

BOROUGH OF JAMESBURG

COUNCIL MEETING

MINUTES – APRIL 25, 2007

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 Longo
Council member Bodall
Council member Carpenter
Council member Grimes
Council member Jennings
Council member Kostbar
Attorney Raffetto
Denise Jawdzik, Business Administrator

Those Absent: Engineer Dittenhofer

ORDINANCE – FIRST READING:

ORDINANCE #10-07

AN ORDINANCE AUTHORIZING THE BOROUGH OF JAMESBURG TO ACQUIRE PORTIONS OF CERTAIN PROPERTIES ADJACENT TO GULYA DRIVE.

WHEREAS, in connection with a public project intended to re-align the Borough's right-of-way line along Gulya Drive, it is necessary for the Borough of Jamesburg (the "Borough") to acquire portions of certain properties that are located adjacent to Gulya Drive; and

WHEREAS, the proposed re-alignment of the right-of-way line will allow for the Borough to install street lighting within the right-of-way area, which is in the best interests of the health, safety and welfare of the public; and

WHEREAS, the affected properties are all under the record ownership of the Fernwood Cemetery (the "owner"), and the portions which must be acquired are identified as follows:

<u>Block</u>	<u>Lot</u>	<u>Area to be Acquired</u>
76.01	1.01	1,754 square feet (0.040 acres)
76	1.02	2,013 square feet (0.046 acres)
76	2.04	168 square feet (0.004 acres); and

WHEREAS, the portions to be acquired are more specifically described in certain legal descriptions prepared by Remington, Vernick and Vena Engineers, dated April 4, 2007, copies of which are on file for public inspection and review in the Borough Clerk's Office; and

WHEREAS, the portions to be acquired are also more specifically depicted in a Right-of-Way Adjustment Plan prepared by Remington, Vernick and Vena Engineers, dated February 22, 2007, a copy of which is also on file for public inspection and review in the Borough Clerk's Office; and

WHEREAS, it is anticipated that the portions to be acquired shall be dedicated to the Borough by the owner without the necessity for the expenditure of public funds; and

WHEREAS, the New Jersey "Local Land and Buildings Law," N.J.S.A. 40A:12-1, et seq., and the New Jersey "Eminent Domain Act," N.J.S.A. 20:3-1, et seq., authorize a municipality to acquire interests in real property for public purposes by conveyance (including the acceptance of real property by dedication) or by condemnation, respectively; and

WHEREAS, the Borough Council now wishes to authorize the Borough to acquire portions of the above properties by conveyance (including the acceptance of such parcels by dedication) or by condemnation, for the purpose of re-aligning the right-of-way line of Gulya Drive.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Borough Council of the Borough of Jamesburg, in the County of Middlesex and State of New Jersey, as follows:

1. That the Borough is hereby authorized to undertake acquisition proceedings in order to acquire by conveyance (including the acceptance of such parcels by dedication), pursuant N.J.S.A. 40A:12-1, et seq., or by condemnation, pursuant to N.J.S.A. 20:3-1, et seq., portions of the above properties, as described in the legal descriptions and as depicted in the Plan referenced above, for the purpose of re-aligning the right-of-way line of Gulya Drive.

2. That the Borough Attorney and Borough Engineer are hereby authorized and directed to undertake all necessary actions in order to acquire portions of the above properties, as referenced above, on behalf of the Borough.

3. That the Mayor is authorized to execute and the Municipal Clerk to attest all necessary documents, which shall be in a form acceptable to the Borough Attorney in order to effectuate the intentions of the within Ordinance.

4. That, following the introduction of this Ordinance, a copy of the Ordinance, along with a copy of the relevant legal descriptions and Plan, and a notice of the public hearing date, shall be mailed to the Fernwood Cemetery, by regular mail and certified mail, return receipt requested, at least seven (7) days prior to the date scheduled for the public hearing

5. That this Ordinance shall take effect immediately upon final passage and publication in accordance with the law.

6. That the provisions of this Ordinance shall be severable. 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, which shall remain in full force and effect.

7. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

Motion to Approve Ordinance #10-07 on First Reading: Authorize Publication and Set Public Hearing/Second Reading Date:

Proposed by: Kostbar

Seconded by: Grimes

All In Favor: Bodall, Carpenter, Grimes, Jennings, Kostbar, Longo.

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
BODALL			X			
CARPENTER		X	X			
GRIMES			X			
JENNINGS			X			
KOSTBAR			X			
LONGO	X		X			
MAYOR LAMANTIA						

RESOLUTIONS:

RESOLUTION #124-04-25-07**

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL

April 11, 2007

RESOLUTION #125-04-25-07**

APPROVE LAUNDRY MACHINE LICENSES

WHEREAS, AN APPLICATION HAS BEEN SUBMITTED BY LIMITED FOR SIX (6) LAUNDRY LICENSES BY TALL TREE APARTMENTS, L.L.C.; AND

WHEREAS, THE CLERK'S OFFICE IS IN RECEIPT OF THE APPROPRIATE FEES FOR THE AFOREMENTIONED LICENSES:

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, THAT LAUNDRY LICENSES #LL-48-07, #LL-49-07, #LL-50-07, #LL-51-07, #LL-52-07 AND #LL-53-07 BE AND ARE HEREBY APPROVED IN THE NAME OF TALL TREE APARTMENTS, L.L.C.

RESOLUTION #126-04-25-07**

APPROVE LAUNDRY LICENSES

WHEREAS, AN APPLICATION HAS BEEN SUBMITTED BY EUSTOLIA TORRES FOR FORTY (40) LAUNDRY LICENSES; AND

WHEREAS, THE CLERK'S OFFICE IS IN RECEIPT OF THE APPROPRIATE FEES FOR THE AFOREMENTIONED LICENSES:

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT LICENSES #LL-54-07, THROUGH #LL-93-07, BE AND ARE HEREBY APPROVED IN THE NAME OF EUSTOLIA TORRES.

RESOLUTION #127-04-25-07**

REDEMPTIONS OF TAX LIEN

WHEREAS, THE TAX COLLECTOR HAS CONFIRMED RECEIPT OF PAYMENT IN THE AMOUNT OF EIGHT THOUSAND FIVE HUNDRED FIFTY-FOUR DOLLARS AND SIXTEEN CENTS (\$8,554.16) AS VERIFIED IN THE CERTIFICATION ATTACHED HERETO; AND

WHEREAS, THIS PAYMENT HAS BEEN MADE FOR THE REDEMPTION OF TAX SALE CERTIFICATE #06-00011, THE LIEN-HOLDER BEING PARK FINANCE.

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 EIGHT THOUSAND FIVE HUNDRED FIFTY-FOUR DOLLARS AND SIXTEEN CENTS (\$8,554.16) TO THE ABOVE SPECIFIED LIEN-HOLDER.

RESOLUTION #128-04-25-07**

RETURN OF PREMIUM ON A TAX SALE CERTIFICATE

WHEREAS, THE TAX COLLECTOR HAS RECEIVED A PREMIUM IN THE AMOUNT OF SEVEN THOUSAND DOLLARS (\$7,000.00) ON TAX SALE CERTIFICATE #06-00011 BEING HELD BY PARK FINANCE, L.L.C.; 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 SEVEN THOUSAND DOLLARS (\$7,000.00) TO THE AFOREMENTIONED CERTIFICATE HOLDER.

RESOLUTION #129-04-25-07**

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 \$652,262.46:

RESOLUTION #130-04-25-07**

RESOLUTION OF THE BOROUGH OF JAMESBURG AUTHORIZING A LEASE AGREEMENT WITH 2D NEW JERSEY BRIGADE, INC. FOR THE USE AND MAINTENANCE OF A CIVIL WAR BRONZE 6 POUNDER CANNON TUBE

WHEREAS, THE BOROUGH OF JAMESBURG IS THE OWNER OF AND IN POSSESSION OF A CIVIL WAR BRONZE 6 POUNDER CANNON TUBE; AND

WHEREAS, 2D NEW JERSEY BRIGADE IS A 501(C)(3) NON-PROFIT CIVIL WAR REENACTMENT GROUP THAT DESIRES TO USE THIS ORIGINAL CANNON TUBE IN CIVIL WAR REENACTMENTS, LIVING HISTORY EVENTS AND OTHER EDUCATIONAL DISPLAYS AND PRESENTATIONS; AND

WHEREAS, IN ORDER TO MAXIMIZE THE USE OF THIS CANNON TUBE FOR THE AFORESTATED PUBLIC, EDUCATIONAL, AND CHARITABLE PURPOSES, IT IS NECESSARY TO OBTAIN A PERIOD OF CORRECT REPRODUCTION GUN CARRIAGE TO HOLD THE SUBJECT CANNON TUBE.

WHEREAS, THE PARTIES DESIRE TO ENTER INTO AN AGREEMENT TO RESTORE THE CANNON TUBE AND PROVIDE AN AUTHENTIC CARRIAGE AND PROVIDE FOR THE USE OF THE RESTORED CANNON AND CARRIAGE BY THE PARTIES, WITHOUT COST TO THE BOROUGH OF JAMESBURG; AND

WHEREAS, 2D HAS AGREED TO PURCHASE AT ITS OWN EXPENSE, AND WITHOUT THE USE OF PUBLIC FUNDS, A PERIOD CORRECT REPRODUCTION GUN CARRIAGE, WILL RESTORE THE BRONZE 6 POUNDER CIVIL WAR CANNON AND ASSEMBLE THESE COMPONENT PARTS, IN RETURN FOR USE OF THE CANNON AND CARRIAGE AS SPECIFIED IN THE ATTACHED LEASE DOCUMENT; AND

WHEREAS, IN CONSIDERATION OF THE MUTUAL PROMISES AND COVENANTS MADE HEREIN AND SET FORTH IN THE ATTACHED LEASE AGREEMENT:

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, MIDDLESEX COUNTY, STATE OF NEW JERSEY IN CONSIDERATION OF THE JOINT AND SEVERAL OBLIGATIONS EXPRESSED HEREIN AND OTHER VALUABLE CONSIDERATION AS FOLLOWS:

SECTION 1. AN AGREEMENT SUBSTANTIALLY IN THE FORM ATTACHED BUT SUBJECT TO ATTORNEY REVIEW, AUTHORIZING A TEN (10)YEAR AGREEMENT BETWEEN THE BOROUGH OF JAMESBURG AND 2D NEW JERSEY BRIGADE, INC. BE AND THE SAME IS HEREBY APPROVED.

SECTION 2. THE MAYOR AND CLERK OF THE BOROUGH OF JAMESBURG ARE HEREBY AUTHORIZED AND DIRECTED TO EXECUTE THE AGREEMENT PREVIOUSLY SET FORTH AND TO DELIVER ANY AND ALL DOCUMENTS OR INSTRUMENTS AND TO CAUSE TO BE DONE ANY AND ALL ACTS AND THINGS NECESSARY OR PROPER FOR CARRYING OUT THE EXECUTION AND DELIVERY OF THE AGREEMENT AS CONTEMPLATED BY THIS RESOLUTION.

SECTION 3. IF ANY SECTION, PARAGRAPH, SUBDIVISION CLAUSE, OR PROVISION OF THIS RESOLUTION SHALL BE ADJUDGED INVALID, SUCH ADJUDICATION SHALL APPLY ONLY TO THE SECTION, PARAGRAPH, SUBDIVISION, CLAUSE OR PROVISION SO ADJUDGED AND THE REMAINDER OF THE RESOLUTION SHALL BE DEEMED VALID AND EFFECTIVE.

SECTION 4. A COPY OF THE AGREEMENT MENTIONED HEREIN SHALL BE FILED AND OPEN TO PUBLIC INSPECTION AT THE OFFICES OF THE BOROUGH.

SECTION 5. THAT A COPY OF THIS RESOLUTION BE DELIVERED TO:

- A. BOROUGH ADMINISTRATOR
- B. BOROUGH ATTORNEY
- C. 2D NEW JERSEY BRIGADE, INC.

END OF CONSENT AGENDA

RESOLUTION #131-04-25-07

RESOLUTION AUTHORIZING A CHANGE ORDER (KNOWN AS CHANGE ORDER #1) TO THE CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND BIG DADDY CONSTRUCTION, INC. FOR THE SHERIDAN STREET AND STEVENS AVENUE RECONSTRUCTION PROJECT.

WHEREAS, DUE TO UNANTICIPATED CIRCUMSTANCES WHICH HAVE ARISEN DURING THE SHERIDAN STREET AND STEVENS AVENUE RECONSTRUCTION PROJECT, THE BOROUGH ENGINEER HAS RECOMMENDED A CHANGE ORDER (KNOWN AS CHANGE ORDER #1) IN ORDER TO AMEND THE CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND BIG DADDY CONSTRUCTION, INC. ; AND

WHEREAS, THE PROPOSED CHANGE ORDER IS DESCRIBED IN MORE DETAIL IN THE ATTACHED FORM, LAST DATED BY BOROUGH ENGINEER ON APRIL 19, 2007; AND

WHEREAS, THE PROPOSED CHANGE ORDER SHALL CHANGE THE AMOUNT OF THE ORIGINAL CONTRACT BY A DECREASE IN THE CONTRACT AMOUNT OF TWELVE THOUSAND THREE HUNDRED TWENTY EIGHT DOLLARS AND NO CENTS (-\$12,328.00); AND

WHEREAS, THE PROPOSED CHANGE ORDER DOES NOT EXCEED THE TWENTY PERCENT (20%) LIMITATION IMPOSED BY LAW; AND

WHEREAS, THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG HAS RECEIVED THE RECOMMENDATIONS OF THE BOROUGH ENGINEER AND BOROUGH BUSINESS ADMINISTRATOR TO PROCEED WITH THE SAID CHANGE ORDER.

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

1. THAT THE BOROUGH IS AUTHORIZED TO ENTER INTO THE ATTACHED CHANGE ORDER (KNOWN AS CHANGE ORDER #1) WHICH SHALL BE CONSIDERED AN AMENDMENT TO THE ORIGINAL CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND BIG DADDY CONSTRUCTION, INC. FOR THE SHERIDAN STREET AND STEVENS AVENUE RECONSTRUCTION PROJECT.
2. THAT THE BUSINESS ADMINISTRATOR SHALL CERTIFY THAT THERE ARE SUFFICIENT FUNDS TO COVER THE AMOUNT OF THIS CHANGE ORDER.
3. THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:
 - a. ALAN B. DITTENHOFER, P.E.,C.M.E., BOROUGH ENGINEER
 - b. BIG DADDY CONSTRUCTION, INC.
 - c. DENISE JAWIDZIK, BOROUGH BUSINESS ADMINISTRATOR
 - d. FREDERICK C. RAFFETTO, ESQUIRE, BOROUGH ATTORNEY.

Council member Kostbar stated that he would need to abstain as this company is a client of his law practice.

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
BODALL		X	X			
CARPENTER			X			
GRIMES	X		X			
JENNINGS			X			
KOSTBAR					X	
LONGO			X			
MAYOR LAMANTIA						

RESOLUTION #132-04-25-07

RESOLUTION OF THE BOROUGH OF JAMESBURG APPROVING PAYMENT CERTIFICATE #3 (FINAL PAYMENT) FOR THE SHERIDAN STREET AND STEVENS AVENUE RECONSTRUCTION PROJECT

WHEREAS, THE CONTRACTOR, BIG DADDY CONSTRUCTION, INC., HAS SUBMITTED AS-BUILT QUANTITIES FOR THE SHERIDAN STREET AND STEVENS AVENUE 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 #3 (FINAL PAYMENT), DATED APRIL 19, 2007, IN THE AMOUNT OF ELEVEN THOUSAND FIVE HUNDRED FIFTY-SIX DOLLARS AND FIFTY-SEVEN CENTS (\$11,556.57).

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT PAYMENT CERTIFICATE #3 (FINAL PAYMENT), IN THE AMOUNT OF ELEVEN THOUSAND FIVE HUNDRED FIFTY-SIX DOLLARS AND FIFTY-SEVEN CENTS (\$11,556.57) IS HEREBY AUTHORIZED FOR PAYMENT TO BIG DADDY CONSTRUCTION, INC.

Council member Kostbar stated that he would need to abstain again for the reason stated previously.

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
BODALL			X			
CARPENTER			X			
GRIMES		X	X			
JENNINGS	X		X			
KOSTBAR					X	
LONGO			X			
MAYOR LAMANTIA						

RESOLUTION #133-04-25-07

AUTHORIZE TONNAGE GRANT APPLICATION

WHEREAS, THE MANDATORY SOURCE SEPARATION AND RECYCLING ACT, P.L. 1987c. 102, HAS ESTABLISHED A RECYCLING FUND FROM WHICH TONNAGE GRANTS MAY BE MADE TO MUNICIPALITIES IN ORDER TO ENCOURAGE LOCAL SOURCE SEPARATION AND RECYCLING PROGRAMS; AND

WHEREAS, IT IS THE INTENT AND THE SPIRIT OF THE MANDATORY SOURCE SEPARATION AND RECYCLING ACT TO USE THE TONNAGE GRANTS TO DEVELOP NEW MUNICIPAL RECYCLING PROGRAMS AND TO CONTINUE TO EXPAND EXISTING PROGRAMS; AND

WHEREAS, THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION IS PROMULGATING RECYCLING REGULATIONS TO IMPLEMENT THE MANDATORY SOURCE SEPARATION AND RECYCLING ACT; AND

WHEREAS, THE RECYCLING REGULATIONS IMPOSE MUNICIPALITIES CERTAIN REQUIREMENTS AS A CONDITION FOR APPLYING FOR TONNAGE GRANTS, INCLUDING BUT NOT LIMITED TO MAKING AND KEEPING ACCURATE VERIFIABLE RECORDS OF MATERIALS COLLECTED AND CLAIMED BY THE MUNICIPALITY; AND

WHEREAS, A RESOLUTION AUTHORIZING THIS MUNICIPALITY TO APPLY FOR SUCH TONNAGE GRANTS WILL MEMORIALIZE THE COMMITMENT OF THIS MUNICIPALITY TO RECYCLING AND TO INDICATE THE ASSENT OF THE BOROUGH OF JAMESBURG TO THE EFFORTS UNDERTAKEN BY THE MUNICIPALITY AND THE REQUIREMENTS CONTAINED IN THE RECYCLING ACT AND RECYCLING REGULATIONS; AND

WHEREAS, SUCH A RESOLUTION SHOULD DESIGNATE THE INDIVIDUAL AUTHORIZED TO ENSURE THE APPLICATION IS PROPERLY COMPLETED AND TIMELY FILED.

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT JAMESBURG DOES HEREBY ENDORSE THE SUBMISSION OF THE RECYCLING TONNAGE GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL AND DESIGNATES THE RECYCLING COORDINATOR TO ENSURE THAT THE APPLICATION IS PROPERLY FILED.

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
BODALL			X			
CARPENTER		X	X			
GRIMES			X			
JENNINGS			X			
KOSTBAR	X		X			
LONGO			X			
MAYOR LAMANTIA						

PRESENTATION: - Council member Kostbar and Carpenter requested that the presentation pertaining to the Park & Ride be postponed to a meeting in May to allow further preparation time. So agreed.

DISCUSSION:

Historic Preservation Tax Credit

Attorney Raffetto explained that the sample resolution forwarded to Council is in support of pending legislation that would give tax credits to property owners for preserving certain historic properties. Mr. Raffetto stated that the League of Municipalities has announced its support of the legislation also. The Mayor and Council member Kostbar, though stating the matter a worthy one, questioned a number of aspects of the proposed tax credits, that Attorney Raffetto stated he would research and reply back to Council.

Town Meeting Regarding Library

Since Council has recently discussed the possibility of a question being placed on the ballot regarding the closing of the library due to new Cap Law, Council member Kostbar reported that he, along with Council member Grimes, at the invitation of Mrs. Carpenter, met with the Library Board to explain the Borough's financial predicament. Mayor LaMantia referenced a spreadsheet prepared by the Finance Officer that shows areas of service reductions that may be necessary for budget year 2008, if all mandates remain in effect, particularly the mandatory 15% annual increase in the Library appropriation. The Mayor suggested that a Town Meeting be held closer to election time, possibly October, so that Council can explain this issue to the residents and it will be fresher in their minds come Election Day. Council member Kostbar stated that, at this point, he does not see any other way around the referendum. Council member Longo suggested that another Town Meeting be held sooner, to let the public be more informed and give an opportunity for expression of opinion. Council member Grimes agreed. Council member Kostbar suggested that the Ordinance be prepared well in advance of the first reading date. Mayor LaMantia requested the Finance Committee to have more figures available for the May 9th Council meeting and Attorney Raffetto to have the ordinance prepared for Council review.

COUNCILMATIC COMMITTEE REPORTS

POLICE COMMITTEE / COMMISSIONER & HOLIDAY EVENTS/PATRIOTIC COMMITTEE

Council member Carpenter reported that the next Police Committee meeting will be held on May 9. Council members Kostbar and Grimes were invited to attend the last Library Board meeting to inform the Board of Trustees of the Borough's financial predicament and the possible need to close the library due to it. The Patriotic Committee is on track with planning the Memorial Day parade. Area businesses will be receiving requests for donations for the event. The Patriotic Committee will continue to meet throughout the ensuing year to plan next year's parade, which will mark the 125th Anniversary.

COMMITTEE ON EDUCATION

Councilmember Grimes reported that the School Board budget passed overwhelmingly. Don Peterson was re-elected Board President and Darren Larsen was elected Vice-President. Mr. Grimes stated that he questioned whether lock-down drills are still held, in light of the unfortunate event of the Virginia Tech shootings. The Board replied that the drill are held bi-annually. The search is on-going, but narrowed, for the Chief School Administrator position and the salary amount has not been settled on yet. The Monroe Township budget also passed, and provided in that budget, is a new "field turf" football field at the High School for a cost of three million dollars. Mr. Grimes raised concern that the costs could be passed on to Jamesburg via high school student tuition. The construction of a new High School on a portion of Thompson Park land still awaits court hearings.

COMMITTEE ON PERSONNEL/NEGOTIATIONS

Council member Jennings reported that a letter has been sent to PBA Local 389, regarding the start of contractual negotiations. A number of meetings are to be scheduled for the purpose.

COMMITTEE ON FINANCE & BUDGETING

Councilmember Kostbar reported that he attended the Transportation Coordinating Committee meeting the previous evening, where the widening of the NJ Turnpike, between exits 6 and 9, was discussed. Three lanes are to be added, on each side, between exits 6 and 8, and one lane on each side is to be added between exits 8A and 9. Construction is slated to begin in 2009. Mr. Kostbar also announced a M.O.M. rail-line meeting that is to be held in Freehold, on May 11th.

COMMITTEE ON BUILDINGS & GROUNDS

Council member Longo reported that a meeting is to be held at the beginning of May, with Remington, Vernick & Vena Engineers, regarding the renovations to the Lakeview Mansion. On the subject of the Revitalization Coalition, on May 3rd, the Rutgers School of Planning is to present to results of the surveys taken regarding the downtown area. The meeting is to be held in New Brunswick at the Bloustein School. On May 19th the Spring Town Wide Yard Sale is to be held. The bi-monthly meeting of the SERV Committee was held this month, where no particular problems were reported by residents or neighbors. The matter of water/drainage at the SERV site is an ongoing issue. Mr. Longo also announced that a fund-raising dinner is to be held at the Elks Lodge, on May 6th, for the Hank Dobenski Scholarship foundation.

COMMITTEE ON TECHNOLOGY

Council member Bodall had no report.

COMMITTEE ON PUBLIC SAFETY/ EMERGENCY SERVICES COMMITTEE ON PUBLIC WORKS
Mayor Anthony LaMantia announced that the Jamesburg Fire Department will be holding their annual Mother's Day breakfast at the Fire House on May 13th. The Mayor also reported that the April 15th storm/flooding mostly spared the Borough. No residents needed to be evacuated. The County was very helpful by lowering the water level and opening the dam at Lake Manalapan, and also clearing out debris from under the Lake Street bridge.

Mr. Bodall wished to thank the Mayor and all involved, with their assistance with the flooding experienced by East Church Street residents.

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: Grimes

ALL IN FAVOR: Bodall, Carpenter, Grimes, Jennings, Kostbar, Longo.

None Opposed, None Abstaining.

PUBLIC COMMENT:

Bernie Long – 13 Warren Street

- Took offense to recent Star Ledger article that called the downtown area, tired-looking and rundown.

MOTION TO CLOSE TO PUBLIC COMMENT:

PROPOSED BY: Kostbar

SECONDED BY: Longo

ALL IN FAVOR: Bodall, Carpenter, Grimes, Jennings, Kostbar, Longo.

None Opposed, None Abstaining.

RESOLUTION #134-04-25-07

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:

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

**LITIGATION:
(SERV CENTER V. BOROUGH OF JAMESBURG)**

3. IT IS ANTICIPATED AT THIS TIME THAT THE ABOVE STATED SUBJECT MATTER SHALL BE MADE PUBLIC AND EXCLUSIVELY UPON AUTHORIZATION OF THE BOROUGH ATTORNEY.
4. 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.
5. THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
<i>BODALL</i>			X			
<i>CARPENTER</i>			X			
<i>GRIMES</i>		X	X			
<i>JENNINGS</i>			X			
<i>KOSTBAR</i>			X			
<i>LONGO</i>	X		X			
<i>MAYOR LAMANTIA</i>						

Upon return from Executive Session, a motion was made to adjourn the meeting:

MOTION TO ADJOURN:

PROPOSED BY: Longo

SECONDED BY: Kostbar

ALL IN FAVOR: Bodall, Carpenter, Grimes, Jennings, Kostbar, Longo.

None Opposed, None Abstaining.

TIME OF ADJOURNMENT:

8:06 PM