

# BOROUGH OF JAMESBURG

## COUNCIL MEETING

### MINUTES - JANUARY 26, 2005

**CALL TO ORDER:** 7:00PM - Mayor Anthony LaMantia called the meeting to order and announced that same is being held pursuant to the Open Public Meetings Act of 1974 and that all provisions of that Act have been met. Any contracts awarded tonight require the contractor to comply with P.L. 1975, c.127. Also announced, in the event of a fire and pursuant to the N.J. Uniform Fire Code, that the 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  
ATTORNEY RAFFETTO  
DENISE JAWIDZIK – BUSINESS ADMINISTRATOR

Those Absent: COUNCIL MEMBER MORALES  
ENGINEER DITTENHOFER

#### **ORDINANCES SECOND READING:**

THE FOLLOWING ORDINANCES WERE APPROVED ON FIRST READING AT THE MEETING OF THE MAYOR AND COUNCIL HELD ON JANUARY 5, 2005, AND PUBLISHED IN FULL IN THE JANUARY 10, 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 #01-05**

AN ORDINANCE PROVIDING FOR CHURCH STREET IMPROVEMENTS AND APPROPRIATING THE SUM OF \$165,000 THEREFOR, AUTHORIZED IN AND BY THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

**WHEREAS**, THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG IN THE COUNTY OF MIDDLESEX, NEW JERSEY HAS DETERMINED TO MAKE IMPROVEMENTS TO CHURCH STREET; AND

**WHEREAS**, THE BOROUGH OF JAMESBURG HAS BEEN APPROVED FOR \$165,000 IN FUNDING FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FISCAL YEAR 2005 MUNICIPAL AID PROGRAM FOR SUCH CONSTRUCTION.

**NOW THEREFORE, BE IT ORDAINED** AND ENACTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, NEW JERSEY, THAT:

SECTION 1. THE IMPROVEMENTS DESCRIBED IN SECTION 2 OF THIS ORDINANCE ARE HEREBY AUTHORIZED AS GENERAL CAPITAL IMPROVEMENTS TO BE UNDERTAKEN IN AND BY THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, NEW JERSEY.

SECTION 2. THE IMPROVEMENTS HEREBY AUTHORIZED TO BE UNDERTAKEN CONSIST OF IMPROVEMENTS TO CHURCH STREET, TOGETHER WITH ALL ITEMS NECESSARY, INCIDENTAL OR APPURTENANT THERETO.

SECTION 3. THE 2005 CAPITAL BUDGET OF THE BOROUGH OF JAMESBURG WILL CONFORM TO THE PROVISIONS OF THIS ORDINANCE.

SECTION 4. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE TERMS OF THIS ORDINANCE BE AND THE SAME ARE HEREBY REPEALED TO THE EXTENT OF THEIR INCONSISTENCY.

SECTION 5. THIS ORDINANCE SHALL TAKE EFFECT 10 DAYS AFTER THE FIRST PUBLICATION THEREOF AFTER FINAL ADOPTION, AS PROVIDED BY LAW.

Motion to Open to Public Comment on Ordinance #01-05

Proposed by: Jennings

Seconded by: Kostbar

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

Absent: Morales

None Opposed, None Abstaining.

Public Comment on Ordinance #01-05

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

Motion to Close to Public Comment on Ordinance #01-05

Proposed by: Maloney

Seconded by: Jennings

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

Absent: Morales

None Opposed, None Abstaining.

Motion to Approve Ordinance #01-05 on Second Reading:

Proposed by: Maloney

Seconded by: Kostbar

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

Absent: Morales

None Opposed, None Abstaining.

**ORDINANCE #02-05**

AN ORDINANCE PROVIDING FOR WOODLAND ROAD AND FRONT STREET IMPROVEMENTS AND APPROPRIATING THE SUM OF \$105,000 THEREFOR, AUTHORIZED IN AND BY THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

**WHEREAS**, THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG IN THE COUNTY OF MIDDLESEX, NEW JERSEY HAS DETERMINED TO IMPROVE WOODLAND ROAD AND FRONT STREET; AND

**WHEREAS**, THE BOROUGH OF JAMESBURG HAS BEEN APPROVED FOR \$105,000 IN FUNDING FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION 2005 SAFE STREETS TO SCHOOLS PROGRAM FOR SUCH CONSTRUCTION.

**NOW THEREFORE, BE IT ORDAINED** AND ENACTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, NEW JERSEY, THAT:

SECTION 1. THE IMPROVEMENTS DESCRIBED IN SECTION 2 OF THIS ORDINANCE ARE HEREBY AUTHORIZED AS GENERAL CAPITAL IMPROVEMENTS TO BE UNDERTAKEN IN AND BY THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, NEW JERSEY.

SECTION 2. THE IMPROVEMENTS HEREBY AUTHORIZED TO BE UNDERTAKEN CONSIST OF IMPROVEMENTS ON WOODLAND ROAD AND FRONT STREET, TOGETHER WITH ALL ITEMS NECESSARY, INCIDENTAL OR APPURTENANT THERETO.

SECTION 3. THE 2005 CAPITAL BUDGET OF THE BOROUGH OF JAMESBURG WILL CONFORM TO THE PROVISIONS OF THIS ORDINANCE.

SECTION 4. ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE TERMS OF THIS ORDINANCE BE AND THE SAME ARE HEREBY REPEALED TO THE EXTENT OF THEIR INCONSISTENCY.

SECTION 5. THIS ORDINANCE SHALL TAKE EFFECT 10 DAYS AFTER THE FIRST PUBLICATION THEREOF AFTER FINAL ADOPTION, AS PROVIDED BY LAW.

Motion to Open to Public Comment on Ordinance #02-05

Proposed by: Jennings

Seconded by: Kostbar

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

Absent: Morales

None Opposed, None Abstaining.

Public Comment on Ordinance #02-05

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

Motion to Close to Public Comment on Ordinance #02-05

Proposed by: Maloney

Seconded by: Longo

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

Absent: Morales

None Opposed, None Abstaining.

Motion to Approve Ordinance #02-05 on Second Reading:

Proposed by: Maloney

Seconded by: Longo

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

Absent: Morales

None Opposed, None Abstaining.

**ORDINANCES – FIRST READING**

**ORDINANCE #03-05**

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE SCHEDULE OF FEES OF THE BOROUGH OF JAMESBURG**

**BE IT ORDAINED**, by the Mayor and Council of the Borough of Jamesburg, County of Middlesex, State of New Jersey, as follows:

1. "Revised General Ordinances of the Borough of Jamesburg New Jersey (2000)" is hereby amended and supplemented to read as follows:

**2005 SCHEDULE OF FEES**

**ALCOHOLIC BEVERAGE CONTROL LICENSES**

RETAIL CONSUMPTION	<del>\$2,400.00</del>	<u>\$2,500.00</u>
RETAIL DISTRIBUTION	<del>-2,400.00</del>	<u>\$2,500.00</u>
CLUB	180.00	<u>\$ 188.00</u>

**CATS**

KENNEL FEES – STRAY ANIMALS - FLAT FEE	<del>\$50.00</del>	<u>\$ 84.00</u>
IMPOUNDMENT - PER DAY	<del>\$17.50</del>	<u>\$ 21.20</u>
ADMINISTRATION FEE	<del>\$50.00</del>	<u>\$100.00</u>

LICENSE:

SPAYED/NEUTERED		\$ 6.00
NON SPAYED/NEUTERED		\$ 9.00
REPLACEMENT TAG		\$ 1.00
LATE FEE - April 1 through December 31 - each license (excluding cats less than 7 mos. of age)		\$10.00

**COPIES ON BOROUGH COPIER**

FIRST TEN (10) COPIES	PER COPY	\$ .75
NEXT TEN (10) COPIES	PER COPY	\$ .50
EVERY PAGE THEREAFTER	PER COPY	\$ .25

FAXES TO OR FROM BOROUGH FAX MACHINE (per page) \$ 1.00

**DOGS**

KENNEL FEES – STRAY ANIMALS - FLAT FEE	<del>\$50.00</del>	<u>\$ 84.00</u>
IMPOUNDMENT - PER DAY	<del>\$17.50</del>	<u>\$ 21.20</u>
ADMINISTRATION FEE	<del>\$50.00</del>	<u>\$100.00</u>

LICENSE:

SPAYED/ NEUTERED		\$ 6.00
NON SPAYED/NEUTERED		\$ 7.00
STATE POPULATION CONTROL		\$ 3.00

STATE REGISTRATION FEE	\$ 1.00
N.J. PILOT CLINIC FEE	.20
REGISTRATION TAG	\$ 1.00
REPLACEMENT TAG	\$ 1.00
LATE FEE - April 1 through December 31 - each license (excluding dogs less than 7 mos. of age)	\$10.00

**FIRE PREVENTION FEES:**

REGISTRATION PERMITS  
REGISTRATION PERMITS ARE REQUIRED ON ALL COMMERCIAL PROPERTIES AND/OR  
BUSINESSES LOCATED WITHIN THE JURISDICTION OF THE BOROUGH OF JAMESBURG.  
REGISTRATION PERMITS SHALL BE REQUIRED ON ALL COMMERCIAL AND OTHER PUBLIC  
PLACES NOT OUTLINED OR FALLING UNDER THE LIFE HAZARD USE CATEGORY. IT SHALL  
INCLUDE BUT NOT BE LIMITED TO THE FOLLOWING: MERCANTILE, PROFESSIONAL OFFICE,  
BUSINESS OFFICE, WAREHOUSE, STORAGE BUILDING, EATING ESTABLISHMENT, BANK,  
CHURCH, MAINTENANCE BUILDING, CLUB HOUSE. ALL PROPERTIES AND/OR BUSINESSES

THE FEES FOR REGISTRATION PERMITS ARE DUE IN THE MONTH OF JANUARY OF EACH YEAR.  
THOSE FEES NOT RECEIVED IN THE OFFICE OF THE FIRE PREVENTION BUREAU WITHIN 1  
MONTH OF DATED INVOICES ARE SUBJECT TO A LATE PENALTY OF THAT EQUAL TO AND  
INCLUDING THE REGISTRATION FEE FOR THAT YEAR, WHICH ARE:

1 through 300 square feet	\$ 35.00
301 through 1,000 square feet	\$ 65.00
1,001 through 3,000 square feet	\$100.00
3,001 through 5,000 square feet	\$150.00
5,001 through 10,000 square feet	\$200.00
10,001 through 20,000 square feet	\$250.00
20,001 square feet and larger	\$300.00

**CERTIFICATE OF SMOKE AND CARBON MONOXIDE DETECTOR COMPLIANCE  
INITIAL INSPECTION**

Within ten (10) days prior to closing	\$ 35.00
Within four (4) days prior to closing	\$ 70.00
Less than four (4) days prior to closing	\$125.00
RE-INSPECTION REQUIRED DUE TO FAILURE AT INITIAL INSPECTION	\$ 35.00

A CERTIFICATE OF SMOKE AND CARBON MONOXIDE DETECTOR COMPLIANCE WILL NOT BE  
ISSUED UNTIL ALL FEES HAVE BEEN PAID TO THE JAMESBURG FIRE PREVENTION BUREAU.

**JUNK YARD PERMIT** \$100.00

**LAUNDRIES/ LAUNDERETTES**

COIN OPERATED DRYER INSTALLED- each machine	\$15.00
COIN OPERATED WASHER INSTALLED - each machine	\$15.00
LATE FEE - per day, per machine, after March 31	\$ 1.50

**LAND USE BOARD FEES:** ALL FEES ARE CUMULATIVE:

X	APPEAL OF BUILDING INSPECTOR'S DECISION OR ZONING ORDINANCE INTERPRETATION-	\$50.00
X	BULK VARIANCE (N.J.S.A. 40:55D-70c)	\$200.00
X	USE VARIANCE (N.J.S.A. 40:55D-70d)	\$500.00
X	ZONING CHANGES	\$500.00
X	SITE PLAN	\$500.00
X	MINOR SUBDIVISION	\$300.00
X	MAJOR SUBDIVISION	\$500.00
X	ALL OTHER APPLICATIONS	\$500.00

**LAND-USE BOARD PROFESSIONAL SERVICES**

ESCROW SHALL BE DEPOSITED WITH THE BOROUGH TO COVER THE COST OF PROFESSIONAL SERVICES TO BE RENDERED TO THE MUNICIPALITY OR APPROVING AUTHORITY FOR REVIEW OF APPLICATIONS FOR DEVELOPMENT, REVIEW AND PREPARATION OF DOCUMENTS FOR CONSIDERATION BEFORE THE LAND USE BODY UNDER THE PROVISIONS OF P.L. 1975,c.291 (N.J.S.A. 40:55D-1 et seq.). PRIOR TO AN APPLICATION BEING RULED COMPLETE, THE FOLLOWING SUM(S) SHALL BE SUBMITTED TO BE HELD IN ESCROW:

**LAND USE BOARD ESCROWS:**

X	ALL ZONING CHANGES - ESCROW	\$2,000.00	\$ 3,000.00
X	USE VARIANCE AND BULK VARIANCE	\$1,000.00	\$ 2,000.00
X	SUBDIVISION, MINOR	<del>\$ 500.00</del>	\$ 1,000.00
X	SUBDIVISION, MAJOR	\$1,500.00	\$ 3,000.00
X	ALL OTHER APPLICATIONS		\$ 1,000.00
X	SITE PLAN - (0 to 2 acres) ESCROW	\$3,000.00	\$ 4,000.00
	(2+ acres, per acre or portion thereof)		\$ 250.00

**LICENSES (each machine)**

COIN OPERATED GAMES/ AMUSEMENTS	\$ 60.00
DISTRIBUTORS	\$ 25.00
NEWSRACKS	\$ 15.00
JUKE BOXES	\$ 60.00
VENDING MACHINES	\$ 25.00
POOL/ BILLIARD TABLE PINBALL, INCLUDING COIN OPERATED TABLES	\$ 60.00
LATE FEES - per day, per license, after March 31	\$ 1.50

**LIMOUSINES** license \$80.00

**ORDINANCES**

COMPLETE COPY OF "REVISED GENERAL ORDINANCES (2000)"	\$40.00
SUPPLEMENTS TO "REVISED GENERAL ORDINANCES (2000)"	\$10.00
COPY OF LAND-USE ORDINANCES ONLY	\$25.00
COPY OF CURRENT MASTER PLAN	\$45.00

**POLICE REPORTS** per copy when not requested in person (first three pages) \$ 5.00  
 (Each additional page after the first three) \$ 1.00

**REGISTRAR**

MARRIAGE LICENSES	\$28.00
CERTIFIED COPIES	\$10.00
BURIAL PERMITS	\$ 5.00
SEARCHES – per 5 year time period searched	\$15.00
CORRECTIONS	\$10.00

**RENTAL PROPERTY REGISTRATION:**

REGISTRATION FEE (per unit) \$30.00  
 [CERTIFICATE OF APPROVAL \$35.00]

***ROOMING/BOARDING HOUSES \$30.00 PLUS***

***EACH INDIVIDUAL ROOM WHERE ACCOMMODATIONS ARE OFFERED \$ 5.00***

**RETAIL FOOD HANDLING PERMIT**

PERMIT FOR ONE DAY EVENT- SALE OF NON-PACKAGED FOOD	\$ 10.00
PACKAGED FOOD SALES ONLY	\$ 35.00
ON-PREMISE PREPARATION OF FOOD	\$100.00
LATE FEE –per day, per license, after March 31	\$ 1.50

**RETURNED CHECK FEE:** per check, per return \$20.00

**STREET MAPS** \$ 1.00

**STREET EXCAVATIONS**

THE APPLICANT SHALL BE CHARGED A FEE OF SEVENTY-FIVE DOLLARS (\$75.00) FOR EACH PERMIT, IN ADDITION TO A NON-REFUNDABLE ENGINEERING INSPECTION FEE TO BE PAID AT THE TIME OF APPLICATION, IN THE AMOUNT OF \$125.00.

SHOULD THE APPLICANT NOT HAVE A BOND FILED WITH THE BOROUGH OF JAMESBURG, THE APPLICANT SHALL POST A CASH OR CERTIFIED CHECK DEPOSIT ACCORDING TO THE FOLLOWING SCHEDULE:

A.	UNIMPROVED ROADS OR UNPAVED SHOULDER PER SQUARE FOOT MINIMUM	\$ 6.00 \$325.00
B.	IMPROVED STONE OR ROAD OIL PER SQUARE FOOT MINIMUM	\$ 6.00 \$325.00
C.	PENETRATING MACADAM /SIMILAR SURFACE PER SQUARE FOOT MINIMUM	\$ 9.00 \$550.00
D.	REINFORCED CONCRETE OR BITUMINOUS CONCRETE/ SIMILAR SURFACE PER SQUARE FOOT MINIMUM	\$ 9.00 \$550.00

WHERE THE EXCAVATION IS MADE IN A HEAVILY TRAVELED STREET OR WHERE FOR ANY REASON IT IS NECESSARY FOR THE BOROUGH TO STATION A POLICE OFFICER NEAR THE EXCAVATION TO DIRECT TRAFFIC, THE APPLICANT SHALL ALSO BE CHARGED AN AMOUNT OF \$42.50 PER HOUR TO COMPENSATE THE BOROUGH FOR THE COSTS OF STATIONING EACH POLICE OFFICER AT THE EXCAVATION PLUS AN ADDITIONAL 18% TO COMPENSATE THE BOROUGH FOR ADMINISTRATIVE COSTS, WHICH INCLUDE, BUT ARE NOT LIMITED TO THE COST OF STATIONING A PATROL VEHICLE AT THE SITE.

**SEWER CONNECTION INSPECTIONS**

ENGINEERING INSPECTION - BILLED @ \$60.00 PER HOUR WITH MINIMUM FEE OF \$500.00 TO BE SUBMITTED WITH APPLICATION. UNUSED PORTION OF FEE IS TO BE RETURNED TO APPLICANT AT COMPLETION OF WORK AND SETTLEMENT OF BILLING.

**SEWER CONNECTIONS**

APPLICATION FEE	\$50.00
DWELLINGS WITHIN THE BOROUGH OF JAMESBURG:	
SINGLE FAMILY DWELLING	\$ 500.00
TWO-FAMILY DWELLING SIDE-BY-SIDE	\$ 500.00
MULTI-FAMILY DWELLING, INCLUDING BUT NOT LIMITED TO GARDEN APARTMENTS	\$ 500.00
EACH ADDITIONAL UNIT AFTER THE FIRST SINGLE FAMILY LIVING UNIT	\$ 400.00
EACH TOWNHOUSE SINGLE-FAMILY DWELLING SIDE-BY-SIDE	\$ 500.00
PROFESSIONAL OFFICE BUILDING, INDUSTRIAL BUILDING AND ALL OTHER BUILDINGS NOT OTHERWISE PROVIDED FOR	\$ 500.00
EACH ADDITIONAL LAVATORY AFTER FIRST	\$ 300.00
LAUNDRY CLOTHES WASHING MACHINES, DOMESTIC, COMMERCIAL AND INDUSTRIAL	\$ 500.00
EACH ADDITIONAL WASHING MACHINE AFTER FIRST TWO WASHING MACHINES IN A SINGLE BUILDING STRUCTURE	\$ 50.00
EACH ADDITIONAL FIXTURE (FIXTURES INCLUDE LAVATORIES, KITCHEN SINKS, SLOP SINKS, URINALS, BATH TUBS, SHOWER STALLS, LAUNDRY TUBS, FLOOR DRAINS, HOSE BIBB AND SUMP PUMPS)	\$ 8.00

FEE FOR A DWELLING OUTSIDE OF JAMESBURG TO BE TIED INTO THE BOROUGH'S SEWER SYSTEM. \$ 800.00

**SOLICITORS, PEDDLERS, AUCTIONEERS** \$ 50.00

**TAXIS** license \$80.00

**TAX OFFICE:**

TAX RECORD SEARCH (per year) \$15.00  
 LIEN REDEMPTION CALCULATION \$10.00  
 CERTIFICATE OF REDEMPTION \$25.00  
 COMPUTER PRINT-OUTS (each block & lot) \$ 1.00

USE OF DUPLICATE (MEMO) TAX BILL \$ 5.00

ELECTRONIC FILE TRANSFER FEE – PER TRANSFER \$10.00

**TOWER'S LIST APPLICATION FEE** \$100.00

**TRANSCRIPTS OF MEETINGS**

DEPOSIT (PER MEETING) \$100.00

**TRAVELING SHOWS, CARNIVALS, & CIRCUSES**

(each day of performance) \$ 25.00

**TWO HUNDRED FOOT LIST** per Block & Lot requested \$ 10.00

**ZONING**

1. APPLICATION FOR VARIANCE AS SET FORTH IN R.S. 40:55D-39a, APPEAL FROM ADMINISTRATIVE OFFICIAL OR AGENCY \$25.00
2. APPLICATION FOR VARIANCE AS SET FORTH IN R.S. 40:55D-39b, SPECIAL EXCEPTION \$30.00
3. APPLICATION FOR VARIANCE AS SET FORTH IN R.S. 40:55D-39c, HARDSHIP \$30.00
4. APPLICATION FOR VARIANCE AS SET FORTH IN R.S. 40-55D-39d, SPECIAL REASONS. \$150.00
5. ZONING PERMIT , FENCE OR POOL \$25.00
6. ALL OTHER ZONING PERMITS \$20.00

**ZONING MAP** \$10.00

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. This ordinance shall take effect January 1, 2005, following adoption and publication pursuant to law.

**Motion to Approve Ordinance #03-05 on First Reading, Authorize Publication and Set Public Hearing and Second Reading Date:**

Proposed by: Carpenter  
 Seconded by: Jennings  
 All In Favor: Carpenter, Jennings, Kostbar, Longo, Maloney  
 Absent: Morales  
 None Opposed, None Abstaining.

**ORDINANCE #04-05**

**AN ORDINANCE AMENDING CHAPTER XV (SEWERS) OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG,(2000)"**

**BE IT ORDAINED** BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AS FOLLOWS:

1. CHAPTER XV (SEWERS) OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG, (2000)" IS HEREBY AMENDED AND SUPPLEMENTED TO READ AS FOLLOWS:

**SECTION 15-12.11(i) – (Formula for Operational Charge).** THE ANNUAL SEWER RATES TO BE UTILIZED FOR THE USE OF THE JAMESBURG SEWER SYSTEM, ARE AS FOLLOWS (ADDITIONS ARE UNDERLINED, DELETIONS SHOWN WITH ~~STRIKETHROUGH~~):

**RATE:**

CATEGORY	DESCRIPTION	ANNUAL RATE	
R01	Residential	<del>\$276.00</del>	<u>\$287.00</u>
R02	Senior Citizens	<del>\$100.00</del>	<u>\$104.00</u>
R03	Single Apts.	<del>\$212.00</del>	<u>\$220.00</u>
C01	Laundromat	<del>\$12,296.00</del>	<u>\$12,788.00</u>
C02	Bakery	<del>\$4,664.00</del>	<u>\$4,851.00</u>
C03	Office Complex	<del>\$1,484.00</del>	<u>\$1,543.00</u>
C04	Small Restaurant	<del>\$678.40</del>	<u>\$706.00</u>
C05	Medium Restaurant	<del>\$2,374.00</del>	<u>\$2,469.40</u>
C06	Large Restaurant	<del>\$4,028.00</del>	<u>\$4,189.00</u>
C07	Gas Station	<del>\$848.00</del>	<u>\$882.00</u>
C08	Schools	<del>\$1,632.40</del>	<u>\$1,698.00</u>
C09	Office	<del>\$318.00</del>	<u>\$331.00</u>
<u>C10</u>	<u>333 Forsgate</u>	<del>\$4,876.00</del>	<u>\$5,071.00</u>
<u>C11</u>	<u>Car Wash</u>	<del>\$4,664.00</del>	<u>\$4,851.00</u>
<u>C12</u>	<u>NJ American Water Company</u>	<del>\$4.21</del> per 1,000 gallons	<u>\$4.37</u>

The Sewer Administrator is hereby given the authority to determine which rate schedule each property shall be billed under based upon past consumption and factual data. Senior citizens are those individuals who qualify for a senior citizen tax deduction as determined by the State of New Jersey. Restaurant categories shall be based upon a combination of: 1.) the seating capacity, as determined by the Jamesburg Fire Official and; 2.) Assessed property value, as determined by the Jamesburg Tax Assessor.

2. ALL OTHER ORDINANCES OR PART OF ORDINANCES HERewith ARE HEREBY REPEALED.
3. THIS ORDINANCE SHALL TAKE EFFECT UPON FINAL PASSAGE AND PUBLICATION IN ACCORDANCE WITH THE LAW.

Councilmember Maloney inquired as to the reason for the increase. Finance Officer Jawidzik explained that the Borough has experienced increases in surcharges and MCMUA charges.

Motion to Approve Ordinance #04-05 on First Reading, Authorize Publication and Set Public Hearing and Second Reading Date:

Proposed by: Jennings  
 Seconded by: Carpenter  
 All In Favor: Carpenter, Jennings, Kostbar, Longo  
 Opposed: Maloney  
 Absent: Morales  
 None Abstaining.

**ORDINANCE #05-05**

2005 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

**WHEREAS**, THE LOCAL GOVERNMENT CAP LAW, N.J.S.A. 40A:4-45.1 et seq., PROVIDES THAT IN THE PREPARATION OF ITS ANNUAL BUDGET, A MUNICIPALITY SHALL LIMIT ANY INCREASE IN SAID BUDGET TO 2.5% UNLESS AUTHORIZED BY ORDINANCE TO INCREASE IT TO 3.5% OVER THE PREVIOUS YEAR'S FINAL APPROPRIATIONS, SUBJECT TO CERTAIN EXCEPTIONS; AND

**WHEREAS**, N.J.S.A. 40a:4-45.15a PROVIDES THAT A MUNICIPALITY MAY, WHEN AUTHORIZED BY ORDINANCE, APPROPRIATE THE DIFFERENCE BETWEEN THE AMOUNT OF ITS ACTUAL FINAL APPROPRIATION AND THE 3.5% PERCENTAGE RATE AS AN EXCEPTION TO ITS FINAL APPROPRIATIONS IN EITHER OF THE NEXT TWO SUCCEEDING YEARS; AND,

**WHEREAS**, THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG IN THE COUNTY OF MIDDLESEX FINDS IT ADVISABLE AND NECESSARY TO INCREASE ITS CY 2005 BUDGET BY UP TO 3.5% OVER THE PREVIOUS YEAR'S FINAL APPROPRIATIONS, IN THE INTEREST OF PROMOTING THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS; AND,

**WHEREAS**, THE BOROUGH COUNCIL HEREBY DETERMINES THAT A 1% INCREASE IN THE BUDGET FOR SAID YEAR, AMOUNTING TO \$27,142 IN EXCESS OF THE INCREASE IN FINAL APPROPRIATIONS OTHERWISE PERMITTED BY THE LOCAL GOVERNMENT CAP LAW, IS ADVISABLE AND NECESSARY; AND,

**WHEREAS**, BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG HEREBY DETERMINES THAT ANY AMOUNT AUTHORIZED HEREINABOVE THAT IS NOT APPROPRIATED AS PART OF THE FINAL BUDGET SHALL BE RETAINED AS AN EXCEPTION TO FINAL APPROPRIATION IN EITHER OF THE NEXT TWO SUCCEEDING YEARS.

**NOW, THEREFORE, BE IT ORDAINED**, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, A MAJORITY OF THE FULL AUTHORIZED MEMBERSHIP OF THIS GOVERNING BODY AFFIRMATIVELY CONCURRING, THAT, IN THE CY 2005 BUDGET YEAR, THE FINAL APPROPRIATIONS OF THE BOROUGH OF JAMESBURG SHALL, IN ACCORDANCE WITH THIS ORDINANCE AND N.J.S.A. 40A: 4-45.14, BE INCREASED BY 3.5%, AMOUNTING TO \$94,997 AND THAT THE CY 2005 MUNICIPAL BUDGET FOR THE BOROUGH OF JAMESBURG BE APPROVED AND ADOPTED IN ACCORDANCE WITH THIS ORDINANCE; AND

**BE IT FURTHER ORDAINED**, THAT ANY AMOUNT AUTHORIZED HEREINABOVE THAT IS NOT APPROPRIATED AS PART OF THE FINAL BUDGET SHALL BE RETAINED AS AN EXCEPTION TO FINAL APPROPRIATION IN EITHER OF THE NEXT TWO SUCCEEDING YEARS; AND,

**BE IT FURTHER ORDAINED**, THAT A CERTIFIED COPY OF THIS ORDINANCE AS INTRODUCED BE FILED WITH THE DIRECTOR OF LOCAL GOVERNMENT SERVICES WITHIN 5 DAYS OF INTRODUCTION; AND

**BE IT FURTHER ORDAINED**, THAT A CERTIFIED COPY OF THIS ORDINANCE UPON ADOPTION, WITH THE RECORDED VOTE INCLUDED THEREON, BE FILED WITH SAID DIRECTOR WITHIN 5 DAYS AFTER SUCH ADOPTION.

Finance Officer Jawdzik explained that this ordinance is necessary for the CAP bank.

Motion to Approve Ordinance #05-05 on First Reading, Authorize Publication and Set Public Hearing and Second Reading Date:

Proposed by: Kostbar  
 Seconded by: Carpenter  
 All In Favor: Carpenter, Jennings, Kostbar, Longo  
 Opposed: Maloney  
 Absent: Morales  
 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			
KOSTBAR		X	X			
LONGO			X			
MALONEY			X			
MORALES						X
MAYOR LAMANTIA						

**RESOLUTIONS:**

**RESOLUTION #060-01-26-05\*\***

**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	December 2004
Tax Collector/Sewer Administrator	Annual 2004
Sewer Administrator	December 2004
Finance Officer	December 2004
Finance Officer	Annual 2004

**RESOLUTION #061-01-26-05\*\***

**REDEMPTIONS OF TAX LIENS**

**WHEREAS**, THE TAX COLLECTOR HAS VERIFIED RECEIPT OF PAYMENTS IN THE AGGREGATE AMOUNT OF THIRTY-FIVE THOUSAND TWO DOLLARS AND ELEVEN CENTS (\$25,536.71) 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 TWENTY FIVE THOUSAND FIVE HUNDRED THIRTY SIX DOLLARS AND SEVENTY-ONE CENTS (\$25,536.71) TO THE LIEN HOLDERS NAMED ON THE ATTACHED TAX COLLECTOR'S CERTIFICATION.

**RESOLUTION #062-01-26-05\*\***

**APPOINT LIBRARY TRUSTEE**

I, MAYOR ANTHONY LAMANTIA, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT EVELYN LESTER TO THE LIBRARY BOARD OF TRUSTEES FOR THE BOROUGH OF JAMESBURG, FOR A TERM TO EXPIRE DECEMBER 31, 2008.

**RESOLUTION #063-01-26-05\*\***

**AUTHORIZE THE JAMESBURG POLICE DEPARTMENT TO UTILIZE THE EAST BRUNSWICK POLICE TRAINING FACILITY, MORE SPECIFICALLY FOR FIREARMS QUALIFICATIONS.**

**WHEREAS**, THE JAMESBURG POLICE DEPARTMENT IS MANDATED BY LAW TO BI-ANNUALLY PERFORM FIREARMS QUALIFICATIONS FOR IT'S POLICE OFFICERS; AND

**WHEREAS**, THE JAMESBURG POLICE DEPARTMENT IS IN NEED OF A SITE FOR FIREARMS QUALIFICATIONS; AND

**WHEREAS**, THE EAST BRUNSWICK POLICE DEPARTMENT HAS A FIRING RANGE AVAILABLE FOR THE BOROUGH POLICE DEPARTMENT'S USE IN ACCORDANCE WITH THE ATTACHED TRAINING FACILITY USE AGREEMENT:

**NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED**, THAT THE BOROUGH OF JAMESBURG POLICE DEPARTMENT IS AUTHORIZED TO PERFORM THEIR MANDATORY 2005 FIREARMS QUALIFICATIONS AT THE EAST BRUNSWICK POLICE TRAINING FACILITY, LOCATED AT 23 HARTS LANE IN EAST BRUNSWICK TOWNSHIP, NEW JERSEY.

**BE IT FURTHER RESOLVED**, THAT CHIEF DAVID LESTER IS HEREBY AUTHORIZED TO RESERVE THE FIRING RANGE FACILITIES FOR HIS DEPARTMENT, AS REQUIRED.

**END OF CONSENT AGENDA**

**RESOLUTION #064-01-26-05**

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE BOROUGH OF JAMESBURG AND HUTCHINS, FARRELL, MEYER & ALLISON, P.A.

**WHEREAS**, A RESOLUTION HAS BEEN ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG APPOINTING EUGENE FARRELL OF HUTCHINS, FARRELL, MEYER & ALLISON, P.A.. TO SERVE AS BOROUGH AUDITOR FOR THE BOROUGH OF JAMESBURG; AND

**WHEREAS**, THE MAYOR IS AUTHORIZED TO ENTER INTO AN EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR THE SERVICES AND COMPENSATION OF THE BOROUGH AUDITOR FOR THE TERM OF JANUARY 1, 2005 TO DECEMBER 31, 2005; AND

**WHEREAS**, THE LOCAL PUBLIC CONTRACTS LAW, N.J.S.A. 40A:11-1 et seq., AUTHORIZES THE AWARDED OF A CONTRACT FOR PROFESSIONAL SERVICES WITHOUT PUBLIC ADVERTISING FOR BIDS AND BIDDING THEREFOR, PROVIDED THAT THE RESOLUTION AUTHORIZING THE CONTRACT AND THE CONTRACT ITSELF BE AVAILABLE FOR PUBLIC INSPECTION IN THE OFFICE OF THE CLERK AND THAT NOTICE OF THE AWARDED OF THE CONTRACT BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE MUNICIPALITY:

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

1. THAT THE MAYOR IS AUTHORIZED TO EXECUTE AND THE BOROUGH CLERK TO ATTEST THE ATTACHED AGREEMENT BETWEEN THE BOROUGH OF JAMESBURG AND HUTCHINS, FARRELL, MEYER & ALLISON, P.A. REGARDING THE ABOVE-REFERENCED SERVICES, AND THAT SAID CONTRACT IS HEREBY RATIFIED AND CONFIRMED.
2. THAT THIS CONTRACT IS AWARDED WITHOUT COMPETITIVE BIDDING AS A PROFESSIONAL SERVICE IN ACCORDANCE WITH N.J.S.A. 40A:11-5 OF THE LOCAL PUBLIC CONTRACTS LAW OF NEW JERSEY, BECAUSE THE SERVICES WILL BE PERFORMED BY PERSONS AUTHORIZED BY LAW TO PRACTICE A RECOGNIZED PROFESSION AND IT IS NOT POSSIBLE TO OBTAIN BIDS FOR SUCH NEEDED QUALITATIVE SERVICES.
3. THAT THE CHIEF FINANCIAL OFFICER IS DIRECTED TO FILE A CERTIFICATE OF AVAILABILITY OF FUNDS FOR THIS CONTRACT AND TO ATTACH SAME TO THIS RESOLUTION.
4. THAT NOTICE OF THE ADOPTION OF THIS RESOLUTION SHALL BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE BOROUGH.
5. THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:
  - a. HUTCHINS, FARRELL, MEYER & ALLISON, P.A..
  - b. DENISE JAWIDZIK, CHIEF FINANCIAL OFFICER.

Councilmember Maloney inquired how this contract compares to the previous year's contract. Finance Officer Jawdzik stated that this contract is \$1,000 more than the 2004 contract.

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

**RESOLUTION #065-01-26-05**

RESOLUTION FOR THE BOROUGH OF JAMESBURG TO SUPPORT AND PARTICIPATE IN THE VOLUNTEER TUITION CREDIT PROGRAM (P.L.1998 c.145)

**WHEREAS**, THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG IN THE COUNTY OF MIDDLESEX, DEEMS IT APPROPRIATE TO ENHANCE THE RECRUITMENT AND RETENTION OF VOLUNTEER FIREFIGHTERS AND EMERGENCY MEDICAL VOLUNTEERS IN THE BOROUGH OF JAMESBURG; AND

**WHEREAS**, THE STATE OF NEW JERSEY HAS ENACTED P.L.1998, c.145 WHICH PERMITS MUNICIPAL GOVERNMENTS TO ALLOW THEIR FIREFIGHTING AND EMERGENCY MEDICAL VOLUNTEERS TO TAKE ADVANTAGE OF THE VOLUNTEER TUITION CREDIT PROGRAM AT NO COST TO THE MUNICIPAL GOVERNMENT.

**NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED**, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG IN THE COUNTY OF MIDDLESEX THAT THE VOLUNTEER TUITION CREDIT PROGRAM AS SET FORTH IN P.L.1998, c.145 IS HEREWITH ADOPTED FOR THE VOLUNTEER FIREFIGHTERS AND EMERGENCY MEDICAL VOLUNTEERS IN THE MUNICIPALITY; AND

**BE IT FURTHER RESOLVED**, THAT THE BUSINESS ADMINISTRATOR IS HEREWITH DELEGATED THE RESPONSIBILITY TO ADMINISTER THE PROGRAM AND IS AUTHORIZED TO ENTER INTO ALL AGREEMENTS AND TO MAINTAIN FILES OF ALL DOCUMENTS AS MAY BE REQUIRED UNDER P.L.1998, c.145, A COPY OF WHICH IS HEREWITH MADE A PART OF THIS RESOLUTION.

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

**RESOLUTION #066-01-26-05**

RESOLUTION ADOPTING JAMESBURG POLICE DEPARTMENT RULES AND REGULATIONS

**WHEREAS**, THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG ARE DESIROUS OF ADOPTING RULES AND REGULATIONS FOR THE JAMESBURG POLICE DEPARTMENT; AND

**WHEREAS**, THE JAMESBURG GOVERNING BODY HAS REVIEWED THE ATTACHED RULES AND REGULATIONS.

**NOW, THEREFORE, BE IT RESOLVED**, BY THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE ATTACHED JAMESBURG POLICE DEPARTMENT RULES AND REGULATIONS BE AND ARE HEREBY ADOPTED.

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

**RESOLUTION #067-01-26-05**

RESOLUTION ACCEPTING DISPATCH LOCAL 417 CONTRACT

**WHEREAS**, THE BOROUGH OF JAMESBURG ADOPTED A RESOLUTION RECOGNIZING THE NEW JERSEY STATE FIREMEN'S MUTUAL BENEVOLENT ASSOCIATION LOCAL 417 AS THE BARGAINING UNIT FOR THE BOROUGH POLICE; AND

**WHEREAS**, THE BOROUGH OF JAMESBURG WISHES TO ENTER INTO A CONTRACT WITH LOCAL 417, COVERING THE TIME PERIOD FROM JANUARY 1, 2005 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 417 AND THE BOROUGH OF JAMESBURG.

Council member Jennings remarked on the negotiations process and how the Personnel Committee feels that this is a fair and equitable contract that recognizes the dedication of the Borough's dispatchers.

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

**RESOLUTION #068-01-26-05**

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 \$1,214,486.46.

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

**RESOLUTION #069-01-26-05**

RESOLUTION AUTHORIZING A CHANGE ORDER (KNOWN AS CHANGE ORDER #2) TO THE CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND F & P CONTRACTORS, INC. FOR THE FRANKLIN STREET, WARREN STREET, AND STEVENS AVENUE RECONSTRUCTION PROJECT.

**WHEREAS**, DUE TO UNANTICIPATED CIRCUMSTANCES WHICH HAVE ARISEN DURING THE FRANKLIN STREET, WARREN STREET, AND STEVENS AVENUE RECONSTRUCTION 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 F & P CONTRACTORS, INC. ; AND

**WHEREAS**, THE PROPOSED CHANGE ORDER IS DESCRIBED IN MORE DETAIL IN THE ATTACHED FORM, LAST DATED BY BOROUGH ENGINEER ON JANUARY 25, 2005; AND

**WHEREAS**, THE PROPOSED CHANGE ORDER SHALL CHANGE THE AMOUNT OF THE ORIGINAL CONTRACT BY AN INCREASE IN THE AMOUNT OF \$42,210.00; AND

**WHEREAS**, THE PROPOSED CHANGE ORDER DOES EXCEED THE TWENTY PERCENT (20%) LIMITATION IMPOSED BY LAW BUT IS NECESSITATED BY THE FACT THAT THE NEW JERSEY DEPARTMENT OF TRANSPORTATION, THROUGH LOCAL AID PROGRAMS, HAS MADE AVAILABLE TO THE BOROUGH OF JAMESBURG, ADDITIONAL FUNDS FOR THE CONTINUANCE OF THIS PROJECT; 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 #2) WHICH SHALL BE CONSIDERED AN AMENDMENT TO THE ORIGINAL CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND F & P CONTRACTORS, INC. FOR THE FRANKLIN STREET, WARREN STREET AND STEVENS AVENUE RECONSTRUCTION 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. F & P CONTRACTORS, INC.
- c. DENISE JAWIDZIK, BOROUGH BUSINESS ADMINISTRATOR
- d. FREDERICK C. RAFFETTO, ESQUIRE, BOROUGH ATTORNEY.

Administrator Jawidzik explained that this project is being performed through a N.J.D.O.T. grant and the N.J.D.O.T. has informed the Borough that the 2<sup>nd</sup> phase of the project must be completed through a change order with the original contractor.

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

**DISCUSSION**

Human Services Committee

Mayor LaMantia explained that he has been contacted by Sue Baker, who runs and is seeking help for a long-term fix to problems being experience by the area food/clothing bank. Currently 98 families are being receiving food assistance. Mayor LaMantia suggested Council members volunteer time to assist, at least until a proper committee can be formed. Food Donations are also being sought. Council further discussed the time and place where volunteers are needed.

The Discussion Item of Leaf Pick-up was referred to the Public Works committee.

**COMMITTEE REPORTS**

Police Committee

Council member Kostbar reported that the Police Committee held their first meeting where Rules and Regulations were discussed. In addition, the Speed Alert trailer is in the process of being repaired.

Public Works

Council member Maloney reported on the recent snowstorm during which few resident complaints were received. The Public Works Department did very well with snow removal considering they are currently one truck and one sander down.

### Buildings and Grounds

Council member Carpenter reported that the Borough has applied for a grant for park upgrades. Surveillance cameras are being installed at the DPW building and will be utilized 24 hours a day, 7 days a week, in order to deter illegal dumping at the recycling yard. New front doors have been purchased for the Senior Citizens Building. Council member Carpenter also expressed the library's thanks for the Borough's assistance with snow removal and further reported on library events.

### Education

Council member Longo reported that he is awaiting a return call from the School Superintendent in order to set up a meeting with her regarding the Board of Educations annual budget. Council member Longo also reported that the Chamber of Commerce will be holding a seminar on promoting business with a representative from local radio station WCTC.

### Personnel

Council member Jennings reported that the Personnel Committee has two more contracts to negotiate, the PBA and the Police Chief.

### Technology

Council member Maloney had no report on this committee.

Mayor LaMantia reported on the Holiday Home Decorating Contest and thanked the Chamber of Commerce for their assistance and prize donations. The Mayor also reported that he has been appointed to the legislative committee of the League of Municipalities. A N.J.D.O.T. meeting was held, that the Mayor and Borough Engineer attended, regarding the traffic problems existing in the area of Turnpike Exit 8-A.

### **MOTION TO OPEN TO PUBLIC COMMENT:**

PROPOSED BY: Longo

SECONDED BY: Carpenter

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

ABSENT: Morales

None Opposed, None Abstaining.

### **PUBLIC COMMENT**

Bill Zimmerman – 47 Lincoln Avenue

- Complained of a local business owner causing a dangerous situation in his neighborhood by plowing snow into the corner of Lincoln Avenue and McKnight Avenue.
- Complained the danger to schoolchildren due to homeowners not shoveling their sidewalks on the route to school.
- Expressed a willingness to help seniors that might need help with shoveling snow.

Mike Rich – 1 Fernwood Lane

- Complained of a snow hazard at the intersection of Forsgate Drive and Perrineville Road.

### **MOTION TO CLOSE TO PUBLIC COMMENT:**

PROPOSED BY: Carpenter

SECONDED BY: Kostbar

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

ABSENT: Morales

None Opposed, None Abstaining.

### **MOTION TO ADJOURN:**

PROPOSED BY: Kostbar

SECONDED BY: Longo

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

ABSENT: Morales.

None Opposed, None Abstaining.

### **TIME OF ADJOURNMENT:**

7:38 PM