AWARDS PROGRAM.

RESOLUTION #092-02-23-05**

RESOLUTION OF THE BOROUGH OF JAMESBURG TO ENDORSE THE MIDDLESEX COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT CITIZEN'S ADVISORY COMMITTEE RECOMMENDATIONS TO ALLOCATE THE 2005-2006 GRANT

WHEREAS, IT IS THE DESIRE OF THE GOVERNING BODY OF THE BOROUGH OF JAMESBURG TO USE THE C.D.B.G. GRANT FOR BOROUGH IMPROVEMENT PROJECTS; AND

WHEREAS, THE COUNTY HOUSING AND COMMUNITY DEVELOPMENT PROGRAM REQUIRES THE GOVERNING BODY TO DECLARE, BY RESOLUTION, HOW THE GRANT MONIES, ARE TO BE UTILIZED; AND

WHEREAS, THE CITIZEN'S ADVISORY COMMITTEE HELD A PUBLIC HEARING ON FEBRUARY 9, 2005 TO DISCUSS THE USE OF SAID GRANT; AND

WHEREAS, THE CITIZEN'S ADVISORY COMMITTEE HAS RECOMMENDED USING THIS YEAR'S GRANT MONIES FOR VARIOUS SEWER SYSTEM UPGRADES AND REPAIRS IN THE AMOUNT OF \$29,500.00 AND CODE ENFORCEMENT IN THE AMOUNT OF \$13,500.00

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE 2005-2006 C.D.B.G. GRANT BE ALLOCATED FOR VARIOUS SEWER SYSTEM UPGRADES AND REPAIRS IN THE AMOUNT OF \$29,500.00 AND CODE ENFORCEMENT IN THE AMOUNT OF \$13,500.00.

END OF CONSENT AGENDA

RESOLUTION #093-02-23-05**

RESOLUTION APPOINTING HUMAN RELATIONS COMMITTEE

I, MAYOR ANTHONY LAMANTIA, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT THE FOLLOWING AS THE HUMAN RELATIONS COMMITTEE OF THE BOROUGH OF JAMESBURG FOR TERMS TO EXPIRE DECEMBER 31, 2005:

- MAYOR ANTHONY LAMANTIA
- COUNCIL PRESIDENT OTTO KOSTBAR
- SUE BAKER
- MARCIA LONGO
- EUGENE TONKERY
- BARBARA RHOADES
- DENISE HALPIN
- DONNA DETER
- CHERYL BLACKBURN
- LT. PAUL KARKOSKA

Mayor LaMantia removed this Resolution from the Consent Agenda to add the following two names to the list of committee members:

- DIANE PAYNE
- NANCY LINKE

As amended:

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

RESOLUTION #094-02-23-05

GREEN ACRES ENABLING RESOLUTION

WHEREAS, THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, GREEN ACRES PROGRAM ("STATE"), PROVIDES LOANS AND/OR GRANTS TO MUNICIPAL AND COUNTY GOVERNMENTS AND GRANTS TO NONPROFIT ORGANIZATIONS FOR ASSISTANCE IN THE ACQUISITION AND DEVELOPMENT OF LANDS FOR OUTDOOR RECREATION AND CONSERVATION PURPOSES; AND

WHEREAS, THE BOROUGH OF JAMESBURG DESIRES TO FURTHER THE PUBLIC INTEREST BY OBTAINING FUNDING IN THE AMOUNT OF \$165,488.50 FROM THE STATE TO FUND THE FOLLOWING PROJECT(S): AUGUSTA STREET RECREATION FACILITY UPGRADE AT A COST OF \$827,488.50:

NOW, THEREFORE, THE GOVERNING BODY OF THE BOROUGH OF JAMESBURG RESOLVES THAT MAYOR ANTHONY LAMANTIA OR THE SUCCESSOR TO THE OFFICE OF MAYOR IS HEREBY AUTHORIZED TO:

- (a) MAKE APPLICATION FOR SUCH A LOAN AND/OR SUCH A GRANT
- (b) PROVIDE ADDITIONAL APPLICATION INFORMATION AND FURNISH SUCH DOCUMENTS AS MAY BE REQUIRED, AND

(c) ACT AS THE AUTHORIZED CORRESPONDENT OF THE ABOVE NAMED APPLICANT; AND

WHEREAS, THE STATE SHALL DETERMINE IF THE APPLICATION IS COMPLETE AND IN CONFORMANCE WITH THE SCOPE AND INTENT OF THE GREEN ACRES PROGRAM, AND NOTIFY THE APPLICANT OF THE AMOUNT OF THE FUNDING AWARD; AND

WHEREAS, THE APPLICANT IS WILLING TO USE THE STATE'S FUNDS IN ACCORDANCE WITH SUCH RULES, REGULATIONS AND APPLICABLE STATUTES, AND IS WILLING TO ENTER INTO AN AGREEMENT WITH THE STATE FOR THE ABOVE NAMED PROJECT:

NOW, THEREFORE, BE IT FURTHER RESOLVED, BY THE BOROUGH OF JAMESBURG:

1. THAT THE MAYOR OF THE ABOVE NAMED BODY OR BOARD IS HEREBY AUTHORIZED TO EXECUTE AN AGREEMENT AND ANY AMENDMENT THERETO WITH THE STATE KNOWN AS AUGUSTA STREET RECREATION FACILITY UPGRADE;
2. THAT THE APPLICANT HAS ITS MATCHING SHARE OF THE PROJECT, IF A MATCH IS REQUIRED, IN THE AMOUNT OF \$662,000.00
3. THAT, IN THE EVENT THE STATE'S FUNDS ARE LESS THAN THE TOTAL PROJECT COST SPECIFIED ABOVE, THE APPLICANT HAS THE BALANCE OF THE FUNDING NECESSARY TO COMPLETE THE PROJECT;
4. THAT THE APPLICANT AGREES TO COMPLY WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS, RULES, AND REGULATIONS IN ITS PERFORMANCE OF THE PROJECT; AND
5. THAT THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

Denise Jawidzik explained that this is necessary to apply for Green Acres funding. Council member Maloney questioned the Matching share. Ms. Jawidzik replied that the Green Acres program will allow the previously received grant funding from Middlesex County to serve as our matching funds.

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

RESOLUTION #095-02-23-05

RESOLUTION ACCEPTING P.B.A. CONTRACT

WHEREAS, THE CONTRACT BETWEEN P.B.A. LOCAL 166 AND THE BOROUGH OF JAMESBURG EXPIRED DECEMBER 31, 2004; AND

WHEREAS, THE BOROUGH OF JAMESBURG WISHES TO ENTER INTO A NEW CONTRACT WITH P.B.A. LOCAL 166, COVERING THE TIME PERIOD FROM JANUARY 1, 2005 TO DECEMBER 31, 2007;

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 P.B.A. LOCAL 166 AND THE BOROUGH OF JAMESBURG.

Council member Maloney questioned the difference in this contract in comparison to the previous P.B.A. contract. Council member Jennings explained that the shift differential has changed, the P.B.A. has agreed to a freeze in the uniform allowance, and a clause pertaining to inflation was removed.

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
CARPENTER			X			
JENNINGS		X	X			
KOSTBAR			X			
LONGO	X		X			

MALONEY			X			
MORALES			X			
MAYOR LAMANTIA						

RESOLUTION #096-02-23-05

RESOLUTION AUTHORIZING A CHANGE ORDER (KNOWN AS CHANGE ORDER #1) TO THE CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND MARIO'S CONCRETE AND PAVING, INC FOR THE EAST RAILROAD AVENUE STREETScape

WHEREAS, DUE TO UNANTICIPATED CIRCUMSTANCES WHICH HAVE ARISEN DURING THE EAST RAILROAD AVENUE STREETScape 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 MARIO'S CONCRETE AND PAVING, INC.; AND

WHEREAS, THE PROPOSED CHANGE ORDER IS DESCRIBED IN MORE DETAIL IN THE ATTACHED FORM, LAST DATED BY BOROUGH ENGINEER ON FEBRUARY 18, 2005; AND

WHEREAS, THE PROPOSED CHANGE ORDER SHALL CHANGE THE AMOUNT OF THE ORIGINAL CONTRACT BY A DECREASE IN THE AMOUNT OF \$12,936.00; 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 MARIO'S CONCRETE AND PAVING, INC FOR THE EAST RAILROAD AVENUE STREETScape 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. MARIO'S CONCRETE AND PAVING, INC
 - c. DENISE JAWIDZIK, BOROUGH BUSINESS ADMINISTRATOR
 - d. FREDERICK C. RAFFETTO, ESQUIRE, BOROUGH ATTORNEY.

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

RESOLUTION #097-02-23-05

RESOLUTION ACCEPTING THE STORMWATER MANAGEMENT PLAN OF THE BOROUGH OF JAMESBURG

WHEREAS, N.J.A.C. 7:14A-25 REQUIRES THE CREATION OF A MUNICIPAL STORMWATER MANAGEMENT PLAN WHICH DOCUMENTS THE STRATEGY FOR THE BOROUGH OF JAMESBURG TO ADDRESS GROUNDWATER RECHARGE, STORMWATER QUANTITY AND STORMWATER

QUALITY IMPACTS BY INCORPORATING STORMWATER DESIGN AND PERFORMANCE STANDARDS AS WELL AS LONG TERM OPERATION AND MAINTENANCE MEASURES, REVIEW AND UPDATE OF THE BOROUGH'S ORDINANCES, THE BOROUGH MASTER PLAN, AND OTHER PLANNING DOCUMENTS; AND

WHEREAS, REMINGTON, VERNICK, AND VENA ENGINEERS HAVE PREPARED SAID STORMWATER MANAGEMENT PLAN SPECIFICALLY FOR THE BOROUGH OF JAMESBURG, A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF:

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE ATTACHED MUNICIPAL STORMWATER MANAGEMENT PLAN BE ACCEPTED.

Council member Maloney remarked that the plan does not seem to change much of what is already being done. Denise Jawidzik replied that this is only the first phase. Council member Jennings gave the example that the Borough already knows that an increase in the number of times/frequency of leaf collection is going to be required. Mayor LaMantia suggested having Engineer Dittenhofer give report at the ensuing Council meeting. Council member Maloney made statement that this law was enacted with "too broad a brush" and that small towns like Jamesburg should be exempted from these requirements.

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

RESOLUTION #098-02-23-05

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 \$64,666.34.

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

RESOLUTION #099-02-23-05

SUPPORTING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND URGING CONGRESS TO RESTORE ITS FUNDING

WHEREAS, THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM WAS ENACTED, AND SIGNED INTO LAW BY PRESIDENT GERALD FORD, AS THE CENTERPIECE OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974; AND

WHEREAS, THE CDBG PROGRAM HAS AS ITS PRIMARY OBJECTIVE"...THE DEVELOPMENT OF VIABLE URBAN COMMUNITIES, BY PROVIDING DECENT HOUSING AND A

SUITABLE LIVING ENVIRONMENT AND EXPANDING ECONOMIC OPPORTUNITIES, PRINCIPALLY FOR PERSONS OF LOW AND MODERATE INCOME”; AND

WHEREAS, THE CDBG PROGRAM PROVIDES NEEDED FLEXIBILITY WHICH ALLOWS COMMUNITIES TO CARRY OUT ACTIVITIES THAT ARE TAILORED TO THEIR UNIQUE AFFORDABLE HOUSING, NEIGHBORHOOD REVITALIZATION, AND PUBLIC SERVICE NEEDS; AND

WHEREAS, THROUGHOUT ITS 30 YEAR HISTORY, THE CDBG PROGRAM HAS BEEN A PARTNERSHIP AMONG FEDERAL, STATE AND LOCAL GOVERNMENTS, BUSINESS AND THE NONPROFIT SECTOR, CARRYING OUT ACTIVITIES THAT IMPROVE THE LIVES AND NEIGHBORHOODS OF LOW AND MODERATE INCOME FAMILIES, THE ELDERLY AND THE DISABLED; AND

WHEREAS, ACCORDING TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD), IN FY 2004 CDBG PROVIDED FUNDS FOR THOUSANDS OF ACTIVITIES, ASSISTING OVER 23 MILLION PERSONS AND HOUSEHOLDS THROUGH SUCH ACTIVITIES AS EXPANDING HOMEOWNERSHIP ACTIVITIES, ELIMINATING SLUMS AND BLIGHTING INFLUENCES, IMPROVING INFRASTRUCTURE SUCH AS ROADS, WATER AND SEWER SYSTEMS, LIBRARIES, COMMUNITY CENTERS, ADULT DAY CARE AND AFTER SCHOOL CARE FOR CHILDREN, HOMELESS HOUSING FACILITIES EMPLOYMENT TRAINING, TRANSPORTATION SERVICES, CRIME AWARENESS, AND BUSINESS AND JOB CREATION; AND

WHEREAS, THE BOROUGH OF JAMESBURG USES CDBG FUNDS TO CONSTRUCT CURBS AND SIDEWALKS, PAVE ROADS, PERFORM SEWER SYSTEM UPGRADES, SENIOR CITIZEN IMPROVEMENTS AND LOCAL CODE ENFORCEMENT OF THE ZONING, HOUSING AND COMMUNITY DEVELOPMENT ORDINANCES; AND

WHEREAS, THE PRESIDENTS FY 2006 BUDGET PROPOSES TO COMPLETELY ELIMINATE THE CDBG PROGRAM; AND

WHEREAS, IF THIS PROPOSAL IS IMPLEMENTED, IT WOULD AFFECT THE BOROUGH'S CDBG PROGRAMS TO CONSTRUCT CURBS AND SIDEWALKS, PAVE ROADS, PERFORM SEWER SYSTEM UPGRADES, SENIOR CITIZEN IMPROVEMENTS AND LOCAL CODE ENFORCEMENT OF THE ZONING, HOUSING AND COMMUNITY DEVELOPMENT ORDINANCES:

NOW, THEREFORE, BE IT RESOLVED, THAT THE BOROUGH OF JAMESBURG HEREBY CALLS ON THE CONGRESS TO PRESERVE THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM WITHIN THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND PROVIDE A FY 2006 FUNDING OF AT LEAST \$4.7 BILLION OVERALL, WITH NO LESS THAN 4.35 BILLION IN FORMULA FUNDING.

Council member Kostbar explained that over the years, the Borough has received \$1.2 million dollars from the CDBG program, which has been so very helpful to the Borough in improving a number of areas throughout the town.

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

COUNCIL MEMBER COMMITTEE REPORTS

BUILDINGS, GROUNDS AND PARKS COMMITTEE & HOLIDAY EVENTS COMMITTEE

Council member Carpenter reported that the Buckelew House is in need of repairs and she has spoken with County Freeholder Rafano who informed her of Open Space Grants available for historical sites. The Borough Hall roof leak is going to be inspected next week by a roofing expert and the Borough Engineer. Council member Carpenter also reported on Library events and announced the formation of new County Transportation department that will begin providing shuttle services in the spring.

PERSONNEL & NEGOTIATIONS COMMITTEE

Council member Jennings stated that the Personnel Committee will now begin negotiations with the Chief of Police since the P.B.A. contract is settled.

POLICE COMMITTEE

Police Commissioner Kostbar informed Council member Maloney that his request for a report regarding the affects of the new police department hire on overtime and scheduling has been forwarded to the

Police Chief. Council member Kostbar also reported that upon speaking with the Borough Engineer, he was informed that CDBG grant funding cannot be utilized for the roof repairs at the Borough Hall.

EDUCATION COMMITTEE

Council member Longo reported that he attended the Third grade Founders dinner at the JFK school earlier in the evening, where he had a brief conversation with the Superintendent regarding the Board of Education budget which is not complete since State Aid figures have not yet been received. The deadline to submit the budget to Middlesex County is March 8th.

PUBLIC WORKS COMMITTEE & TECHNOLOGY COMMITTEE

Council member Maloney reported that the cameras have been installed at the DPW building. Due to the storm water management requirements, much paperwork will need to be prepared by the Foreman. He is requesting a computer be installed at the building, with internet capabilities. Council member Maloney has, after many attempts, reached Comcast regarding the Borough's current contract for internet connection. The Borough may see a savings through a new package available from Comcast. Council member Maloney is also expecting a return call from Comcast regarding the Borough's lack of a contact person. The library is also in need of a re-design of their web site. A local resident is willing to assist with that at no cost or a very nominal cost.

PUBLIC SAFETY/ EMERGENCY SERVICES COMMITTEE

Council member Morales had no report.

Mayor LaMantia reported that he is currently working on making both Dayton Road and Hooker Street weight restricted streets. County approval will be necessary. The pothole problem at the intersection of Gatzmer Avenue and Lincoln Avenue will be addressed by Middlesex County who will be digging up the intersection and paving it once the asphalt plant re-opens in about another month or so. Mayor LaMantia stated he is also working on coordinating a meeting with Senator Inverso, Assemblyman Baroni, and Assemblywoman Greenstein to discuss funding. The Mayor also spoke regarding the Human Relations Committee that was formed this evening and should be meeting shortly.

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: Morales

SECONDED BY: Longo

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

None Opposed, None Abstaining.

PUBLIC COMMENT:

Jim Martin – 9 Hilltop Court

- Inquired why recycling costs are on the rise when reductions in taxes were seen when the recycling program was first started.

MOTION TO CLOSE TO PUBLIC COMMENT:

PROPOSED BY: Kostbar

SECONDED BY: Morales

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: 7:37 pm