

BOROUGH OF JAMESBURG

COUNCIL MEETING

Minutes – September 14, 2005

CALL TO ORDER: 7:01pm - Council President Kostbar 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. 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 Council President Kostbar

ROLL CALL: Those Present: Council President Kostbar
Council member Jennings
Council member Longo
Council member Maloney
Council member Morales
Attorney Raffetto
Engineer Dittenhofer
Denise Jawdzik, Business Administrator

Those Absent: Mayor LaMantia
Council member Carpenter

ORDINANCES – FIRST READING:

ORDINANCE #16-05 (ORDINANCE OF THE BOROUGH OF JAMESBURG ADOPTING AMENDED CHAPTER 7 (TRAFFIC) OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG (2000)”)- was removed from the agenda at the request of the Borough Clerk after discussion held with N.J.D.O.T.

ORDINANCE #15-05

AN ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE SENIOR CITIZEN CENTER AND APPROPRIATING THE SUM OF \$10,500 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 THE SENIOR CITIZEN CENTER; AND

WHEREAS, THE BOROUGH OF JAMESBURG HAS BEEN APPROVED FOR \$10,500 IN FUNDING FROM THE MIDDLESEX COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT 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 THE SENIOR CITIZEN CENTER, TOGETHER WITH ALL ITEMS NECESSARY, INCIDENTAL OR APPURTENANT THERETO.

SECTION 3. THE 2005 CAPITAL BUDGET OF THE BOROUGH OF JAMESBURG DOES 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 Approve Ordinance #15-05 on First Reading, Authorize Publication, and Set Public Hearing/Second Reading Date:

Proposed by: Jennings

Seconded by: Morales

All In Favor: Jennings, Kostbar, Long, Maloney, Morales.

Absent: Carpenter

None Opposed, None Abstaining.

ORDINANCE – SECOND READING

THE FOLLOWING ORDINANCE WAS APPROVED ON FIRST READING AT THE REGULARLY SCHEDULED MEETING OF THE MAYOR AND COUNCIL HELD ON AUGUST 10, 2005, AND PUBLISHED IN FULL IN THE AUGUST 19, 2005 EDITION OF THE CRANBURY PRESS. COPIES HAVE BEEN POSTED ON THE MUNICIPAL BULLETIN BOARD AND MADE AVAILABLE TO THE PUBLIC SINCE INTRODUCTION.

ORDINANCE #14-05

AN ORDINANCE RE-AUTHORIZING EXEMPTIONS FROM TAXES IN THE BOROUGH OF JAMESBURG, NEW JERSEY, IN ACCORDANCE WITH THE "FIVE-YEAR EXEMPTION AND ABATEMENT LAW," N.J.S.A. 40A:21-1 ET. SEQ.

PREAMBLE

WHEREAS, THE BOROUGH OF JAMESBURG DID ENACT ORDINANCE #14-00, ENTITLED "AN ORDINANCE AUTHORIZING EXEMPTIONS FROM TAXES IN THE BOROUGH OF JAMESBURG, NEW JERSEY, IN ACCORDANCE WITH THE 'FIVE-YEAR EXEMPTION AND ABATEMENT LAW,' N.J.S.A. 40A:21-1 ET. SEQ., WHICH TOOK EFFECT ON JULY 1, 2000.

WHEREAS, N.J.S.A. 40A:21-1, et seq., KNOWN AS THE "FIVE-YEAR EXEMPTION AND ABATEMENT LAW," (THE "ACT"), AUTHORIZES MUNICIPALITIES IN THE STATE OF NEW JERSEY TO ENACT ORDINANCES WHICH PROVIDE FOR EXEMPTIONS AND/OR ABATEMENTS FROM TAXES UNDER CERTAIN CIRCUMSTANCES AND PURSUANT TO CERTAIN CRITERIA AS SET FORTH IN THE ACT; AND

WHEREAS, THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG BELIEVES THAT THE ENACTION OF LEGISLATION AUTHORIZING CERTAIN TAX EXEMPTIONS WILL PROMOTE GROWTH AND REDEVELOPMENT OPPORTUNITIES WHICH WILL INURE TO THE LONG-TERM BENEFIT OF THE BOROUGH, WHILE AFFORDING TAXPAYERS WITH SHORT-TERM BENEFITS AS AUTHORIZED PURSUANT TO THE ACT; AND

WHEREAS, IN ORDER TO RECOMMENCE THIS LONG-TERM GROWTH AND REDEVELOPMENT PROCESS, THE MEMBERS OF THE JAMESBURG BOROUGH COUNCIL WISH TO REENACT SUCH LEGISLATION, AND TO PROVIDE FOR THE TERMS AND CONDITIONS UNDER WHICH SAID EXEMPTIONS SHALL BE GRANTED, PURSUANT TO AND IN ACCORDANCE WITH THE CRITERIA SET FORTH, IN N.J.S.A. 40A:21-1, et seq.

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

1. THAT THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG, NEW JERSEY," IS HEREBY AMENDED AND SUPPLEMENTED IN ORDER TO ESTABLISH A NEW CHAPTER TO BE KNOWN AS "TAX EXEMPTIONS", AS FOLLOWS:

SECTION 1 – INTENDED PURPOSES AND OBJECTIVES

THE INTENTION OF THIS ORDINANCE IS TO EFFECTUATE AND ACCOMPLISH THE PURPOSES AUTHORIZED BY N.J.S.A. 40A:21-1, et seq., WHICH PERMITS MUNICIPALITIES TO GRANT FOR PERIODS OF FIVE (5) YEARS EXEMPTIONS AND/OR ABATEMENTS, OR BOTH, FROM TAXATION IN AREAS OF THE MUNICIPALITY IN NEED OF REHABILITATION. THE INTENDED PURPOSE OF THIS ORDINANCE IS TO PROMOTE THE IMPROVEMENT AND/OR REHABILITATION OF EXISTING RESIDENTIAL, MULTIPLE DWELLING, COMMERCIAL AND INDUSTRIAL STRUCTURES WITHIN THE BOROUGH OF JAMESBURG, WHICH WILL PROMOTE LONG-TERM GROWTH AND REDEVELOPMENT THAT WILL POSITIVELY IMPACT THE CHARACTER AND QUALITY OF LIFE OF THE CITIZENS OF THE BOROUGH OF JAMESBURG. THIS ORDINANCE HAS BEEN PREPARED IN ACCORDANCE WITH THE "FIVE-YEAR EXEMPTION AND ABATEMENT LAW," N.J.S.A. 40A:21-1, et seq.

SECTION 2 – DEFINITIONS

- (A) "ABATEMENT" – SHALL MEAN THAT PORTION OF THE ASSESSED VALUE OF A PROPERTY AS IT EXISTED PRIOR TO CONSTRUCTION, IMPROVEMENT, OR CONVERSION OF A BUILDING OR STRUCTURE THEREON, WHICH IS EXEMPTED FROM TAXATION PURSUANT TO THIS CHAPTER.

- (B) "AREA IN NEED OF REHABILITATION" – SHALL MEAN A PORTION OR ALL OF THE BOROUGH OF JAMESBURG WHICH HAS BEEN DETERMINED TO BE AN AREA IN NEED OF REHABILITATION OR REDEVELOPMENT PURSUANT TO THE "LOCAL REDEVELOPMENT AND HOUSING LAW", P.L. 1992, c. 79 (C.40A:12A-1 et al.), A "BLIGHTED AREA" AS DETERMINED PURSUANT TO THE "BLIGHTED AREAS ACT", P.L. 1949, c. 187 (C. 40:55-21-1 et seq.), OR WHICH HAS BEEN DETERMINED TO BE IN NEED OF REHABILITATION PURSUANT TO P.L. 1975, c. 104 (C. 54:4-3.72 et seq.), P.L. 1977, c. 12 (C.54:4-3.95 et seq.) OR P.L. 1979, c. 233 (C54:4-3.121 et seq.).
- (C) "ASSESSOR" – SHALL MEAN THE MUNICIPAL TAX ASSESSOR SERVING THE BOROUGH OF JAMESBURG, WHO IS CHARGED WITH THE DUTY OF ASSESSING REAL PROPERTY FOR THE PURPOSES OF GENERAL TAXATION.
- (D) "COMMERCIAL OR INDUSTRIAL STRUCTURE" – SHALL MEAN A STRUCTURE OR PART THEREOF USED FOR THE MANUFACTURING, PROCESSING, OR ASSEMBLING OF MATERIAL OR MANUFACTURED PRODUCTS, OR FOR RESEARCH, OFFICE, INDUSTRIAL, COMMERCIAL, RETAIL, RECREATIONAL, HOTEL OR MOTEL FACILITIES, OR WAREHOUSING PURPOSES, OR FOR ANY COMBINATION THEREOF, WHICH THE JAMESBURG BOROUGH COUNCIL DETERMINES WILL TEND TO MAINTAIN OR PROVIDE GAINFUL EMPLOYMENT WITHIN THE BOROUGH, ASSIST IN THE ECONOMIC DEVELOPMENT OF THE BOROUGH, MAINTAIN OR INCREASE THE TAX BASE OF THE BOROUGH AND MAINTAIN OR DIVERSIFY AND EXPAND COMMERCE WITHIN THE BOROUGH. IT SHALL NOT INCLUDE OR PART THEREOF USED OR TO BE USE BY ANY BUSINESS RELOCATED FROM ANOTHER QUALIFYING MUNICIPALITY UNLESS: THE TOTAL SQUARE FOOTAGE OF THE FLOOR AREAS OF THE STRUCTURE OR PART THEREOF USE OR TO BE USED BY THE BUSINESS AT THE NEW SITE TOGETHER WITH THE TOTAL SQUARE FOOTAGE OF THAT UTILIZED BY THE BUSINESS AT ITS CURRENT SITE OF OPERATIONS BY AT LEAST TEN PERCENT (10%); AND THE PROPERTY THAT THE BUSINESS IS RELOCATING TO HAS BEEN THE SUBJECT OF A REMEDIAL ACTION PLAN COSTING IN EXCESS OF \$250,000 PERFORMED PURSUANT TO AN ADMINISTRATIVE CONSENT ORDER ENTERED INTO PURSUANT TO AUTHORITY VESTED IN THE COMMISSIONER OF ENVIRONMENTAL PROTECTION UNDER P.L. 1970, c.33 (C.13:1D-1, et seq.), THE "WATER POLLUTION CONTROL ACT," P.L. 1977, c. 74 (C.58:10A-1, et seq.), THE "SOLID WASTE MANAGEMENT ACT," P.L. 1970, c. 39 (C. 13:1e-1 et seq.), AND THE "SPILL COMPENSATION AND CONTROL ACT," P.L. 1976,c. 141 (C. 58:10-23.11, et seq.)
- (E) "COMPLETION" – SHALL MEAN SUBSTANTIALLY READY FOR THE INTENDED USE FOR WHICH A BUILDING OR STRUCTURE IS CONSTRUCTED, IMPROVED, OR CONVERTED.
- (F) "CONDOMINIUM" – SHALL MEAN A PROPERTY CREATED OR RECORDED AS A CONDOMINIUM PURSUANT TO THE "CONDOMINIUM ACT", P.L. 1969, c.257 (C. 46:8B-1 et seq.)
- (G) "CONSTRUCTION" SHALL MEAN THE PROVISION OF A NEW DWELLING, MULTIPLE DWELLING, OR COMMERCIAL OR INDUSTRIAL STRUCTURE, OR THE ENLARGEMENT OF THE VOLUME OF AN EXISTING MULTIPLE DWELLING OR COMMERCIAL OR INDUSTRIAL STRUCTURE BY MORE THAN THIRTY PERCENT (30%), BUT SHALL NOT MEAN THE CONVERSION OF AN EXISTING BUILDING OR STRUCTURE TO ANOTHER USE.
- (H) "CONVERSION" OR "CONVERSION ALTERATION" – SHALL MEAN THE ALTERATION OR RENOVATION OF A NON-RESIDENTIAL BUILDING OR STRUCTURE, OR HOTEL, MOTEL, MOTOR HOTEL, OR GUEST HOUSE, INS SUCH MANNER AS TO CONVERT THE BUILDING OR STRUCTURE FROM ITS PREVIOUS USE TO USE AS A DWELLING OR MULTIPLE DWELLING.
- (I) "COOPERATIVE " – SHALL MEAN A HOUSING CORPORATION OR ASSOCIATION, WHEREIN THE HOLDER OF A SHARE OR MEMBERSHIP INTEREST THEREOF IS ENTITLED TO POSSESS AND OCCUPY FOR DWELLING PURPOSES A HOUSE, APARTMENT, OR OTHER UNIT OF HOUSING OWNED BY THE CORPORATION OR ASSOCIATION, OR TO PURCHASE A UNIT OF HOUSING OWNED BY THE CORPORATION OR ASSOCIATION.
- (J) "COST" – SHALL MEAN, WHEN USED WITH RESPECT TO ABATEMENTS TO DWELLINGS OR MULTIPLE DWELLINGS, ONLY THE COST OR FAIR MARKET VALUE OF DIRECT LABOR AND MATERIALS USED IN IMPROVING A MULTIPLE DWELLING, OR OF CONVERTING ANOTHER BUILDING OR STRUCTURE TO A MULTIPLE DWELLING, OR OF CONSTRUCTING A DWELLING, OR OF CONVERTING ANOTHER BUILDING OR STRUCTURE TO A DWELLING, INCLUDING ANY

ARCHITECTURAL, ENGINEERING, AND CONTRACTOR'S FEES ASSOCIATED THEREWITH, AS THE OWNER OF THE PROPERTY SHALL CAUSE TO BE CERTIFIED TO THE BOROUGH COUNCIL BY AN INDEPENDENT AND QUALIFIED ARCHITECT, FOLLOWING COMPLETION OF THE PROJECT.

- (K) "DWELLING" – SHALL MEAN A BUILDING OR PART OF A BUILDING USED, TO BE USED OR HELD FOR USE AS A HOME OR RESIDENCE, INCLUDING ACCESSORY BUILDINGS LOCATED ON THE SAME PREMISES, TOGETHER WITH THE LAND UPON WHICH SUCH BUILDING OR BUILDINGS ARE ERECTED AND WHICH MAY BE NECESSARY FOR THE FAIR ENJOYMENTS THEREOF, BUT SHALL NOT MEAN ANY BUILDING OR PART OF A BUILDING DEFINED AS A "MULTIPLE DWELLING" PURSUANT TO THE "HOTEL AND MULTIPLE DWELLING LAW," P.L. 1967, c. 76 (C.55:13A-1 et seq.). A DWELLING SHALL INCLUDE, AS THEY ARE SEPARATELY CONVEYED TO INDIVIDUAL OWNERS, INDIVIDUAL RESIDENCES WITHIN A COOPERATIVE, IF PURCHASED SEPARATELY BY THE OCCUPANTS THEREOF, AND INDIVIDUAL RESIDENCES WITHIN A HORIZONTAL PROPERTY REGIME OR A CONDOMINIUM, BUT SHALL NOT INCLUDE "GENERAL COMMON ELEMENTS" OR "COMMON ELEMENTS" OF SUCH HORIZONTAL PROPERTY REGIME OR CONDOMINIUM AS DEFINED PURSUANT TO THE "HORIZONTAL PROPERTY ACT," P.L. 1963, c.168 (C. 46:8A-1, et seq.), OR THE "CONDOMINIUM ACT," P.L. 1969, c. 257 (C. 46:8B-1 et seq.), OR OF A COOPERATIVE, IF THE RESIDENTIAL UNITS ARE OWNED SEPARATELY.
- (L) "EXEMPTION" – SHALL MEAN THAT PORTION OF THE ASSESSOR'S FULL AND TRUE VALUE OF ANY IMPROVEMENT, CONVERSION ALTERATION, OR CONSTRUCTION NOT REGARDED AS INCREASING THE TAXABLE VALUE OF A PROPERTY PURSUANT TO THIS CHAPTER
- (M) "HORIZONTAL PROPERTY REGIME" – SHALL MEAN A PROPERTY SUBMITTED TO A HORIZONTAL PROPERTY REGIME PURSUANT TO THE "HORIZONTAL PROPERTY ACT," P.L. 1963, c. 168 (C. 46:8A-1, et seq.).
- (N) "IMPROVEMENT" – SHALL MEAN A MODERNIZATION, REHABILITATION, RENOVATION, ALTERATION, OR REPAIR WHICH PRODUCES A PHYSICAL CHANGE IN AN EXISTING BUILDING OR STRUCTURE THAT IMPROVES THE SAFETY, SANITATION, DECENCY OR ATTRACTIVENESS OF THE BUILDING OR STRUCTURE AS A PLACE FOR HUMAN HABITATION OR WORK, AND WHICH DOES NOT CHANGE ITS PERMITTED USE. IN THE CASE OF A MULTIPLE DWELLING, IT INCLUDES ONLY IMPROVEMENTS WHICH AFFECT COMMON AREAS OR ELEMENTS, OR THREE (3) OR MORE DWELLING UNITS WITHIN THE MULTIPLE DWELLING. IN THE CASE OF A MULTIPLE DWELLING OR COMMERCIAL OR INDUSTRIAL STRUCTURE, IT SHALL NOT INCLUDE ORDINARY PAINTING, REPAIRS, AND REPLACEMENT OF MAINTENANCE ITEMS, OR AN ENLARGEMENT OF THE VOLUME OF AN EXISTING STRUCTURE BY MORE THAN THIRTY PERCENT (30%). IN NO CASE SHALL IT INCLUDE THE REPAIR OF FIRE OR OTHER DAMAGE TO A PROPERTY FOR WHICH PAYMENT OF A CLAIM WAS RECEIVED BY ANY PERSON FROM AN INSURANCE COMPANY AT ANY TIME DURING THE THREE (3) YEAR PERIOD IMMEDIATELY PRECEDING THE FILING OF AN APPLICATION PURSUANT TO THIS ACT.
- (O) "MULTIPLE DWELLING" – SHALL MEAN A BUILDING OR STRUCTURE MEETING THE DEFINITION OF "MULTIPLE DWELLING" SET FORTH IN THE "HOTEL AND MULTIPLE DWELLING LAW," P.L. 1967, c. 76 (C. 55:13A-1 et seq.), AND MEANS FOR THE PURPOSE OF IMPROVEMENT OR CONSTRUCTION THE "GENERAL COMMON ELEMENTS" AND "COMMON ELEMENTS" OF A CONDOMINIUM, A COOPERATIVE, OR A HORIZONTAL PROPERTY REGIME.

SECTION 3 – AREA IN NEED OF REHABILITATION DECLARED.

THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG HEREBY FINDS AND DECLARES THAT THE ENTIRE AREA WITHIN THE MUNICIPAL BOUNDARIES OF THE BOROUGH OF JAMESBURG IS AN "AREA IN NEED OF REHABILITATION" PURSUANT TO THE TERMS OF THIS CHAPTER.

SECTION 4 – EXEMPTIONS AUTHORIZED.

THERE IS HEREBY AUTHORIZED WITHIN THE "AREA IN NEED OF REHABILITATION" REFERENCED ABOVE THE ABILITY OF TAXPAYERS TO OBTAIN EXEMPTION(S) FROM TAXATION AS FOLLOWS:

- (A) IMPROVEMENTS TO EXISTING DWELLINGS

- (1) AN EXEMPTION FROM TAXATION IS HEREBY AUTHORIZED FOR IMPROVEMENTS UNDERTAKEN TO EXISTING DWELLINGS WITHIN THE BOROUGH OF JAMESBURG PURSUANT TO THE TERMS AND CONDITIONS CONTAINED WITHIN THIS CHAPTER. FOR THE PURPOSES OF THIS CHAPTER, THE TERM "EXISTING DWELLINGS" SHALL NOT INCLUDE THE CONSTRUCTION OF NEW DWELLING(S) ON ANY PROPERTY WHERE THE PREVIOUS STRUCTURE(S) OR DWELLING(S) ON ANY PROPERTY DEMOLISHED IN THEIR ENTIRETY OR WHERE LESS THAN SIXTY PERCENT (60%) OF THE ORIGINAL SQUARE FOOTAGE REMAINS.
- (2) SUCH EXEMPTION SHALL BE PERMITTED FOR IMPROVEMENTS MADE TO ANY EXISTING DWELLING THAT IS MORE THAN TWENTY (20) YEARS OLD.
- (3) SUCH EXEMPTION SHALL BE AUTHORIZED TO THE EXTENT OF THE FIRST \$25,000.00 IN ASSESSOR'S FULL AND TRUE VALUE OF IMPROVEMENTS FOR EACH EXISTING DWELLING UNIT PRIMARILY AND DIRECTLY AFFECTED BY THE IMPROVEMENTS.
- (4) THE EXEMPTION SHALL LAST FOR A PERIOD OF FIVE (5) YEARS, COMMENCING WITH THE FIRST FULL TAX YEAR FOLLOWING THE TAX YEAR IN WHICH THE IMPROVEMENTS ARE COMPLETED.
- (5) SUCH EXEMPTION SHALL PERMIT THE IMPROVEMENTS TO NOT INCREASE THE VALUE OF THE PROPERTY NOTWITHSTANDING THE FACT THAT THE VALUE OF THE PROPERTY TO WHICH THE IMPROVEMENTS ARE MADE IS INCREASED THEREBY.
- (6) DURING THE EXEMPTION PERIOD, THE ASSESSMENT ON THE PROPERTY SHALL NOT BE LESS THAN THE ASSESSMENT EXISTING THEREON IMMEDIATELY PRIOR TO THE IMPROVEMENTS, UNLESS THERE IS DAMAGE TO THE DWELLING THROUGH ACTION OF THE ELEMENTS SUFFICIENT TO WARRANT A REDUCTION.

(B) IMPROVEMENTS TO EXISTING MULTIPLE DWELLINGS

- (1) AN EXEMPTION FROM TAXATION IS HEREBY AUTHORIZED FOR IMPROVEMENTS UNDERTAKEN TO EXISTING MULTIPLE DWELLINGS WITHIN THE BOROUGH OF JAMESBURG PURSUANT TO THE TERMS AND CONDITIONS CONTAINED WITHIN THIS CHAPTER. FOR THE PURPOSES OF THIS CHAPTER, THE TERM "EXISTING MULTIPLE DWELLINGS" SHALL NOT INCLUDE THE CONSTRUCTION OF NEW MULTIPLE DWELLING(S) ON ANY PROPERTY WHERE THE PREVIOUS STRUCTURE(S) OR DWELLING(S) WERE DEMOLISHED IN THEIR ENTIRETY OR WHERE LESS THAN SIXTY PERCENT (60%) OF THE ORIGINAL SQUARE FOOTAGE REMAINS.
- (2) IN DETERMINING THE VALUE OF REAL PROPERTY SUBJECT TO THE EXEMPTION, THE BOROUGH SHALL REGARD UP TO THE ASSESSOR'S FULL AND TRUE VALUE OF THE IMPROVEMENTS AS NOT INCREASING THE VALUE OF THE PROPERTY.
- (3) THE EXEMPTION SHALL LAST FOR A PERIOD OF FIVE (5) YEARS, COMMENCING WITH THE FIRST FULL TAX YEAR FOLLOWING THE TAX YEAR IN WHICH THE IMPROVEMENTS ARE COMPLETED.
- (4) SUCH EXEMPTION SHALL PERMIT THE IMPROVEMENTS TO NOT INCREASE THE VALUE OF THE PROPERTY NOTWITHSTANDING THE FACT THAT THE VALUE OF THE PROPERTY TO WHICH THE IMPROVEMENTS ARE MADE IS INCREASED THEREBY.
- (5) DURING THE EXEMPTION PERIOD, THE ASSESSMENT ON THE PROPERTY SHALL NOT BE LESS THAN THE ASSESSMENT EXISTING THEREON IMMEDIATELY PRIOR TO THE IMPROVEMENTS, UNLESS THERE IS DAMAGE TO THE MULTIPLE DWELLING THROUGH ACTION OF THE ELEMENTS SUFFICIENT TO WARRANT A REDUCTION.

C.) IMPROVEMENTS TO EXISTING COMMERCIAL AND/OR INDUSTRIAL STRUCTURES

- (1) AN EXEMPTION FROM TAXATION IS HEREBY AUTHORIZED FOR IMPROVEMENTS UNDERTAKEN TO EXISTING COMMERCIAL AND/OR INDUSTRIAL STRUCTURES WITHIN THE BOROUGH OF JAMESBURG PURSUANT TO THE TERMS AND CONDITIONS CONTAINED WITHIN THIS CHAPTER. FOR THE PURPOSES OF THIS CHAPTER, THE TERM "EXISTING COMMERCIAL AND/OR INDUSTRIAL STRUCTURES" SHALL NOT INCLUDE THE CONSTRUCTION OF NEW STRUCTURE(S) ON ANY PROPERTY WHERE THE PREVIOUS STRUCTURE(S) WERE DEMOLISHED IN THEIR ENTIRETY OR WHERE LESS THAN SIXTY PERCENT (60%) OF THE ORIGINAL SQUARE FOOTAGE REMAINS.
- (2) IN DETERMINING THE VALUE OF REAL PROPERTY SUBJECT TO THE EXEMPTION, THE BOROUGH SHALL REGARD UP TO THE ASSESSOR'S FULL AND TRUE VALUE OF THE IMPROVEMENTS AS NOT INCREASING THE VALUE OF THE PROPERTY.
- (3) THE EXEMPTION SHALL LAST FOR A PERIOD OF FIVE (5) YEARS, COMMENCING WITH THE FIRST FULL TAX YEAR FOLLOWING THE TAX YEAR IN WHICH THE IMPROVEMENTS ARE COMPLETED.
- (4) SUCH EXEMPTION SHALL PERMIT THE IMPROVEMENTS TO NOT INCREASE THE VALUE OF THE PROPERTY NOTWITHSTANDING THE FACT THAT THE VALUE OF

THE PROPERTY TO WHICH THE IMPROVEMENTS ARE MADE IS INCREASED THEREBY.

- (5) DURING THE EXEMPTION PERIOD, THE ASSESSMENT ON THE PROPERTY SHALL NOT BE LESS THAN THE ASSESSMENT EXISTING THEREON IMMEDIATELY PRIOR TO THE IMPROVEMENTS, UNLESS THERE IS DAMAGE TO THE STRUCTURE THROUGH ACTION OF THE ELEMENTS SUFFICIENT TO WARRANT A REDUCTION.

SECTION 5 – DETERMINATION OF TRUE TAXABLE VALUE BY ASSESSOR.

THE ASSESSOR SHALL DETERMINE, ON OCTOBER 1ST OF THE YEAR FOLLOWING THE DATE OF THE COMPLETION OF AN IMPROVEMENT, THE TRUE TAXABLE VALUE THEREOF. THE AMOUNT OF TAX TO BE PAID FOR THE FIRST FULL TAX YEAR FOLLOWING COMPLETION SHALL BE BASED ON THE ASSESSED VALUATION OF THE IMPROVEMENT NOT ALLOWED AN EXEMPTION PURSUANT TO THIS CHAPTER. THE PROPERTY SHALL CONTINUE TO BE TREATED IN THE APPROPRIATE MANNER FOR EACH OF THE FIVE (5) FULL TAX YEARS SUBSEQUENT TO THE ORIGINAL DETERMINATION BY THE ASSESSOR.

SECTION 6 – ADDITIONAL IMPROVEMENTS ON EXEMPT PROPERTIES

THERE IS HEREBY AUTHORIZED WITHIN THE BOROUGH OF JAMESBURG THE ABILITY OF TAXPAYERS TO OBTAIN EXEMPTION(S) FROM TAXATION RELATING TO ANY ADDITIONAL IMPROVEMENT(S) COMPLETED ON A PROPERTY GRANTED A PREVIOUS EXEMPTION PURSUANT TO THIS CHAPTER DURING THE PERIOD IN WHICH SUCH PREVIOUS EXEMPTION IS IN EFFECT. AS SUCH, ADDITIONAL IMPROVEMENT(S) SHALL BE ENTITLED TO AN EXEMPTION JUST AS IF SUCH PROPERTY HAD NOT RECEIVED A PREVIOUS EXEMPTION. IN SUCH CASE, THE ADDITIONAL IMPROVEMENT(S) SHALL BE CONSIDERED AS SEPARATE FOR THE PURPOSES OF CALCULATING EXEMPTIONS PURSUANT TO THIS CHAPTER.

SECTION 7 – INELIGIBILITY OF PROPERTY WERE TAXES AND/OR OTHER MUNICIPAL CHARGES ARE DELINQUENT

NO EXEMPTION SHALL BE GRANTED PURSUANT TO THIS CHAPTER WITH RESPECT TO ANY PROPERTY FOR WHICH REAL ESTATE TAXES AND/OR OTHER MUNICIPAL CHARGES ARE DELINQUENT OR REMAIN UNPAID, OR FOR WHICH PENALTIES FOR NON-PAYMENT OF SAME ARE DUE.

SECTION 8 - APPLICATIONS; FILING AND APPROVAL; FORM

NO EXEMPTION SHALL BE GRANTED PURSUANT TO THIS CHAPTER EXCEPT UPON WRITTEN APPLICATION THEREFOR FILED WITH AND APPROVED BY THE BOROUGH ASSESSOR. EVERY APPLICATION SHALL BE ON A FORM PRESCRIBED BY THE DIRECTOR OF THE DIVISION OF TAXATION IN THE DEPARTMENT OF TREASURY, AND PROVIDED FOR THE USE OF CLAIMANTS BY THE BOROUGH, AND SHALL BE FILED WITH THE ASSESSOR WITHIN THIRTY (30) DAYS, INCLUDING SATURDAYS AND SUNDAYS, FOLLOWING THE COMPLETION OF THE IMPROVEMENT. EVERY APPLICATION FOR EXEMPTION WHICH IS FILED WITHIN THE TIME SPECIFIED SHALL BE APPROVED AND ALLOWED BY THE ASSESSOR TO THE DEGREE THAT THE APPLICATION IS CONSISTENT WITH THE PROVISIONS OF THIS CHAPTER. THE GRANTING OF AN EXEMPTION SHALL BE RECORDED AND MADE A PERMANENT PART OF THE OFFICIAL TAX RECORDS OF THE BOROUGH, WHICH RECORDS SHALL CONTAIN A NOTICE OF THE TERMINATION DATE THEREOF.

SECTION 9 – APPLICABILITY OF EXEMPTION TO TAX TYPES

THE EXEMPTION OF REAL PROPERTY TAXES PROVIDED PURSUANT TO THIS CHAPTER SHALL APPLY TO PROPERTY TAXES LEVIED FOR MUNICIPAL PURPOSES, SCHOOL PURPOSES, FIRE DISTRICT PURPOSES, COUNTY GOVERNMENT PURPOSES AND FOR THE PURPOSE OF FUNDING ANY OTHER PROPERTY TAX EXEMPTION.

SECTION 10 - ANNUAL PROPERTY TAX BILLS

DURING THE FIRST YEAR FOLLOWING ADOPTION OF THIS ORDINANCE, AN APPROPRIATE NOTICE SHALL BE INCLUDED IN THE MAILING OF ANNUAL PROPERTY TAX BILLS TO EACH TAXPAYER OF THE BOROUGH NOTIFYING THE PUBLIC THAT TAX EXEMPTIONS MAY

BE PERMITTED FOR THE IMPROVEMENT AND/OR REHABILITATION OF EXISTING RESIDENTIAL, MULTIPLE DWELLING, COMMERCIAL AND/OR INDUSTRIAL STRUCTURES WITHIN THE BOROUGH OF JAMESBURG PURSUANT TO THE PROVISIONS OF THIS ORDINANCE. THE NOTICE SHALL ADVISE THE PUBLIC THAT APPLICATIONS FOR EXEMPTION MAY BE MADE IMMEDIATELY, BUT THAT SUCH EXEMPTIONS, IF GRANTED, SHALL NOT COMMENCE UNTIL THE FIRST FULL TAX YEAR FOLLOWING ADOPTION.

SECTION 11 – ANNUAL MUNICIPAL REPORT

THE BOROUGH COUNCIL SHALL REPORT, ON OR BEFORE OCTOBER 1ST OF EACH YEAR, TO THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES IN THE DEPARTMENT OF COMMUNITY AFFAIRS AND TO THE DIRECTOR OF THE DIVISION OF TAXATION IN THE DEPARTMENT OF TREASURY THE TOTAL AMOUNT OF REAL PROPERTY TAXES EXEMPTED WITHIN THE BOROUGH IN THE CURRENT TAX YEAR FOR EACH OF THE FOLLOWING:

- (A) IMPROVEMENTS TO DWELLINGS;
- (B) IMPROVEMENTS TO MULTIPLE DWELLINGS; AND
- (C) IMPROVEMENTS TO COMMERCIAL AND INDUSTRIAL STRUCTURES

SECTION 12 – LIMITATION ON EXEMPTIONS

NO APPLICATIONS SHALL BE FILED WITH OR GRANTED BY THE BOROUGH OF JAMESBURG FOR EXEMPTION(S) PURSUANT TO THIS CHAPTER TO TAKE INITIAL EFFECT FOR THE 11TH FULL TAX YEAR FOLLOWING THE INITIAL ADOPTION OF THIS ORDINANCE, OR TO TAKE INITIAL EFFECT FOR ANY TAX YEAR OCCURRING THEREAFTER, UNLESS THIS ORDINANCE HAS BEEN READOPTED BY THE JAMESBURG BOROUGH COUNCIL PRIOR TO THE SAID 11TH TAX YEAR.

SECTION 13 – APPLICATION OF ORDINANCE

THE PROVISIONS OF THIS ORDINANCE SHALL ONLY APPLY TO IMPROVEMENTS UNDERTAKEN PURSUANT TO CONSTRUCTION PERMITS ISSUED BY THE BOROUGH OF JAMESBURG, APPLICATIONS FOR WHICH WERE SUBMITTED SUBSEQUENT TO THE EFFECTIVE DATE OF THIS ORDINANCE.

2. THAT ALL OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith ARE HEREBY REPEALED.
3. THAT THIS ORDINANCE SHALL RETROACTIVELY TAKE EFFECT JULY 1, 2005.

Motion to Open to Public Comment on Ordinance #14-05

Proposed by: Jennings

Seconded by: Maloney

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

Absent: Carpenter

None Opposed, None Abstaining.

Public Comment on Ordinance #14-05

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

Motion to Close to Public Comment on Ordinance #14-05

Proposed by: Jennings

Seconded by: Longo

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

Absent: Carpenter

None Opposed, None Abstaining.

Motion to Approve Ordinance #14-05 on Second Reading:

Proposed by: Jennings

Seconded by: Longo

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

Absent: Carpenter

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

Council member Maloney requested that Resolution #222-09-14-05 be 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	X			
MALONEY			X			
MORALES			X			
MAYOR LAMANTIA						

RESOLUTIONS:

RESOLUTION #216-09-14-05**

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL
August 10, 2005
August 24, 2005 (Special Meeting)

RESOLUTION #217-09-14-05**

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	July & August 2005
Sewer Administrator	July & August 2005
Finance Officer	August 2005

RESOLUTION #218-09-24-05**

REDEMPTIONS OF TAX LIENS

WHEREAS, THE TAX COLLECTOR HAS VERIFIED RECEIPT OF PAYMENTS IN THE AGGREGATE AMOUNT OF FIVE THOUSAND ONE HUNDRED EIGHTY-THREE DOLLARS AND SEVENTY-TWO CENTS (\$5,183.72) 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 FIVE THOUSAND ONE HUNDRED EIGHTY-THREE DOLLARS AND SEVENTY-TWO CENTS (\$5,183.72) TO THE LIEN HOLDERS NAMED ON THE ATTACHED TAX COLLECTOR'S CERTIFICATION.

RESOLUTION #219-09-14-05**

AUTHORIZE SEWER RATE ADJUSTMENT

WHEREAS, THE SEWER ADMINISTRATOR HAS DETERMINED THAT A CERTAIN SEWER ACCOUNT WAS BILLED UNDER INACCURATE RATES; AND

WHEREAS, THE SEWER ADMINISTRATOR HAS REQUESTED THE MAYOR AND COUNCIL TO PASS A RESOLUTION AUTHORIZING ADJUSTMENT TO THE ACCOUNTS BY THE UTILIZATION OF APPROPRIATE RATE:

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE SEWER ADMINISTRATOR BE AND IS HEREBY AUTHORIZED TO ADJUST THE ACCOUNTS SPECIFIED ON THE ATTACHED LETTER OF REQUEST, AS DETAILED.

RESOLUTION #220-09-14-05**

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE BOROUGH OF JAMESBURG PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 PROVIDES THAT THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES MAY APPROVE THE INSERTION OF ANY SUCH ITEMS OF REVENUE IN THE BUDGET OF THE COUNTY OR MUNICIPALITY WHEN SUCH ITEM SHALL HAVE BEEN MADE AVAILABLE BY LAW AND THE AMOUNT DETERMINED AT THE TIME OF THE ADOPTION OF THE BUDGET; AND

WHEREAS, SAID DIRECTOR MAY ALSO APPROVE THE INSERTION OF ANY ITEM OF APPROPRIATION FOR EQUAL AMOUNT:

NOW, THEREFORE BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, THAT IT HEREBY REQUESTS THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO APPROVE THE INSERTION OF AN ITEM OF REVENUE IN THE BUDGET FOR THE YEAR 2005 IN THE AMOUNT OF \$4,900.00 WHICH ITEM IS NOW AVAILABLE AS REVENUE FROM THE OFFICE OF JUSTICE PROGRAMS' BUREAU OF JUSTICE ASSISTANCE FY 2005; AND

BE IT FURTHER RESOLVED THAT A LIKE SUM OF \$4,900.00 BE AND THE SAME IS HEREBY APPROPRIATED UNDER THE CAPTION OF;

Bullet Proof Vest Grant

RESOLUTION #221-09-14-05**

APPROVE RAFFLE LICENSE #RL-04-05

WHEREAS, THE BOROUGH CLERK'S OFFICE HAS RECEIVED A RAFFLE APPLICATION TO HOLD A RAFFLE DRAWING, FROM JAMESBURG B.P.O.E. #2180, WITH ALL THE PROPER DOCUMENTATION; 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 #RL-04-05 BE APPROVED IN THE NAME OF JAMESBURG B.P.O.E. #2180. THE DRAWING IS TO BE HELD FROM 1:00PM TO 5:00PM ON OCTOBER 8, 2005 AT 74 WEST RAILROAD AVENUE, JAMESBURG:

RESOLUTION #223-09-14-05**

RESOLUTION ACCEPTING THE INTERLOCAL AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX AND THE BOROUGH OF JAMESBURG FOR THE PROVISION OF PUBLIC HEALTH SERVICES AND AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE SAID AGREEMENT.

WHEREAS, THE INTERLOCAL SERVICES ACT, N.J.S.A. 40:8A-1 et seq. PERMITS MUNICIPALITIES OF STATE OF NEW JERSEY TO ENTER INTO CONTRACTS WITH OTHER MUNICIPALITIES FOR THE JOINT PROVISION OF MUNICIPAL SERVICES; AND

WHEREAS, THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG HAS DETERMINED THAT IT IS IN THE BEST INTERESTS OF THE BOROUGH TO ENTER INTO AN INTERLOCAL SERVICES AGREEMENT WITH THE COUNTY OF MIDDLESEX FOR SERVICES RELATING TO PUBLIC HEALTH; AND

WHEREAS, THE AFOREMENTIONED SERVICE WILL BE PROVIDED, AS STATED IN DETAIL IN THE AGREEMENT ATTACHED HERETO.

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

1. THE BOROUGH OF JAMESBURG DOES HEREBY ENTER INTO AN AGREEMENT WITH MIDDLESEX COUNTY FOR THE PROVISION OF SERVICES RELATING TO PUBLIC HEALTH.
2. THE MAYOR AND BOROUGH CLERK ARE HEREBY AUTHORIZED TO EXECUTE THE AGREEMENT WITH MIDDLESEX COUNTY, ATTACHED HERETO.
3. THAT THE BOROUGH CLERK BE AND IS HEREBY DIRECTED TO FORWARD A DULY AUTHENTICATED COPY OF THIS RESOLUTION TO THE COUNTY OF MIDDLESEX, DEPARTMENT OF HEALTH.

RESOLUTION #224-09-14-05**

RELEASE OF PERFORMANCE BOND OF F & P CONTRACTORS INC. BEING HELD FOR THE RECONSTRUCTION OF FRANKLIN STREET, WARREN STREET AND STEVENS AVENUE.

WHEREAS, THE BOROUGH OF JAMESBURG IS IN POSSESSION OF A PERFORMANCE BOND FROM F & P CONTRACTORS, INC. FOR THE RECONSTRUCTION OF FRANKLIN STREET, WARREN STREET, AND STEVENS AVENUE; AND

WHEREAS, F & P CONTRACTORS, INC. HAS SUBMITTED MAINTENANCE BOND NUMBER #VCN1140668-MN, OLD REPUBLIC INSURANCE COMPANY BEING THE SURETY, IN THE AMOUNT OF ONE HUNDRED FORTY -THREE THOUSAND ONE HUNDRED SIXTY-SEVEN DOLLARS AND SIXTY CENTS (\$143,167.60) AND

WHEREAS, THE BOROUGH ATTORNEY AND BOROUGH ENGINEER HAVE GIVEN APPROVAL OF THE AMOUNT OF THE AMOUNT AND ACCEPTANCE DATE OF THE AFOREMENTIONED MAINTENANCE BOND:

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, THAT THE BOROUGH CLERK IS HEREBY AUTHORIZED TO ACCEPT THE AFOREMENTIONED MAINTENANCE BOND AND RELEASE THE PERFORMANCE BOND HELD FOR THE RECONSTRUCTION OF FRANKLIN STREET, WARREN STREET, AND STEVENS AVENUE.

END OF CONSENT AGENDA

RESOLUTION #222-09-14-05**

RESOLUTION AUTHORIZING EXECUTION OF LOCAL LIBRARY AID GRANT AGREEMENT

WHEREAS, THE GOVERNING BODY OF THE BOROUGH OF JAMESBURG RECEIVED NOTICE FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS OF ITS ELIGIBILITY TO RECEIVE A LOCAL LIBRARY AID GRANT IN THE AMOUNT OF \$65,000; AND

WHEREAS, THE PURPOSE OF THE GRANT IS FOR THE REHABILITATION OF THE LIBRARY'S PHYSICAL PLANT INCLUDING THE REPLACEMENT OF BOOKCASES, WINDOWS, FLOORING AND CARPETING;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, THAT THE GOVERNING BODY DOES HEREBY ACCEPT THE GRANT OF \$65,000, FOR PURPOSES DESCRIBED HEREIN;

BE IT FURTHER RESOLVED, THAT THE MAYOR OF THE BOROUGH OF JAMESBURG BE AND HEREBY IS AUTHORIZED TO EXECUTE THE GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS ON BEHALF OF THE BOROUGH OF JAMESBURG, AND UPON EXECUTION OF SAID AGREEMENT, THE BOROUGH OF JAMESBURG DOES ACCEPT THE TERMS AND CONDITIONS SPECIFIED IN THE AGREEMENT IN CONNECTION WITH THIS GRANT.

Council member Maloney stated that he wanted to bring attention to this matter as the grant will be a great thing for the library.

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

RESOLUTION #225-09-14-05

RESOLUTION OF THE BOROUGH OF JAMESBURG APPROVING PAYMENT CERTIFICATE #2 FOR CHURCH STREET RECONSTRUCTION PROJECT

WHEREAS, THE CONTRACTOR, BIG DADDY CONSTRUCTION, INC., HAS SUBMITTED AS-BUILT QUANTITIES FOR THE CHURCH STREET RECONSTRUCTION PROJECT; AND

WHEREAS, THE ENGINEER HAS REVIEWED SAID QUANTITIES AND IS IN AGREEMENT WITH SAME; AND

WHEREAS, THE ENGINEER RECOMMENDS THE APPROVAL OF PAYMENT CERTIFICATE #2, DATED SEPTEMBER 1, 2005, IN THE AMOUNT OF FIFTY EIGHT THOUSAND THREE HUNDRED FIFTY-THREE DOLLARS AND THIRTY-SEVEN CENTS (\$58,353.37).

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT PAYMENT CERTIFICATE #2, IN THE AMOUNT OF FIFTY EIGHT THOUSAND THREE HUNDRED FIFTY-THREE DOLLARS AND THIRTY-SEVEN CENTS (\$58,353.37) IS HEREBY AUTHORIZED FOR PAYMENT TO BIG DADDY CONSTRUCTION, INC.

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

RESOLUTION #226-09-14-05

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 \$679,138.69.

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

COUNCIL MEMBER COMMITTEE REPORTS

BUILDINGS, GROUNDS AND PARKS COMMITTEE & HOLIDAY EVENTS COMMITTEE

Council member Carpenter was absent.

PERSONNEL & NEGOTIATIONS COMMITTEE

Council member Jennings reported that the Department of Public Works negotiations are ongoing.

POLICE COMMITTEE

Police Commissioner Kostbar reported that the Police Committee meeting was canceled.

EDUCATION COMMITTEE

Council member Longo reported on "Back-to-School" nights at the schools. Also, will be attending the Board of Education Meeting. The Land Use Board meeting was cancelled this month and will need to be re-scheduled. The Chamber of Commerce will be holding its Town Wide Yard Sale on September 24, with Fall Clean-up to take place on September 28. The Chamber will again hold its scarecrow-decorating contest on October 1 at Veterans Park. The Chamber also planted mums in the Borough planters downtown. The annual Pumpkin Fest will be held at the Firehouse on October 29. Also, discussion is being held regarding a school scholarship in the memory of Henry "Spud" Dobenski.

PUBLIC WORKS COMMITTEE & TECHNOLOGY COMMITTEE

Council member Maloney reported that the Public Works Committee just prior to the Council meeting, where leaf collection was discussed. The new truck is currently in for repairs and it is hoped that this will not impair leaf collection, which will begin on October 28 and is on a weekly schedule. Residents will need to adjust to the new leaf collection schedule mandated by the new Stormwater Management regulations. The D.P.W. is requesting that a portable compressor and jackhammer be budgeted for in next years budget. Additionally, is awaiting comments from the League of Municipalities regarding the franchising bills, before the Borough moves ahead with a Resolution.

PUBLIC SAFETY/ EMERGENCY SERVICES COMMITTEE

Council member Morales had no report as he was out of the state with the National Guard assisting with Hurricane Katrina recovery.

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: Jennings

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

ABSENT: Carpenter

None Opposed, None Abstaining.

Evelyn Monte – 47 Half Acre Road

- Stated that she is speaking on behalf of the Senior Citizens Club, who would like certain issues addressed at the Senior Citizens building, with the grant money, the Borough was awarded.

Josephine Mazzio – 56 Pergola Avenue

- Spoke regarding the sidewalk at the front of the Senior Citizen Building.
- Spoke regarding a hole in the road by Jonathon's restaurant, caused by a water main break.
- Spoke regarding the need for the Traffic Chapter of the Borough Code to be approved.
-

MOTION TO CLOSE TO PUBLIC COMMENT:

PROPOSED BY: Jennings

SECONDED BY: Maloney

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

ABSENT: Carpenter

None Opposed, None Abstaining

MOTION TO ADJOURN:

PROPOSED BY: Maloney

SECONDED BY: Morales

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

ABSENT: Carpenter

None Opposed, None Abstaining

TIME OF ADJOURNMENT:

7:30 pm