

BOROUGH OF JAMESBURG

COUNCIL MEETING

MINUTES –AUGUST 16, 2006

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 all provisions of that Act have been met. Any contracts awarded tonight require the contractor to comply with N.J.S.A.10:5-31 et.seq. and N.J.A.C. 17:27. Also announced, in the event of a fire and pursuant to the N.J. Uniform Fire Code, 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 Jennings
Council member Carpenter
Council member Kostbar
Council member Longo
Council member Maloney
Council member Morales
Engineer Dittenhofer
Denise Jawidzik, Business Administrator

Those Absent: Attorney Raffetto

ORDINANCE – SECOND READING/PUBLIC HEARING:

THE FOLLOWING ORDINANCE WAS APPROVED ON FIRST READING AT THE MEETING OF THE MAYOR AND COUNCIL HELD ON JULY 19, 2006, AND PUBLISHED IN FULL IN THE JULY 28, 2006 EDITION OF THE CRANBURY PRESS. COPIES HAVE BEEN POSTED ON THE MUNICIPAL BULLETIN BOARD AND MADE AVAILABLE TO THE PUBLIC SINCE INTRODUCTION

ORDINANCE #08-06

ORDINANCE OF THE BOROUGH OF JAMESBURG AMENDING ORDINANCE #16-05, WHICH ADOPTED THE AMENDED CHAPTER 7 (TRAFFIC) OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG (2000)”

WHEREAS, ON NOVEMBER 9, 2005, THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG APPROVED ORDINANCE #16-05, WHICH APPROVED THE AMENDED CHAPTER 7 OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG (2000)”; AND

WHEREAS, ORDINANCE #16-05 WAS FORWARDED TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR APPROVAL OF THE CODIFIED TRAFFIC CHAPTER (CHAPTER 7) OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG (2000)”; AND

WHEREAS, THE N.J.D.O.T. HAS GIVEN ADVICE ON OBTAINING SAID APPROVAL; AND

WHEREAS, THE BOROUGH OF JAMESBURG NOW WISHES TO AMEND THE CODIFIED TRAFFIC CHAPTER TO THE SATISFACTION OF THE NEW JERSEY DEPARTMENT OF TRANSPORTATION;

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX , NEW JERSEY THAT CHAPTER 7 OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG (2000)” IS AMENDED AND SUPPLEMENTED AS FOLLOWS:

1. CHAPTER 7, SECTION 20 (STOP INTERSECTIONS) IS AMENDED TO READ AS FOLLOWS(DELETIONS ARE SHOWN WITH ~~STRIKETHROUGH~~, REVISIONS ARE SHOWN IN {BRACKETS}):

7-20 STOP INTERSECTIONS. Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections described are hereby designated as Stop Intersections. Stop signs shall be installed as provided therein.

<i>Intersection</i>	<i>Stop Sign (s) On:</i>
Cherry Street and Lake Street	Cherry Street
Glenn Court and Prospect Street	Glenn Court
Hillside Avenue and Front Street	Hillside Avenue
Hilltop Court and Ridgeview Road	Hilltop Court
Sedgewick Street and McKnight Avenue	Sedgewick Street
Sedgewick Street and Stevens Avenue	Sedgewick Street
Sherman Street and Stevens Avenue	Sherman Street
Sheridan Street and Stevens Avenue	Sheridan Street
Spring Street and Michael Street	Spring Street
Spring Street and Forge Road	Spring Street
Spring Street and Williams Street	Williams Street {Spring Street}
Stevens Avenue and Augusta Street	Stevens Avenue
Stevens Avenue and Franklin Street	Stevens Street
Stevens Avenue and Warren Street	Stevens Avenue
Vine Street and Stevens Avenue	Vine Street

2. CHAPTER 7, SECTION 40.1(REGULATION FOR THE MOVEMENT AND THE PARKING OF TRAFFIC ON MUNICIPAL PROPERTY AND BOARD OF EDUCATION PROPERTY) REGULATION 6 (TURN PROHIBITIONS) IS AMENDED TO READ AS FOLLOWS(DELETIONS ARE SHOWN WITH STRIKETHROUGH, REVISIONS ARE SHOWN IN {BRACKETS}):

7-40.1 Regulation for the Movement and the Parking of Traffic on Municipal Property and Board of Education Property. In accordance with the provisions N.J.S.A. 39:4-197, the following Municipal and Board of Education Property shall have the movement of traffic controlled by the type of regulation indicated. No person shall operate, or park a vehicle in violation of the regulations indicated.

a. *JFK School*
31 Front Street

Regulations:

6. Turn Prohibitions:

No person shall make a turn at any location listed and only in the manner described.

<i>Intersection</i>	<i>Turn Prohibited</i>	<i>Movement Prohibited</i>
Davison Avenue and Road "A"	Left 8:00am to 8:30am and 2:30pm to 3:00pm, School Days; September 1st through June 30th	From Road "A" southbound onto Davison Avenue eastbound {From Road "A" eastbound onto Davison Avenue northbound}

3. CHAPTER 7, SECTION 40.3(REGULATION FOR THE MOVEMENT AND THE PARKING OF TRAFFIC ON ALL OTHER PRIVATE PROPERTY) IS AMENDED TO READ AS FOLLOWS(DELETIONS ARE SHOWN WITH STRIKETHROUGH, REVISIONS ARE SHOWN IN {BRACKETS}):

7-40.3 Regulation for the Movement and the Parking of Traffic on All Other Private Property. In accordance with the provisions of N.J.S.A. 39:5A-1, the regulations of Subtitle 1 of the Title 39 of the Revised Statutes are hereby made applicable to the properties listed below.

a. *Property:*

Beaver Brook Run {Condominiums}

Regulations:

1. General Parking:

- a. All vehicles must park in designated areas and between the lines provided.
- b. {No person shall stop or stand a vehicle upon any of the streets or parts of streets described below:

<i>Name of Street</i>	<i>Sides</i>	<i>Hours</i>	<i>Limits</i>
Beaver Brook Drive	West	ALL	Entire Length
Beaver Brook Drive	East	ALL	From Deerfield Lane north to Forsgate Drive
Brookview Circle	Both	ALL	The entire length except on the east side of the west section center island, the west side of the east section center island and the north side of the east-to-west section.
Deerfield Lane	Both	ALL	Entire length
Dogwood Court	Both	ALL	Entire length except along center island
Hemlock Drive	Both	ALL	Entire length of Hemlock Drive section which runs directly east to west from Wigwam Pond Lane
Hemlock Drive	East	ALL	Entire length from the northern intersection of Wigwam Pond Lane to the southern east-west section of Hemlock Drive
Hemlock Drive	West	ALL	Entire length fro Jennifer Drive to Jeanette Court
Hickory Court	Both	ALL	Entire length except along the center island
Jeanette Court	Both	ALL	Entire length
Jennifer Drive	South	ALL	Entire length
Jennifer Drive	North	ALL	Entire length from Robin Place to Half Acre Road except along north side of island
Peachtree Lane	North	ALL	Entire length
Peachtree Lane	South	ALL	From Hemlock Drive south to a point 75' east from the end of residential unit #13
Pinetree Court	Both	ALL	Entire length
Robin Place	East	ALL	Entire length
Spruce Street	Both	ALL	Entire length except for the west side of the island formed by Spruce Street and Hemlock Drive
Wigwam Pond Lane	East	ALL	Entire length except for the entire cul-de-sac
Wigwam Pond Lane	West	ALL	Entire length except from Peachtree Lane to the northern entrance of Hemlock Drive}

{c.) Handicapped Parking

All stalls shall be 12 foot wide as shown on the attached site plan and signed with the R7-8 and R7-8P (Reserved Parking Sign and Penalty Plate), in the designated parking areas for persons who have been issued the Handicapped Parking Permit by the Motor Vehicle Commission.

2. Through Streets, Stop and Yield Intersections:

a. Through Streets:

The following streets or parts of streets are hereby designated as Through Streets. Stop signs shall be installed on the near right side of each street intersecting the through street except where Yield signs are provided for in the designation.

<u>Name of Street</u>	<u>Limits</u>
{Jennifer Drive	Entire Length
Beaver Brook Drive	Entire Length
Hemlock Drive	Entire Length
Wigwam Pond Lane	Entire Length}

b. Stop Intersections:

The following described intersections are hereby designated as Stop Intersections. Stop signs shall be installed as provided therein.

<u>Intersection</u> {Hickory Court & Robin Place	<u>Stop Sign(s) on:</u> Robin Place
Robin Place and Road "A"	Road "A"}

c. Yield Intersections:

The following described intersections are hereby designated as Yield intersections. Yield signs shall be installed as provided therein.

<u>Intersection</u> {RESERVED}	<u>Yield Sign(s) on:</u>
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3. One-Way Streets. The following described streets or parts of streets are hereby designated as One-Way Streets in the direction indicated.

<u>Name of Street</u> {RESERVED}	<u>Direction</u>	<u>Limits</u>
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4. Speed Limits:

- a. The speed limit for both directions of traffic in the parking lot(s) shall be {15 M.P.H}.
- b. The speed limit for both directions of travel on the following roadways are:

<u>Name of Roadway</u> {All Roadways in Beaver Brook Run	<u>M.P.H.</u> 15	<u>Limits</u> Entire Length}
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- c. Regulatory and warning signs shall be erected and maintained to effect the above designated speed limits authorized by the Department of Transportation.

5. Tow-Away Zones. Any vehicle parked or standing as to obstruct or impede a normal flow of traffic block entrances or exit ways, loading zones, oil fills, any grassy area pedestrian walkway, or present in any way a safety or traffic hazard may be removed by towing the vehicle at the owners or operators expense.

6. Turn Prohibitions. No person shall make a turn at any location listed and only in the manner described.

<u>Intersection</u> {RESERVED}	<u>Turn Prohibited</u>	<u>Movement Prohibited</u>
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7. Loading Zone(s). The locations described are hereby designated as Loading Zones. No person shall park a vehicle in said location during the times indicated other than for the loading or unloading of goods and materials.

<u>Name of Street</u> {RESERVED}	<u>Sides</u>	<u>Hours</u>	<u>Location</u>
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8. Bus Stop(s). The locations described are hereby designated as Bus stops. No vehicle other than an omnibus, picking up or discharging passengers, shall be permitted to occupy said location between the hours indicated.

<u>Name of Street</u> {RESERVED}	<u>Hours</u>
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9. Lane Use Reservations. The Lane locations described are designated as Lane Use Reservations and traffic shall move as indicated.

<u>Intersection</u> {RESERVED}	<u>Movement</u>
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10. Mid-Block Crosswalks. The following locations shall be established as Mid-Block Crosswalks:

<u>Name of Street</u> {RESERVED}	<u>Location</u>
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11. Authorized Vehicles Only. The following streets or parts of streets shall be designated as use for authorized vehicles only. No vehicle other than an authorized vehicle shall enter upon the below roadway.

<u>Name of Street</u> {RESERVED}	<u>Limits</u>
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12. No Passing Zones. The following described streets or parts of streets shall be designated as No Passing Zones.

<u>Name of Street</u> {RESERVED}	<u>Limits</u>
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13. Signs, Pavement Markings, Installation and Maintenance. The owners of the premises referred to this subsection shall provide and install signs and pavement markings as required, which signage and markings shall be in accordance with the "Manual on Uniform Traffic Control Devices for Streets" and Highways. The cost for the procurement and installation of signs and pavement markings shall be the responsibility of the owner of said property. The owner shall subsequent to initial procurement and installation, maintain such signs and pavement markings in good condition at no cost or expense to the Borough of Jamesburg. The owner shall be responsible for the repair and restoration or replacement of same.

The penalty for a violation and conviction of this section shall be not less than fifty dollars (\$50.00) nor more than two thousand dollars (\$2,000.00.) and/or imprisonment in the county jail for a term not to exceed ninety (90) days, or by a period of community service not to exceed ninety (90) days.

b. Property:

Quarry Cove Condominiums (Phase 1)

Regulations:

1. General Parking:

- a. All vehicles must park in designated areas and between the lines provided.
- c. No person shall stop or stand a vehicle upon any of the streets or parts of streets described below:

{c.) Handicapped Parking

All stalls shall be 12 foot wide as shown on the attached site plan and signed with the R7-8 and R7-8P (Reserved Parking Sign and Penalty Plate), in the designated parking areas for persons who have been issued the Handicapped Parking Permit by the Motor Vehicle Commission.

2. Through Streets, Stop and Yield Intersections:

a. Through Streets:

The following streets or parts of streets are hereby designated as Through Streets. Stop signs shall be installed on the near right side of each street intersecting the through street except where Yield signs are provided for in the designation.

<u>Name of Street</u>	<u>Limits</u>
{Sandhill Road	Entire Length
Wigwam Pond Lane	Entire Length}

d. Stop Intersections:

The following described intersections are hereby designated as Stop Intersections. Stop signs shall be installed as provided therein.

<u>Intersection</u>	<u>Stop Sign(s) on:</u>
{Stony Hill Road and Mine Road	Mine Road}

e. Yield Intersections:

The following described intersections are hereby designated as Yield intersections. Yield signs shall be installed as provided therein.

<u>Intersection</u>	<u>Yield Sign(s) on:</u>
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{RESERVED}

- 3. One-Way Streets. The following described streets or parts of streets are hereby designated as One-Way Streets in the direction indicated.

<u>Name of Street</u>	<u>Direction</u>	<u>Limits</u>
{RESERVED}		

- 4. Speed Limits:

- d. The speed limit for both directions of traffic in the parking lot(s) shall be {15 M.P.H}.
- e. The speed limit for both directions of travel on the following roadways are:

<u>Name of Roadway</u>	<u>M.P.H.</u>	<u>Limits</u>
{All Roadways in Quarry Cove (Phase I)}	15	Entire Length}

- f. Regulatory and warning signs shall be erected and maintained to effect the above designated speed limits authorized by the Department of Transportation.

- 5. Tow-Away Zones. Any vehicle parked or standing as to obstruct or impede a normal flow of traffic block entrances or exit ways, loading zones, oil fills, any grassy area pedestrian walkway, or present in any way a safety or traffic hazard may be removed by towing the vehicle at the owners or operators expense.

- 6. Turn Prohibitions. No person shall make a turn at any location listed and only in the manner described.

<u>Intersection</u>	<u>Turn Prohibited</u>	<u>Movement Prohibited</u>
{RESERVED}		

- 7. Loading Zone(s). The locations described are hereby designated as Loading Zones. No person shall park a vehicle in said location during the times indicated other than for the loading or unloading of goods and materials.

<u>Name of Street</u>	<u>Sides</u>	<u>Hours</u>	<u>Location</u>
{RESERVED}			

- 8. Bus Stop(s). The locations described are hereby designated as Bus stops. No vehicle other than an omnibus, picking up or discharging passengers, shall be permitted to occupy said location between the hours indicated.

<u>Name of Street</u>	<u>Hours</u>
{RESERVED}	

- 9. Lane Use Reservations. The Lane locations described are designated as Lane Use Reservations and traffic shall move as indicated.

<u>Intersection</u>	<u>Movement</u>
{RESERVED}	

- 10. Mid-Block Crosswalks. The following locations shall be established as Mid-Block Crosswalks:

<u>Name of Street</u>	<u>Location</u>
{RESERVED}	

- 11. Authorized Vehicles Only. The following streets or parts of streets shall be designated as use for authorized vehicles only. No vehicle other than an authorized vehicle shall enter upon the below roadway.

<u>Name of Street</u>	<u>Limits</u>
{RESERVED}	

- 12. No Passing Zones. The following described streets or parts of streets shall be designated as No Passing Zones.

<u>Name of Street</u>	<u>Limits</u>
{RESERVED}	

- 13. Signs, Pavement Markings, Installation and Maintenance. The owners of the premises referred to this subsection shall provide and install signs and pavement markings as required, which signage and markings shall be in accordance with the "Manual on Uniform Traffic Control Devices for Streets" and Highways. The cost for the procurement and installation of

signs and pavement markings shall be the responsibility of the owner of said property. The owner shall subsequent to initial procurement and installation, maintain such signs and pavement markings in good condition at no cost or expense to the Borough of Jamesburg. The owner shall be responsible for the repair and restoration or replacement of same.

The penalty for a violation and conviction of this section shall be not less than fifty dollars (\$50.00) nor more than two thousand dollars (\$2,000.00.) and/or imprisonment in the county jail for a term not to exceed ninety (90) days, or by a period of community service not to exceed ninety (90) days.

2. 4. THAT, IN THE EVENT THAT ANY PORTION OF THIS ORDINANCE IS FOUND TO BE INVALID FOR ANY REASON BY ANY COURT OF COMPETENT JURISDICTION, SUCH JUDGMENT SHALL BE LIMITED IN ITS EFFECT ONLY TO THE PORTION OF THE ORDINANCE ACTUALLY ADJUDGED INVALID AND SHALL NOT BE DEEMED TO AFFECT THE OPERATION OF ANY OTHER PORTION THEREOF.

5. THAT ALL OTHER ORDINANCES OR PART(S) OF ORDINANCES INCONSISTENT WITH THE PROVISIONS OF THIS ORDINANCE ARE HEREBY REPEALED TO THE EXTENT OF THEIR INCONSISTENCY.

6. THIS ORDINANCE SHALL TAKE EFFECT UPON FINAL PASSAGE AND PUBLICATION IN ACCORDANCE WITH THE LAW.

Motion to Open to Public Comment on Ordinance #08-06

Proposed by: Longo

Seconded by: Carpenter

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

None Opposed, None Abstaining.

Public Comment on Ordinance #08-06

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

Motion to Close to Public Comment on Ordinance #08-06

Proposed by: Morales

Seconded by: Longo

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

None Opposed, None Abstaining.

Motion to Approve Ordinance #08-06 on Second Reading:

Proposed by: Longo

Seconded by: Carpenter

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

None Opposed, None Abstaining.

CONSENT AGENDA DEFINED:

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

Resolution #200-08-16-06 was removed, while the remainder of the Consent Agenda was approved on the following vote:

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

RESOLUTIONS:

RESOLUTION #201-08-16-06**

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 2006
Sewer Administrator	July 2006
Investment Report	July 2006
Finance Officer	July 2006
Police Chief	June 2006

RESOLUTION #202-08-16-06**

REDEMPTION OF TAX LIEN

WHEREAS, THE TAX COLLECTOR HAS VERIFIED RECEIPT OF PAYMENT IN THE AMOUNT OF EIGHT HUNDRED SEVENTY-SIX DOLLARS AND FIFTY-FOUR CENTS (\$876.54) AS VERIFIED IN THE CERTIFICATION ATTACHED HERETO; AND

WHEREAS, THIS PAYMENT WAS MADE FOR THE REDEMPTION OF THE TAX SALE CERTIFICATE #05-0002 AS SPECIFIED ON THE AFOREMENTIONED CERTIFICATION.

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 EIGHT HUNDRED SEVENTY-SIX DOLLARS AND FIFTY-FOUR CENTS (\$876.54) TO THE LIEN HOLDER SPECIFIED.

RESOLUTION #203-08-16-06**

AUTHORIZE REFUNDS OF TAX OVERPAYMENTS

WHEREAS, OVERPAYMENTS OF TAXES, HAVE BEEN RECEIVED BY THE TAX COLLECTORS OFFICE IN THE AGGREGATE AMOUNT OF FIVE THOUSAND, TWO HUNDRED AND TWENTY DOLLARS AND TWENTY-NINE CENTS (\$5,220.29); AND

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

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE TAX COLLECTOR BE AND IS HEREBY AUTHORIZED TO ISSUE CHECKS IN THE AGGREGATE AMOUNT OF FIVE THOUSAND, TWO HUNDRED AND TWENTY DOLLARS AND TWENTY-NINE CENTS (\$5,220.29), IN ACCORDANCE WITH THE CERTIFICATIONS ATTACHED HERETO.

RESOLUTION #204-08-16-06**

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 2006 IN THE AMOUNT OF \$150.00 WHICH ITEM IS NOW AVAILABLE AS REVENUE FROM THE COUNTY OF MIDDLESEX KEEP MIDDLESEX MOVING; AND

BE IT FURTHER RESOLVED THAT A LIKE SUM OF \$150.00 BE AND THE SAME IS HEREBY APPROPRIATED UNDER THE CAPTION OF:

KEEP MIDDLESEX MOVING TDM AWARD

RESOLUTION #205-08-16-06**

RESOLUTION AUTHORIZING THE RATE OF INTEREST TO BE CHARGED FOR PAYMENT OF THE THIRD QUARTER 2006 TAXES AT AN INTEREST RATE OF .000000001% FOR THE PERIOD OF AUGUST 1, 2006 THROUGH SEPTEMBER 7, 2006.

WHEREAS, N.J.S.A. 54:4-67 PERMITS THE GOVERNING BODY OF A MUNICIPALITY TO FIX THE RATE OF INTEREST TO BE CHARGED FOR THE NON PAYMENT OF TAXES OR ASSESSMENTS:

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, DUE TO THE DELAY IN THE DELIVERY OF THE 2006-2007 PROPERTY TAX BILLS, THAT:

1. THE INTEREST RATE TO BE CHARGED ON THIRD QUARTER 2006 TAX PAYMENTS WILL BE .000000001% FOR THE PERIOD OF AUGUST 1, 2006 THROUGH SEPTEMBER 7, 2006.
2. IN THE EVENT THAT PAYMENTS OF THE THIRD QUARTER TAXES ARE NOT PAID BY SEPTEMBER 7, 2006, THE TAX COLLECTOR IS HEREBY AUTHORIZED TO CHARGE INTEREST AT THE RATE OF 8% PER ANNUM ON THE FIRST \$1,500.00 OF THE DELINQUENCY AND 18% PER ANNUM ON ANY AMOUNT IN EXCESS OF \$1,500.00 TO BE CALCULATED FROM THE DATE THE TAX WAS PAYABLE UNTIL THE ACTUAL PAYMENT.
3. INTEREST ON ALL OTHER TAX PAYMENTS DURING THIS PERIOD WILL BE CHARGED AT THE RATES SET BY THE INTEREST RESOLUTION PASSED BY THE MAYOR AND COUNCIL AT THE ANNUAL REORGANIZATION MEETING OF JANUARY 4, 2006.
4. A CERTIFIED TRUE COPY OF THIS RESOLUTION BE FORWARDED TO THE TAX COLLECTOR.

RESOLUTION #206-08-16-06**

RELEASE OF PERFORMANCE BOND OF J.D.S. GENERAL CONTRACTING, INC. BEING HELD FOR THE MUNICIPAL BUILDING ROOF REPLACEMENT.

WHEREAS, THE BOROUGH OF JAMESBURG IS IN POSSESSION OF A PERFORMANCE BOND FROM J.D.S. GENERAL CONTRACTING, INC., FOR THE MUNICIPAL BUILDING ROOF REPLACEMENT; AND

WHEREAS, J.D.S. GENERAL CONTRACTING, INC. HAS SUBMITTED MAINTENANCE BOND NUMBER #b202699, SELECTIVE INSURANCE COMPANY OF AMERICA BEING THE SURETY, IN THE AMOUNT OF SEVENTY-ONE THOUSAND TWENTY-TWO DOLLARS AND NO CENTS (\$71,022.00) 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 MUNICIPAL BUILDING ROOF REPLACEMENT.

END OF CONSENT AGENDA



RESOLUTION #200-08-16-06**

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL
July 19, 2006
July 31, 2006 - Emergency Meeting

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

RESOLUTION #207-08-16-06

RESOLUTION OF THE BOROUGH OF JAMESBURG APPROVING PAYMENT CERTIFICATE #5(FINAL PAYMENT) FOR THE VETERANS PARK IMPROVEMENTS.

WHEREAS, THE CONTRACTOR, BIG DADDY CONSTRUCTION, INC. HAS SUBMITTED AS-BUILT QUANTITIES FOR THE VETERANS PARK IMPROVEMENTS; AND

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

WHEREAS, THE ENGINEER RECOMMENDS THE APPROVAL OF PAYMENT CERTIFICATE #5 (FINAL PAYMENT) DATED AUGUST 7, 2006, IN THE AMOUNT OF THREE THOUSAND SIX HUNDRED TWO DOLLARS AND FORTY- EIGHT CENTS (\$3,602.48).

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT PAYMENT CERTIFICATE #5 (FINAL PAYMENT) DATED AUGUST 7, 2006, IN THE AMOUNT OF THREE THOUSAND SIX HUNDRED TWO DOLLARS AND FORTY- EIGHT CENTS (\$3,602.48) IS HEREBY AUTHORIZED FOR PAYMENT TO BIG DADDY CONSTRUCTION, INC.

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

RESOLUTION #208-08-16-06

RELEASE OF PERFORMANCE BOND OF BIG DADDY CONSTRUCTION, INC.BEING HELD FOR THE WOODLAND ROAD/FRONT STREET CURB AND SIDEWALK PROJECT.

WHEREAS, THE BOROUGH OF JAMESBURG IS IN POSSESSION OF A PERFORMANCE BOND FROM BIG DADDY CONSTRUCTION, INC., FOR THE WOODLAND ROAD/FRONT STREET CURB AND SIDEWALK PROJECT; AND

WHEREAS, BIG DADDY CONSTRUCTION, INC. HAS SUBMITTED MAINTENANCE BOND NUMBER #6250912 MB, FIRST NATIONAL INSURANCE COMPANY OF AMERICA BEING THE SURETY, IN THE AMOUNT OF EIGHTY-FIVE THOUSAND FOUR HUNDRED TEN DOLLARS AND NO CENTS (\$85,410.00) 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 WOODLAND ROAD/FRONT STREET CURB AND SIDEWALK PROJECT.

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

RESOLUTION #209-08-16-06

RELEASE OF PERFORMANCE BOND OF BIG DADDY CONSTRUCTION, INC. BEING HELD FOR THE CHURCH STREET IMPROVEMENT PROJECT.

WHEREAS, THE BOROUGH OF JAMESBURG IS IN POSSESSION OF A PERFORMANCE BOND FROM BIG DADDY CONSTRUCTION, INC., FOR THE CHURCH STREET IMPROVEMENT PROJECT; AND

WHEREAS, BIG DADDY CONSTRUCTION, INC. HAS SUBMITTED MAINTENANCE BOND NUMBER #6250902 MN, FIRST NATIONAL INSURANCE COMPANY OF AMERICA BEING THE SURETY, IN THE AMOUNT OF ONE HUNDRED THIRTY-FIVE THOUSAND FOUR HUNDRED SEVENTY DOLLARS AND TWENTY-FIVE CENTS (\$135,470.25) 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 CHURCH STREET IMPROVEMENT PROJECT.

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

RESOLUTION #210-08-16-06

RESOLUTION GRANTING COUNCIL CONSENT OF CARETAKER LEASE FOR THE BUCKELEW MANSION

WHEREAS, THE BOROUGH OF JAMESBURG IS THE RECORD OWNER OF THE REAL PROPERTY LOCATED AT 203 BUCKELEW AVENUE, WITHIN THE BOROUGH, WHICH IS MORE COMMONLY KNOWN AS BLOCK 15, LOT 2, ON THE BOROUGH OF JAMESBURG TAX MAP, UPON WHICH IS CONSTRUCTED A HISTORIC HOME KNOWN AS THE "BUCKELEW HOUSE" AND ALSO KNOWN AS "LAKEVIEW HOUSE"; AND

WHEREAS, THE BOROUGH OF JAMESBURG HAS ENTERED INTO A LEASE AGREEMENT WITH THE JAMESBURG HISTORICAL ASSOCIATION VIA THE ADOPTION OF ORDINANCE #08-04 IN APRIL OF 2004; AND

WHEREAS, THE JAMESBURG HISTORICAL ASSOCIATION WISHES TO ENTER INTO A LEASE AGREEMENT WITH THE CARETAKER OF SAID PROPERTY, NAMELY JOHN J. KEATING; AND

WHEREAS, AS THE OWNER OF SAID REAL PROPERTY, THE BOROUGH OF JAMESBURG HAS REVIEWED THE TERMS OF SAID LEASE WITH JOHN J. KEATING, AS ARE SET FORTH IN THE ATTACHED LEASE AGREEMENT; AND

WHEREAS, THE ATTACHED LEASE AGREEMENT HAS BEEN REVIEWED BY THE BOROUGH ATTORNEY;

NOW, THEREFORE, BE IT RESOLVED, THAT THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, HEREBY CONSENT AND APPROVE OF THE ATTACHED LEASE AGREEMENT BETWEEN THE JAMESBURG HISTORICAL ASSOCIATION AND CARETAKER, JOHN J. KEATING.

Motion to table to meeting of September 13, 2006

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

RESOLUTION #211-08-16-06

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 \$1,711,452.35

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

RESOLUTION #212-08-16-06

RESOLUTION AUTHORIZING EXECUTION OF TREATMENT WORKS APPLICATION

WHEREAS, AN APPLICATION WAS SUBMITTED TO THE BOROUGH OF JAMESBURG COMBINED LAND USE BOARD FOR THE CONSTRUCTION OF RESIDENTIAL COMMUNITY BUILDING ON BLOCK 17, LOT 9, ON LAKE STREET WITHIN THE BOROUGH; AND

WHEREAS, COMBINED LAND USE BOARD OF THE BOROUGH OF JAMESBURG HAS APPROVED THE SITE PLAN APPLICATION FOR THE CONSTRUCTION OF SAID BUILDING, WHICH WILL REQUIRE AN EXTENSION OF THE EXISTING SEWER MAIN; AND

WHEREAS, THE DEPARTMENT OF ENVIRONMENTAL PROTECTION REQUIRES A TREATMENT WORKS APPLICATION BE FILED WITH THE D.E.P. FOR THE EXTENSION OF THE SEWER MAIN AND THE TREATMENT WORKS APPLICATION PACKAGE INCLUDES A STATEMENT OF CONSENT TO BE SIGNED BY A BOROUGH REPRESENTATIVE, WITH AUTHORIZATION BEING GRANTED TO THAT REPRESENTATIVE BY A RESOLUTION OF THE GOVERNING BODY:

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, NEW JERSEY THAT THE GOVERNING BODY DOES HEREBY GRANT CONSENT TO THE RESIDENTIAL COMMUNITY BUILDING ON

BLOCK 17, LOT 9 ON LAKE STREET AND THE MAYOR IS HEREBY AUTHORIZED TO SIGN THE N.J.D.E.P. TREATMENT WORKS APPLICATION.

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

DISCUSSION:

Costco Wholesale Facility

Attorney Raffetto issued a memo to Council as he was unable to attend this evening's Council meeting. The memorandum explained the steps taken by Monroe regarding the Costco site, as well as laws pertaining to the release of performance guarantees. Monroe Township released Costco's performance guarantee on July 31, in exchange for a maintenance guarantee in excess of \$3,000,000. Also included with the documentation from Attorney Raffetto was a draft form of a letter that would be sent to Mr. & Mrs. Bushman of Gatzmer Avenue, should Council consent to said letter, explaining all that has been undertaken to address flooding due to the construction of the Costco facility. Engineer Dittenhofer also explained that he has met with Monroe Township Engineer, Ernie Feist, regarding berm modifications and the reconstruction of the failed detention basin at the Costco site, as well as Monroe's responsibility under the existing settlement agreement to address flooding issues through the use of \$50,000 given to Monroe from Costco. Council member Maloney raised concern of the initial detention basin failure that significantly contributed to the flooding experienced by Borough residents in July of 2005. Engineer Dittenhofer explained that the original detention basin was built and designed to withstand a 100-year flood event. The storm experienced in the Borough last year has been described as a 1000-year flood event. Council agreed that Monroe Township's actions pertaining to the Gatzmer Avenue flooding must be closely monitored. Mayor LaMantia requested Council consensus as to whether the draft letter should be sent by Attorney Raffetto to Mr. & Mrs. Bushman. So agreed.

COUNCIL MEMBER COMMITTEE REPORTS

EDUCATION COMMITTEE

Council member Carpenter reported on Board of Education and Library events and matters.

POLICE COMMITTEE

Police Commissioner Jennings reported that the new computers in the patrol vehicles are working successfully.

FINANCE AND BUDGETING COMMITTEE

Council member Kostbar had no report.

PERSONNEL/NEGOTIATIONS COMMITTEE & HOLIDAY EVENTS COMMITTEE

Council member Longo reported that the Combined Land Use Board has given final site plan approval for the Gatzmer Avenue/Front Street site that became the subject of some controversy. The Land Use Board also deemed the Commerce Bank application to be incomplete and they are due to return before the Board in September. The Board has also formed the Master Plan review/re-exam committee and the Land Use ordinances that will bring the Borough code in compliance with the Master plan, are drafted and require final review. The Chamber of Commerce is in the process of electing new officers and the Civic Association will be holding a formal tea fundraiser on October 1. The Fall Town Wide Yard Sale will take place on September 18. The annual scarecrow-decorating event will take place on October 14. The Revitalization committee was originally slated to hold a public hearing on September 25, but State representatives could not attend on that date. Therefore, the public hearing was re-scheduled for October 2nd, 2006 at 7:30pm at the Borough Hall.

BUILDINGS, GROUNDS AND PARKS COMMITTEE & TECHNOLOGY COMMITTEE

Council member Maloney reported that the Statewide Cable Franchise has finally been signed into law. The Borough should see the results of cable competition as the 60 most densely populated municipalities will now mandated to be served under said law.

PUBLIC WORKS COMMITTEE

Council member Morales had no committee report. However, wished to inform Council, due to his involvement in the National Guard, he will be leaving for approximately a 6-month period to serve in the Middle East.

Engineer Dittenhofer reported that the Sheridan Street/Stevens Avenue reconstruction project is due to begin.

Mayor LaMantia reported that the Annual Street Fair went well. Suggestions have been made to move the date of the Street Fair. A meeting will be held at the beginning of next year to settle on a date. The Elks Lodge Charity Ball will be held on October 7th this year. The annual Pumpkin Fest has been scheduled for October 28th from 1:00pm to 4:00pm. As long as the weather does not have an effect on the crops, pumpkins for the pumpkin-decorating contest should be distributed on October 14, coordinating with the scarecrow-decorating program.

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: Kostbar
 ALL IN FAVOR: Carpenter, Jennings, Kostbar, Longo, Maloney, Morales.
 None Opposed, None Abstaining.

PUBLIC COMMENT:

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

MOTION TO CLOSE TO PUBLIC COMMENT:

PROPOSED BY: Longo
 SECONDED BY: Carpenter
 ALL IN FAVOR: Carpenter, Jennings, Kostbar, Longo, Maloney, Morales.
 None Opposed, None Abstaining.

RESOLUTION #213-08-16-06

RESOLUTION FOR COUNCIL TO ADJOURN TO EXECUTIVE SESSION

WHEREAS, SECTION 8 OF THE OPEN PUBLIC MEETINGS ACT, CHAPTER 231 P.L. 1975 PERMITS THE EXCLUSION OF THE PUBLIC FROM A MEETING IN CERTAIN CIRCUMSTANCES; AND

WHEREAS, THIS PUBLIC BODY IS OF THE OPINION THAT SUCH CIRCUMSTANCES PRESENTLY EXIST;

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AS FOLLOWS:

5. THE PUBLIC SHALL BE EXCLUDED FROM DISCUSSION OF ANY ACTION UPON THE HEREINAFTER SPECIFIED SUBJECT MATTERS.
6. THE GENERAL NATURE OF THE SUBJECT MATTER TO BE DISCUSSED IS AS FOLLOWS:

CONTRACT NEGOTIATION

7. IT IS ANTICIPATED AT THIS TIME THAT THE ABOVE STATED SUBJECT MATTER SHALL BE MADE PUBLIC AND EXCLUSIVELY UPON AUTHORIZATION OF THE BOROUGH ATTORNEY.
8. ACTION MAY BE TAKEN BY THE BOROUGH COUNCIL, UPON THE CLOSE OF EXECUTIVE SESSION AND THE RETURN TO OPEN PORTION OF THE MEETING. ANYONE WISHING TO REMAIN OUTSIDE COUNCIL CHAMBERS AND RETURN TO VIEW ANY ACTIONS WHICH MAY BE TAKEN IN PUBLIC BY THE COUNCIL AT THE CONCLUSION OF THE EXECUTIVE SESSION MAY DO SO.
9. THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

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

MOTION TO ADJOURN:

PROPOSED BY: Carpenter

SECONDED BY: Maloney

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

None Opposed, None Abstaining.

TIME OF ADJOURNMENT:

7:34 PM