

# BOROUGH OF JAMESBURG

## COUNCIL MEETING

### MINUTES – NOVEMBER 8, 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  
Denise Jawdzik, Business Administrator

Those absent: Council member Morales  
Attorney Raffetto  
Engineer Dittenhofer

**ORDINANCE – SECOND READING/PUBLIC HEARING:**

THE FOLLOWING ORDINANCE WAS APPROVED ON FIRST READING AT THE MEETING OF THE MAYOR AND COUNCIL HELD ON OCTOBER 25, 2006, AND PUBLISHED IN FULL IN THE OCTOBER 30, 2006 EDITION OF THE HOME NEWS TRIBUNE. COPIES HAVE BEEN POSTED ON THE MUNICIPAL BULLETIN BOARD AND MADE AVAILABLE TO THE PUBLIC SINCE INTRODUCTION

**ORDINANCE #13-06**

AN ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE SEWER SYSTEM AND APPROPRIATING THE SUM OF \$29,700 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 SEWER SYSTEM; AND

**WHEREAS**, THE BOROUGH OF JAMESBURG HAS BEEN APPROVED FOR \$29,700 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 SEWER SYSTEM, TOGETHER WITH ALL ITEMS NECESSARY, INCIDENTAL OR APPURTENANT THERETO.

SECTION 3. THE 2006 CAPITAL BUDGET OF THE BOROUGH OF JAMESBURG IS HEREBY AMENDED TO CONFORM TO THE PROVISIONS OF THIS ORDINANCE.

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 ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE TERMS OF THIS ORDINANCE BE AND THE SAME ARE HEREBY REPEALED TO THE EXTENT OF THEIR INCONSISTENCY.

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

Motion to Open to Public Comment on Ordinance #13-06

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

Public Comment on Ordinance #13-06

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

Motion to Close to Public Comment on Ordinance #13-06

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

Motion to Approve Ordinance #13-06 on Second Reading:

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

**RESOLUTIONS:**

**RESOLUTION #249-11-08-06\*\***

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL  
 October 25, 2006

**RESOLUTION #250-11-08-06\*\***

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:

Police Department      September 2006

**RESOLUTION #251-11-08-06\*\***

AUTHORIZE REFUND OF TAX OVERPAYMENTS

**WHEREAS**, OVERPAYMENTS OF TAXES, HAVE BEEN RECEIVED BY THE TAX COLLECTORS OFFICE IN THE AGGREGATE AMOUNT OF FOUR HUNDRED NINETY FIVE DOLLARS AND NINETY-TWO CENTS (\$495.92); 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 FOUR HUNDRED NINETY-FIVE DOLLARS AND NINETY-TWO CENTS (\$495.92), IN ACCORDANCE WITH THE CERTIFICATION ATTACHED HERETO.

**RESOLUTION #252-11-08-06\*\***

REDEMPTION OF TAX LIEN

**WHEREAS**, THE TAX COLLECTOR HAS VERIFIED RECEIPT OF PAYMENT IN THE AMOUNT OF THREE THOUSAND FOUR HUNDRED AND FOURTEEN DOLLARS AND THIRTY-FOUR CENTS (\$3,414.34) AS VERIFIED IN THE CERTIFICATION ATTACHED HERETO; AND

**WHEREAS**, THIS PAYMENT WAS MADE FOR THE REDEMPTION OF TAX SALE CERTIFICATE #06-00008, THE LIEN-HOLDER BEING CULMAC INVESTORS, INC..

**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 THREE THOUSAND FOUR HUNDRED FOURTEEN DOLLARS AND THIRTY FOUR CENTS (\$3,414.34) TO THE LIEN HOLDER CULMAC INVESTORS, INC.

**RESOLUTION #253-11-08-06\*\***

RETURN OF PREMIUM ON A TAX SALE CERTIFICATE

**WHEREAS**, THE TAX COLLECTOR HAS RECEIVED A PREMIUM IN THE AMOUNT OF TEN THOUSAND DOLLARS (\$10,000.00) ON TAX SALE CERTIFICATE #06-0008 BEING HELD BY CULMAC INVESTORS, INC.; AND

**WHEREAS**, THE AFOREMENTIONED CERTIFICATE HAS BEEN REDEEMED.

**NOW, THEREFORE, BE IT RESOLVED**, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, THAT THE TAX COLLECTOR BE AND IS HEREBY AUTHORIZED TO RETURN THE PREMIUM IN THE AMOUNT OF TEN THOUSAND DOLLARS (\$10,000.00) TO THE AFOREMENTIONED CERTIFICATE HOLDER.

**RESOLUTION #254-11-08-06\*\***

RESOLUTION AUTHORIZING TRANSFERS IN THE 2006 MUNICIPAL BUDGET

**WHEREAS**, PURSUANT TO N.J.S.A. 40A:4-58, APPROPRIATION TRANSFERS ARE ALLOWABLE DURING THE LAST TWO MONTHS OF A FISCAL YEAR; AND

**WHEREAS**, IT IS DEEMED NECESSARY THAT SAID TRANSFERS BE DONE THROUGH VARIOUS ACCOUNTS.

**NOW, THEREFORE, BE IT RESOLVED**, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, THAT THE FOLLOWING TRANSFERS BE MADE IN THE 2006 BUDGET APPROPRIATIONS:

**CURRENT FUND**



MALONEY			X			
MORALES						X
MAYOR LAMANTIA						

**RESOLUTION #256-11-09-06**

APPOINT PROBATIONARY PATROLMAN

I, MAYOR ANTHONY LAMANTIA, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT SPECIAL OFFICER JOSEPH QUINN, JR. TO THE POSITION OF PROBATIONARY PATROLMAN OF THE JAMESBURG POLICE DEPARTMENT, EFFECTIVE DECEMBER 1, 2006.

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

**RESOLUTION #257-11-08-06**

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 \$785,304.80.

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

**RESOLUTION #258-11-08-06**

A RESOLUTION AUTHORIZING THE BOROUGH OF JAMESBURG TO ENTER INTO A SOLID WASTE DISPOSAL AGREEMENT WITH THE MIDDLESEX COUNTY UTILITIES AUTHORITY.

**WHEREAS**, THE BOROUGH OF JAMESBURG WAS PREVIOUSLY A PARTY TO A SOLID WASTE DISPOSAL AGREEMENT (THE "AGREEMENT") WITH THE MIDDLESEX COUNTY UTILITIES AUTHORITY (THE "M.C.U.A.") FOR A TERM COMMENCING ON JANUARY 1, 1998 AND TERMINATING ON DECEMBER 31, 2000, CONCERNING THE DISPOSAL OF MUNICIPAL SOLID WASTE AT THE M.C.U.A.'S LANDFILL FACILITY IN EAST BRUNSWICK, NEW JERSEY; AND

**WHEREAS**, THE BOROUGH DID ENTER INTO A NEW AGREEMENT WITH THE M.C.U.A. FOR A TERM COMMENCING ON JANUARY 1, 2001, THROUGH DECEMBER 31, 2003; AND

**WHEREAS**, THE BOROUGH DID ENTER INTO A NEW AGREEMENT WITH THE M.C.U.A. FOR A TERM COMMENCING ON JANUARY 1, 2004, THROUGH DECEMBER 31, 2006; AND

**WHEREAS**, THE BOROUGH WISHES TO ENTER INTO A NEW AGREEMENT WITH THE M.C.U.A. FOR A TERM TO COMMENCE ON JANUARY 1, 2007 THROUGH DECEMBER 31, 2009; AND

**WHEREAS**, THE PROPOSED AGREEMENT IS SUBSTANTIALLY SIMILAR TO THE PRIOR AGREEMENTS BETWEEN THE PARTIES; AND

**WHEREAS**, A COPY OF THE PROPOSED AGREEMENT IS ATTACHED HERETO AND MADE A PART HEREOF.

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

1. THAT THE MAYOR IS AUTHORIZED TO EXECUTE AND THE BOROUGH CLERK TO ATTEST THE ATTACHED AGREEMENT, OR ONE WHICH IS SIMILAR THERETO AND ACCEPTABLE TO THE BOROUGH ATTORNEY, BETWEEN THE BOROUGH AND THE M.C.U.A. GOVERNING THE DISPOSAL OF MUNICIPAL SOLID WASTE AT THE M.C.U.A.'S LANDFILL FACILITY IN EAST BRUNSWICK, NEW JERSEY FOR A TERM LASTING FROM JANUARY 1, 2007 THROUGH DECEMBER 31, 2009.
  
2. THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:
  - a. RICHARD L. FITAMANT, EXECUTIVE DIRECTOR  
MIDDLESEX COUNTY UTILITIES AUTHORITY  
P.O. BOX 159  
SAYREVILLE, NEW JERSEY 08872-0159
  
  - b. ALAN DITTENHOFER, P.E. BOROUGH ENGINEER
  
  - c. DENISE JAWIDZIK, BOROUGH BUSINESS ADMINISTRATOR
  
  - d. FREDERICK C. RAFFETTO, ESQ., BOROUGH ATTORNEY

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

**COUNCIL MEMBER COMMITTEE REPORTS**

**EDUCATION COMMITTEE**

Council member Carpenter gave a report of Board of Education matters and announced the date of the next Library Board of Trustees meeting.

**POLICE COMMITTEE**

Police Commissioner Jennings congratulated Ptl. Quinn on his appointment.

**FINANCE AND BUDGETING COMMITTEE**

Council member Kostbar reported that the 2007 budget process has begun.

**PERSONNEL/NEGOTIATIONS COMMITTEE & HOLIDAY EVENTS COMMITTEE**

Council member Longo reported on the several applications to be heard by the Land Use Board the ensuing evening. Also on the meeting held with Council member Maloney and representatives of the Borough Engineers office regarding the Land Use Ordinances. Events, hearings and meetings of the Revitalization Coalition, the Chamber of Commerce, the Jamesburg Civic Association and the Holiday Committee were announced.

**BUILDINGS, GROUNDS AND PARKS COMMITTEE & TECHNOLOGY COMMITTEE**

Council member Maloney reported that Verizon has applied for a statewide franchise and Jamesburg is slated to be part of the initial build schedule. On the matters of Buildings and Grounds, the Lakeview Mansion is experiencing ongoing issues with the necessary building repairs. The furnace and roof need replacement and the chimney will need lining upon upgrading to a new furnace. The Historical

Association is to start an aggressive fund raising campaign. Council member Maloney requested Council's consideration of a one-time budget increase next year, for the much-needed repairs. Congratulations were extended to Ptl. Quinn, as well as Mr. Jennings and Brian Grimes on their success in this most recent General election.

**PUBLIC WORKS COMMITTEE**  
Council member Morales was absent.

Mayor LaMantia reported that the heavy rain experienced today caused flooding in the areas of Forsgate Drive, Lake Street, and Gatzmer Avenue near Lincoln Avenue. These areas are being monitored. Veterans Day activities will be held on November 11 at 11:00am at Veterans' Park.

**DISCUSSION/PRESENTATION:**

Park N' Ride

Council members Carpenter and Kostbar

At the request of Council member Kostbar this discussion item was removed from the agenda.

**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: Kostbar

SECONDED BY: Longo

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

ABSENT: 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.

ABSENT: Morales.

None Opposed, None Abstaining.

**MOTION TO ADJOURN:**

PROPOSED BY: Maloney

SECONDED BY: Kostbar

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

ABSENT: Morales.

None Opposed, None Abstaining.

**TIME OF ADJOURNMENT:**

7:19 PM