

BOROUGH OF JAMESBURG

COUNCIL MEETING

MINUTES – JULY 19, 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, 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 Jennings
Council member Carpenter
Council member Kostbar
Council member Longo
Council member Maloney
Council member Morales
Denise Jawdzik, Business Administrator

Those Absent: Attorney Raffetto
Engineer Dittenhofer

ORDINANCE – FIRST READING:

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>	<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.

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> {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:

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

Name of Street
{RESERVED}

Limits

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 approve Ordinance #08-06 on First Reading, Authorize Publication, and Set Public Hearing/Second Reading Date:

Proposed by: Kostbar

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.

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

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

RESOLUTIONS:

RESOLUTION #190-07-19-06**

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL

June 28, 2006

RESOLUTION #191-07-19-06**

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	June 2006
Sewer Administrator	June 2006
Finance Officer	June 2006
Investment Report	June 2006

RESOLUTION #192-07-19-06**

AUTHORIZE REFUND OF TAX OVERPAYMENT

WHEREAS, AN OVERPAYMENT OF TAXES, HAVE BEEN RECEIVED BY THE TAX COLLECTORS OFFICE IN THE AMOUNT OF SIX HUNDRED FIFTEEN DOLLARS AND FORTY-EIGHT CENTS (\$615.48); AND

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

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE TAX COLLECTOR BE AND IS HEREBY AUTHORIZED TO ISSUE A CHECK IN THE AMOUNT OF SIX HUNDRED FIFTEEN DOLLARS AND FORTY-EIGHT CENTS (\$615.48), TO WELLS FARGO REAL ESTATE TAX, FOR BLOCK 29, LOT 20.04, IN ACCORDANCE WITH THE CERTIFICATION ATTACHED HERETO.

RESOLUTION #193-07-19-06**

RESOLUTION AUTHORIZING SUBMISSION OF MUNICIPAL ALLIANCE GRANT APPLICATION

WHEREAS, THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY RECOGNIZES THAT THE ABUSE OF ALCOHOL AND DRUGS IS A SERIOUS PROBLEM IN OUR SOCIETY AMONGST PERSONS OF ALL AGES; AND

WHEREAS, THE BOROUGH COUNCIL FURTHER RECOGNIZES THAT IT IS INCUMBENT UPON NOT ONLY THE PUBLIC OFFICIALS BUT UPON THE ENTIRE COMMUNITY TO TAKE ACTION TO PREVENT SUCH ABUSES IN OUR COMMUNITY; AND

WHEREAS, THE BOROUGH COUNCIL HAS APPLIED FOR FUNDING TO THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE THROUGH THE COUNTY OF MIDDLESEX:

NOW, THEREFORE, BE IT RESOLVED, THAT THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, HEREBY RECOGNIZES THE FOLLOWING:

1. THE JAMESBURG BOROUGH COUNCIL DOES HEREBY AUTHORIZE SUBMISSION OF AN APPLICATION FOR THE MUNICIPAL ALLIANCE GRANT FOR THE CALENDAR YEAR 2007 IN THE AMOUNT OF \$9,017.00
2. THE BOROUGH COUNCIL ACKNOWLEDGES THE TERMS AND CONDITIONS FOR ADMINISTERING THE MUNICIPAL ALLIANCE GRANT, INCLUDING THE ADMINISTRATIVE COMPLIANCE AND AUDIT REQUIREMENTS.

RESOLUTION #194-07-19-06**

RESOLUTION SUPPORTING NEW JERSEY STATE ASSEMBLY BILL 2660 TO LIMIT AWARDS OF PUNITIVE DAMAGES AGAINST LOCAL GOVERNMENT UNITS IN CERTAIN CASES.

WHEREAS, THE BOROUGH OF JAMESBURG IS A MEMBER OF THE MIDDLESEX COUNTY MUNICIPAL JOINT INSURANCE FUND, A NEW JERSEY JOINT INSURANCE FUND (J.I.F.) COMPRISED OF THIRTY LOCAL GOVERNMENT UNITS INCLUDING MUNICIPALITIES, BOARDS OF EDUCATION, AND MUNICIPAL AUTHORITIES THAT HAVE JOINED TOGETHER FOR THE PURPOSE OF INSURING THEMSELVES AGAINST A VARIETY OF POTENTIAL MUNICIPAL LIABILITIES AND TO ACQUIRE WORKMAN'S COMPENSATION INSURANCE; AND

WHEREAS, THE MIDDLESEX COUNTY MUNICIPAL JOINT INSURANCE FUND SUPPORTS ASSEMBLY BILL 2660, WHICH IF ENACTED IS INTENDED TO ELIMINATE THE AWARD OF PUNITIVE DAMAGES AGAINST MUNICIPALITIES AND BOARDS OF EDUCATION AND THEIR EMPLOYEES THAT ARE ACTING WITHIN THE SCOPE OR UNDER COLOR OF THEIR OFFICE, EMPLOYMENT OR AGENCY; AND

WHEREAS, THIS BILL WILL CLARIFY THE LEGISLATURE'S POSITION ON THE ISSUE OF PUNITIVE DAMAGES AGAINST LOCAL GOVERNMENT UNITS AND GUIDE FUTURE COURT DECISIONS WHEN RULING ON THE AVAILABILITY OF SUCH AWARDS; AND

WHEREAS, PUNITIVE DAMAGE AWARDS TRULY DAMAGE THE TAXPAYERS OF A LOCAL GOVERNMENT UNIT, NOT THE INTENDED TARGET OF THE AWARD, AND THEREFORE DO NOT ACHIEVE THE REHABILITATIVE BEHAVIOR MODIFYING GOALS THAT ARE THE NORMAL JUSTIFICATION FOR SUCH AWARDS:

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED BY THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, THAT THIS GOVERNING BODY DESIRES TO BE ON RECORD IN SUPPORTING THE MIDDLESEX COUNTY MUNICIPAL JOINT INSURANCE FUND AND DESIRES TO NOTIFY ITS ELECTED REPRESENTATIVES IN THE NEW JERSEY LEGISLATURE OF ITS SUPPORT OF ASSEMBLY BILL 2660 AND ANY NECESSARY COMPANION LEGISLATION THAT NEEDS TO BE ADOPTED IN THE NEW JERSEY SENATE TO PROTECT THE MUNICIPAL TAXPAYERS OF THE STATE OF NEW JERSEY FROM PUNITIVE AWARDS.

RESOLUTION #195-07-19-06**

RELEASE OF PERFORMANCE BOND OF MACAPODI REALTY IN EXCHANGE FOR MAINTENANCE BOND.

WHEREAS, THE BOROUGH OF JAMESBURG IS IN POSSESSION OF A PERFORMANCE BOND FROM MACAPODI REALTY FOR IMPROVEMENTS TO BLOCK 28, LOT 6, WITHIN THE BOROUGH; AND

WHEREAS, MACAPODI REALTY HAS SUBMITTED MAINTENANCE BOND NUMBER #864558C, DEVELOPERS SURETY AND INDEMNITY COMPANY BEING THE SURETY, IN THE AMOUNT OF TWO THOUSAND SEVEN HUNDRED FIFTY EIGHT DOLLARS AND FIFTY-SEVEN CENTS (\$2,758.57) 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 IMPROVEMENTS TO BLOCK 28, LOT 6.

END OF CONSENT AGENDA

RESOLUTION #196-07-19-06

RESOLUTION AUTHORIZING THE MAYOR TO SIGN AND THE BOROUGH CLERK TO ATTEST THE ATTACHED SECOND ADDENDUM TO THE LEASE AGREEMENT BETWEEN THE BOROUGH OF JAMESBURG AND THE JAMESBURG HISTORICAL ASSOCIATION

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

WHEREAS, IN APRIL 2004, THE BOROUGH COUNCIL ADOPTED ORDINANCE #08-04 AUTHORIZING THE LEASE OF THIS PROPERTY TO THE JAMESBURG HISTORICAL ASSOCIATION (THE "HISTORICAL ASSOCIATION" OR THE "TENANT"), WHICH IS A NON-PROFIT CORPORATION DULY INCORPORATED FOR PURPOSES RELATING TO HISTORIC PRESERVATION FOR THE BENEFIT OF THE GENERAL PUBLIC; AND

WHEREAS, THE ORIGINAL LEASE AGREEMENT AUTHORIZED BY ORDINANCE #08-04 CONTAINED A TEN PARAGRAPH ADDENDUM SETTING FORTH CERTAIN TERMS OF THE LEASE AGREEMENT, INCLUDING, BUT NOT LIMITED TO THE RESPONSIBILITIES OF THE PARTIES FOR MAINTENANCE, UPKEEP AND REPAIRS; AND

WHEREAS, THE BOROUGH OF JAMESBURG AND THE JAMESBURG HISTORICAL ASSOCIATION HAVE AGREED TO MODIFY THE AFOREMENTIONED LEASE AGREEMENT ADDENDUM BY THE ADOPTION OF A SECOND ADDENDUM, A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF; AND

WHEREAS, SAID SECOND ADDENDUM SUBSTITUTES THE ORIGINAL PARAGRAPH 4 WITH A NEW PARAGRAPH 4, PERTAINING TO THE RESPONSIBILITIES OF THE PARTIES FOR MAINTENANCE, UPKEEP AND REPAIRS:

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, THAT THE MAYOR IS AUTHORIZED TO EXECUTE, AND THE BOROUGH CLERK TO ATTEST THE ATTACHED SECOND ADDENDUM TO THE LEASE AGREEMENT BETWEEN THE BOROUGH OF JAMESBURG AND THE JAMESBURG HISTORICAL ASSOCIATION.

Council member Maloney explained that this is a re-visit of an issue from the beginning of the year, pertaining to the maintenance of the Buckelew House. The addendum was prepared by the Borough Attorney and agreed to by the Historical Association.

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

RESOLUTION #197-07-19-06

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 ~~\$109,632.56~~

VOUCHER #06-00781 IN THE AMOUNT OF \$197,500 TO SERV BEHAVIORAL HEALTH WAS ADDED, WHILE VOUCHER #06-00746, IN THE AMOUNT OF \$50.00 TO LISTING CORP. WAS DELETED, FOR A NEW TOTAL AMOUNT OF \$307,082.56.

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

DISCUSSION:

Alleyway Vacation Request

Mayor LaMantia pointed out a letter in Council's agenda packets from the Attorney for Commerce Bank, Kevin Kennedy. It has been the Borough's past practice to not vacate any alleyway without the agreement and consent of all the abutting property owners. Attorney Kennedy was invited to address Council. Mr. Kennedy explained that Commerce Bank is seeking to put a bank on the corner of Perrineville Road and Forsgate Drive. In order to do so, the alleyway would need to be vacated as it traverses the property on which the bank would sit. Therefore, all adjacent property owners to the alleyway were contacted and eight of the nine have agreed to the vacating of the alley. The last hold out has been approached by Commerce Bank representatives regarding a possible sale of the property, but no conclusion has been drawn as of yet. Consensus of Council is to not vacate the alleyway until the matter with the last property owner is settled. Mr. Kennedy related that Commerce Bank is very hopeful to have their application heard by the Land Use Board at their August meeting and proposed that they be placed on the August Land Use Board agenda, with any possible approvals being conditioned upon the ability to gather all the necessary agreements to vacate the alleyway. Council will be kept apprised of whether this matter appears on the August Land Use Board agenda.

COUNCIL MEMBER COMMITTEE REPORTS

EDUCATION COMMITTEE

Council member Carpenter reported that the Board of Education discussed their future goals for the schools at their most recent meeting. The Library has a new motivational reading program in conjunction with the Monroe Township Library, called Reading Buddies.

POLICE COMMITTEE

Police Commissioner Jennings reported that one of the new flashing traffic lights for the school zones has been installed. The computers have also been installed in the Patrol Cars and are working out well.

FINANCE AND BUDGETING COMMITTEE

Council member Kostbar reported that there is still no word on Extraordinary Aid from the State.

PERSONNEL/NEGOTIATIONS COMMITTEE & HOLIDAY EVENTS COMMITTEE

Council member Longo reported on the Revitalization Committee and that the re-examination of the Master Plan is to begin in the fall.

BUILDINGS, GROUNDS AND PARKS COMMITTEE & TECHNOLOGY COMMITTEE

Council member Maloney reported that a third addendum to the agreement with the Historical Association will be up coming and will pertain to the caretaker of the property. The Borough still awaits word regarding Verizon offering cable services in Jamesburg.

PUBLIC WORKS COMMITTEE

Council member Morales had no report.

Mayor LaMantia reported that the new evening program started at the schools through a Federal grant, is working out well and participation is picking up steadily. The Recreation summer camp is under way. August 3rd will be the last day with a special treat for the kids when members of the Police Department come and barbeque for everyone.

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: Carpenter

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: Kostbar

SECONDED BY: Maloney

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

None Opposed, None Abstaining.

MOTION TO ADJOURN:

PROPOSED BY: Maloney

SECONDED BY: Kostbar

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

None Opposed, None Abstaining.

TIME OF ADJOURNMENT:

7:25 PM