

BOROUGH OF JAMESBURG

COUNCIL MEETING

MINUTES – FEBRUARY 28, 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 Carpenter
Council member Grimes
Council member Jennings
Council member Kostbar
Attorney Raffetto
Engineer Cline for Engineer Dittenhofer
Denise Jawdzik, Business Administrator

Those absent: Council member Morales

INTRODUCTION OF 2007 LOCAL MUNICIPAL BUDGET:

Denise Jawdzik explained that this budget is being introduced with a 14-cent increase and the Borough will be applying for \$335,000 in extraordinary aid from the State of New Jersey.

Motion to Approve 2007 Local Municipal Budget of the Borough of Jamesburg:

Proposed by: Kostbar

Seconded by: Carpenter

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

Absent: Morales.

ACCEPT RESIGNATION: A letter, from Council member Carlos Morales resigning his position as Councilman due to personal reasons (effective immediately), was read into the record by the Borough Clerk.

ORDINANCE – FIRST READING:

ORDINANCE #06-07

AN ORDINANCE PROVIDING FOR THE ACQUISITION OF A 2007 OR NEWER FORD MASON DUMP AND APPROPRIATING THE SUM OF \$50,000 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 ACQUIRE A MASON DUMP; AND

WHEREAS, THE BOROUGH OF JAMESBURG HAS, \$50,000 IN THE CAPITAL IMPROVEMENT FUND.

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 PURCHASE DESCRIBED IN SECTION 2 OF THIS ORDINANCE IS HEREBY AUTHORIZED AS A GENERAL CAPITAL PURCHASE TO BE UNDERTAKEN IN AND BY THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, NEW JERSEY.

SECTION 2. THE ACQUISITION HEREBY AUTHORIZED TO BE UNDERTAKEN CONSIST OF THE PURCHASE OF A MASON DUMP, TOGETHER WITH ALL ITEMS NECESSARY, INCIDENTAL OR APPURTENANT THERETO.

SECTION 3. THE 2007 GENERAL CAPITAL BUDGET OF THE BOROUGH OF JAMESBURG WILL CONFORM TO THE PROVISIONS OF THIS ORDINANCE.

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 ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE TERMS OF THIS ORDINANCE BE AND THE SAME ARE HEREBY REPEALED TO THE EXTENT OF THEIR INCONSISTENCY.

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

Motion to Approve Ordinance #06-07 on First Reading: Authorize Publication and Set Public Hearing/Second Reading Date:

Proposed by: Longo

Seconded by: Jennings

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

None Opposed, None Abstaining.

ORDINANCE #07-07

AN ORDINANCE TO CREATE THE POSITION OF MUNICIPAL HOUSING LIAISON FOR THE PURPOSE OF ADMINISTERING BOROUGH OF JAMESBURG'S AFFORDABLE HOUSING PROGRAM PURSUANT TO THE FAIR HOUSING ACT.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF BOROUGH OF JAMESBURG IN THE COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY THAT THE FOLLOWING AMENDMENTS BE MADE TO CHAPTER 2 OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG."

SECTION 1. PURPOSE.

THE PURPOSE OF THIS ARTICLE IS TO CREATE THE ADMINISTRATIVE MECHANISMS NEEDED FOR THE EXECUTION OF THE BOROUGH OF JAMESBURG'S RESPONSIBILITY TO ASSIST IN THE PROVISION OF AFFORDABLE HOUSING PURSUANT TO THE FAIR HOUSING ACT OF 1985.

SECTION 2. DEFINITIONS.

AS USED IN THIS ARTICLE, THE FOLLOWING TERMS SHALL HAVE THE MEANINGS INDICATED:

MUNICIPAL HOUSING LIAISON – THE EMPLOYEE CHARGED BY THE GOVERNING BODY WITH THE RESPONSIBILITY FOR OVERSIGHT AND ADMINISTRATION OF THE AFFORDABLE HOUSING PROGRAM FOR THE BOROUGH OF JAMESBURG.

ADMINISTRATIVE AGENT – THE ENTITY RESPONSIBLE FOR ADMINISTERING THE AFFORDABILITY CONTROLS OF SOME OR ALL UNITS IN THE AFFORDABLE HOUSING PROGRAM FOR THE BOROUGH OF JAMESBURG TO ENSURE THAT THE RESTRICTED UNITS UNDER ADMINISTRATION ARE AFFIRMATIVELY MARKETED AND SOLD OR RENTED, AS APPLICABLE, ONLY TO LOW- AND MODERATE-INCOME HOUSEHOLDS.

SECTION 3. ESTABLISHMENT OF MUNICIPAL HOUSING LIAISON POSITION AND COMPENSATION; POWERS AND DUTIES.

- A. ESTABLISHMENT OF POSITION OF MUNICIPAL HOUSING LIAISON. THERE IS HEREBY ESTABLISHED THE POSITION OF MUNICIPAL HOUSING LIAISON FOR THE BOROUGH OF JAMESBURG.
- B. SUBJECT TO THE APPROVAL OF THE COUNCIL ON AFFORDABLE HOUSING (COAH), THE MUNICIPAL HOUSING LIAISON SHALL BE APPOINTED BY THE GOVERNING BODY AND MAY BE A FULL OR PART TIME MUNICIPAL EMPLOYEE.
- C. THE MUNICIPAL HOUSING LIAISON SHALL BE RESPONSIBLE FOR OVERSIGHT AND ADMINISTRATION OF THE AFFORDABLE HOUSING PROGRAM FOR THE BOROUGH OF JAMESBURG, INCLUDING THE FOLLOWING RESPONSIBILITIES, WHICH MAY NOT BE CONTRACTED OUT, EXCLUSIVE OF ITEM 6 WHICH MAY BE CONTRACTED OUT:
 - (1) SERVING AS JAMESBURG'S PRIMARY POINT OF CONTACT FOR ALL INQUIRIES FROM THE STATE, AFFORDABLE HOUSING PROVIDERS, ADMINISTRATIVE AGENTS, AND INTERESTED HOUSEHOLDS;
 - (2) MONITORING THE STATUS OF ALL RESTRICTED UNITS IN JAMESBURG'S FAIR SHARE PLAN;
 - (3) COMPILING, VERIFYING, AND SUBMITTING ANNUAL REPORTS AS REQUIRED BY COAH;

- (4) COORDINATING MEETINGS WITH AFFORDABLE HOUSING PROVIDERS AND ADMINISTRATIVE AGENTS, AS APPLICABLE;
 - (5) ATTENDING CONTINUING EDUCATION OPPORTUNITIES ON AFFORDABILITY CONTROLS, COMPLIANCE MONITORING, AND AFFIRMATIVE MARKETING AS OFFERED OR APPROVED BY COAH;
 - (6) IF APPLICABLE, SERVING AS THE ADMINISTRATIVE AGENT FOR SOME OR ALL OF THE RESTRICTED UNITS IN JAMESBURG AS DESCRIBED IN F. BELOW.
- D. SUBJECT TO APPROVAL BY COAH, THE BOROUGH OF JAMESBURG MAY CONTRACT WITH OR AUTHORIZE A CONSULTANT, AUTHORITY, GOVERNMENT OR ANY AGENCY CHARGED BY THE GOVERNING BODY, WHICH ENTITY SHALL HAVE THE RESPONSIBILITY OF ADMINISTERING THE AFFORDABLE HOUSING PROGRAM OF THE BOROUGH OF JAMESBURG, EXCEPT FOR THOSE RESPONSIBILITIES WHICH MAY NOT BE CONTRACTED OUT PURSUANT TO SUBSECTION C ABOVE. IF JAMESBURG CONTRACTS WITH ANOTHER ENTITY TO ADMINISTER ALL OR ANY PART OF THE AFFORDABLE HOUSING PROGRAM, INCLUDING THE AFFORDABILITY CONTROLS AND AFFIRMATIVE MARKETING PLAN, THE MUNICIPAL HOUSING LIAISON SHALL SUPERVISE THE CONTRACTING ADMINISTRATIVE AGENT.
- E. COMPENSATION. COMPENSATION SHALL BE FIXED BY THE GOVERNING BODY AT THE TIME OF THE APPOINTMENT OF THE MUNICIPAL HOUSING LIAISON.
- F. ADMINISTRATIVE POWERS AND DUTIES ASSIGNED TO THE MUNICIPAL HOUSING LIAISON.
- (1) AFFIRMATIVE MARKETING
 - (A) CONDUCTING AN OUTREACH PROCESS TO INSURE AFFIRMATIVE MARKETING OF AFFORDABLE HOUSING UNITS IN ACCORDANCE WITH THE AFFIRMATIVE MARKETING PLAN OF THE BOROUGH OF JAMESBURG AND THE PROVISIONS OF N.J.A.C. 5:80-26.15; AND
 - (B) PROVIDING COUNSELING OR CONTRACTING TO PROVIDE COUNSELING SERVICES TO LOW AND MODERATE INCOME APPLICANTS ON SUBJECTS SUCH AS BUDGETING, CREDIT ISSUES, MORTGAGE QUALIFICATION, RENTAL LEASE REQUIREMENTS, AND LANDLORD/TENANT LAW.
 - (2) HOUSEHOLD CERTIFICATION
 - (A) SOLICITING, SCHEDULING, CONDUCTING AND FOLLOWING UP ON INTERVIEWS WITH INTERESTED HOUSEHOLDS;
 - (B) CONDUCTING INTERVIEWS AND OBTAINING SUFFICIENT DOCUMENTATION OF GROSS INCOME AND ASSETS UPON WHICH TO BASE A DETERMINATION OF INCOME ELIGIBILITY FOR A LOW-OR MODERATE-INCOME UNIT;
 - (C) PROVIDING WRITTEN NOTIFICATION TO EACH APPLICANT AS TO THE DETERMINATION OF ELIGIBILITY OR NON-ELIGIBILITY;
 - (D) REQUIRING THAT ALL CERTIFIED APPLICANTS FOR RESTRICTED UNITS EXECUTE A CERTIFICATE SUBSTANTIALLY IN THE FORM, AS APPLICABLE, OF EITHER THE OWNERSHIP OR RENTAL CERTIFICATES SET FORTH IN APPENDICES J AND K OF N.J.A.C. 5:80-26.1 ET. SEQ.;
 - (E) CREATING AND MAINTAINING A REFERRAL LIST OF ELIGIBLE APPLICANT HOUSEHOLDS LIVING IN THE HOUSING REGION AND ELIGIBLE APPLICANT HOUSEHOLDS WITH MEMBERS WORKING IN THE HOUSING REGION WHERE THE UNITS ARE LOCATED; AND
 - (F) EMPLOYING THE RANDOM SELECTION PROCESS AS PROVIDED IN THE AFFIRMATIVE MARKETING PLAN OF THE BOROUGH OF JAMESBURG WHEN REFERRING HOUSEHOLDS FOR CERTIFICATION TO AFFORDABLE UNITS.
 - (3) AFFORDABILITY CONTROLS
 - (A) FURNISHING TO ATTORNEYS OR CLOSING AGENTS FORMS OF DEED RESTRICTIONS AND MORTGAGES FOR RECORDING AT THE TIME OF CONVEYANCE OF TITLE OF EACH RESTRICTED UNIT;

- (B) CREATING AND MAINTAINING A FILE ON EACH RESTRICTED UNIT FOR ITS CONTROL PERIOD, INCLUDING THE RECORDED DEED WITH RESTRICTIONS, RECORDED MORTGAGE AND NOTE, AS APPROPRIATE;
 - (C) ENSURING THAT THE REMOVAL OF THE DEED RESTRICTIONS AND CANCELLATION OF THE MORTGAGE NOTE ARE EFFECTUATED AND PROPERLY FILED WITH THE APPROPRIATE COUNTY'S REGISTER OF DEEDS OR COUNTY CLERK'S OFFICE AFTER THE TERMINATION OF THE AFFORDABILITY CONTROLS FOR EACH RESTRICTED UNIT;
 - (D) COMMUNICATING WITH LENDERS REGARDING FORECLOSURES; AND
 - (E) ENSURING THE ISSUANCE OF CONTINUING CERTIFICATES OF OCCUPANCY OR CERTIFICATIONS PURSUANT TO N.J.A.C. 5:80-26.10.
- (4) RESALE AND RENTAL
- (A) INSTITUTING AND MAINTAINING AN EFFECTIVE MEANS OF COMMUNICATING INFORMATION BETWEEN OWNERS AND THE ADMINISTRATIVE AGENT REGARDING THE AVAILABILITY OF RESTRICTED UNITS FOR RESALE OR RENTAL; AND
 - (B) INSTITUTING AND MAINTAINING AN EFFECTIVE MEANS OF COMMUNICATING INFORMATION TO LOW- AND MODERATE-INCOME HOUSEHOLDS REGARDING THE AVAILABILITY OF RESTRICTED UNITS FOR RESALE OR RE-RENTAL.
- (5) PROCESSING REQUEST FROM UNIT OWNERS
- (A) REVIEWING AND APPROVING REQUESTS FROM OWNERS OF RESTRICTED UNITS WHO WISH TO TAKE OUT HOME EQUITY LOANS OR REFINANCE DURING THE TERM OF THEIR OWNERSHIP;
 - (B) REVIEWING AND APPROVING REQUESTS TO INCREASE SALES PRICES FROM OWNERS OF RESTRICTED UNITS WHO WISH TO MAKE CAPITAL IMPROVEMENTS TO THE UNITS THAT WOULD AFFECT THE SELLING PRICE, SUCH AUTHORIZATIONS TO BE LIMITED TO THOSE IMPROVEMENTS RESULTING IN ADDITIONAL BEDROOMS OR BATHROOMS AND THE COST OF CENTRAL AIR CONDITIONING SYSTEMS; AND
 - (C) PROCESSING REQUESTS AND MAKING DETERMINATIONS ON REQUESTS BY OWNERS OF RESTRICTED UNITS FOR HARDSHIP WAIVERS.
- (6) ENFORCEMENT
- (a) SECURING ANNUALLY LISTS OF ALL AFFORDABLE HOUSING UNITS FOR WHICH TAX BILLS ARE MAILED TO ABSENTEE OWNERS AND NOTIFYING ALL SUCH OWNERS THAT THEY MUST EITHER MOVE BACK TO THEIR UNIT OR SELL IT;
 - (b) SECURING FROM ALL DEVELOPERS AND SPONSORS OF RESTRICTED UNITS, AT THE EARLIEST POINT OF CONTACT IN THE PROCESSING OF THE PROJECT OR DEVELOPMENT, WRITTEN ACKNOWLEDGEMENT OF THE REQUIREMENT THAT NO RESTRICTED UNIT CAN BE OFFERED, OR IN ANY OTHER WAY COMMITTED, TO ANY PERSON, OTHER THAN A HOUSEHOLD DULY CERTIFIED TO THE UNIT BY THE ADMINISTRATIVE AGENT;
 - (c) THE POSTING ANNUALLY IN ALL RENTAL PROPERTIES, INCLUDING TWO-FAMILY HOMES, OF A NOTICE AS TO THE MAXIMUM PERMITTED RENT TOGETHER WITH THE TELEPHONE NUMBER OF THE ADMINISTRATIVE AGENT WHERE COMPLAINTS OF EXCESS RENT CAN BE MADE;
 - (d) SENDING ANNUAL MAILINGS TO ALL OWNERS OF AFFORDABLE DWELLING UNITS, REMINDING THEM OF THE NOTICES AND REQUIREMENTS OUTLINED IN N.J.A.C. 5:80-26.18(D)4;

- (e) ESTABLISHING A PROGRAM FOR DIVERTING UNLAWFUL RENT PAYMENTS TO THE MUNICIPALITY'S AFFORDABLE HOUSING TRUST FUND OR OTHER APPROPRIATE MUNICIPAL FUND APPROVED BY THE DCA;
 - (F) CREATING AND PUBLISHING A WRITTEN OPERATING MANUAL, AS APPROVED BY COAH, SETTING FORTH PROCEDURES FOR ADMINISTERING SUCH AFFORDABILITY CONTROLS; AND
 - (G) PROVIDING ANNUAL REPORTS TO COAH AS REQUIRED.
- (7) THE ADMINISTRATIVE AGENT SHALL HAVE AUTHORITY TO TAKE ALL ACTIONS NECESSARY AND APPROPRIATE TO CARRY OUT ITS RESPONSIBILITIES HEREUNDER.

SECTION 4. SEVERABILITY.

IF ANY SECTION, SUBSECTION, PARAGRAPH, SENTENCE OR OTHER PART OF THIS ORDINANCE IS ADJUDGED UNCONSTITUTIONAL OR INVALID, SUCH JUDGMENT SHALL NOT AFFECT OR INVALIDATE THE REMAINDER OF THIS ORDINANCE, BUT SHALL BE CONFINED IN ITS EFFECT TO THE SECTION, SUBSECTION, PARAGRAPH, SENTENCE OR OTHER PART OF THIS ORDINANCE DIRECTLY INVOLVED IN THE CONTROVERSY IN WHICH SAID JUDGMENT SHALL HAVE BEEN RENDERED AND ALL OTHER PROVISIONS OF THIS ORDINANCE SHALL REMAIN IN FULL FORCE AND EFFECT.

SECTION 5. INCONSISTENT ORDINANCES REPEALED.

ALL ORDINANCES OR PARTS OF ORDINANCES WHICH ARE INCONSISTENT WITH THE PROVISIONS OF THIS ORDINANCE ARE HEREBY REPEALED, BUT ONLY TO THE EXTENT OF SUCH INCONSISTENCIES.

SECTION 6. EFFECTIVE DATE.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON FINAL ADOPTION AND PUBLICATION IN THE MANNER PRESCRIBED BY LAW.

Mayor LaMantia reported that this ordinance is necessary due to Federal and State mandates.

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

Proposed by: Jennings

Seconded by: Grimes

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

None Opposed, None Abstaining

ORDINANCE #08-07

AN ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE SEWER SYSTEM AND APPROPRIATING THE SUM OF \$24,000 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 \$24,000 IN THE SEWER CAPITAL IMPROVEMENT FUND.

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 SEWER 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 2007 CAPITAL BUDGET OF THE BOROUGH OF JAMESBURG WILL 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.

Denise Jawidzik explained that this ordinance supplements Ordinance #05-07, which is scheduled for Public Hearing/Second Reading on tonight's agenda.

Motion to Approve Ordinance #08-07 on First Reading: Authorize Publication and Set Public Hearing/Second Reading Date:

Proposed by: Jennings

Seconded by: Kostbar

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

None Opposed, None Abstaining

ORDINANCE – SECOND READING/PUBLIC HEARING:

THE FOLLOWING ORDINANCE WAS APPROVED ON FIRST READING AT THE MEETING OF THE MAYOR AND COUNCIL HELD ON FEBRUARY 7, 2007, AND PUBLISHED IN FULL IN THE FEBRUARY 16, 2007 EDITION OF THE CRANBURY PRESS. COPIES HAVE BEEN POSTED ON THE MUNICIPAL BULLETIN BOARD AND MADE AVAILABLE TO THE PUBLIC SINCE INTRODUCTION

ORDINANCE #05-07

AN ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE SEWER SYSTEM AND APPROPRIATING THE SUM OF \$50,000 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 \$50,000 IN THE SEWER CAPITAL IMPROVEMENT FUND.

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 SEWER 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 2007 CAPITAL BUDGET OF THE BOROUGH OF JAMESBURG WILL 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 #05-07

Proposed by: Kostbar

Seconded by: Carpenter

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

None Opposed, None Abstaining.

Public Comment on Ordinance #05-07

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

Motion to Close to Public Comment on Ordinance #05-07

Proposed by: Jennings

Seconded by: Longo

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

None Opposed, None Abstaining.

Motion to Approve Ordinance #05-07 on Second Reading:
 Proposed by: Grimes
 Seconded by: Carpenter
 All In Favor: 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.

Council member Grimes removed Resolutions #089-02-28-07 and #090-02-28-07, while the remainder of the Consent Agenda was approved on the following vote:

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

RESOLUTIONS:

RESOLUTION #082-02-28-07**

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL
 February 7, 2007

RESOLUTION #083-02-28-07**

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:

Sewer Administrator	January 2007
Tax Collector	January 2007
Police Department	December 2006
Police Department	January 2007
Investment Report	January 2007
Finance Officer	January 2007
Annual Report of Uncollectible Taxes	February 14, 2007

RESOLUTION #084-02-28-07**

APPROVE LAUNDRY MACHINE LICENSES

WHEREAS, AN APPLICATION HAS BEEN SUBMITTED BY DAVID STEWART FOR TWO (2) 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 LAUNDRY LICENSES #LL-01-07 AND #LL-02-07 BE AND ARE HEREBY APPROVED IN THE NAME OF DAVID STEWART.

RESOLUTION #085-02-28-07**

APPROVE LAUNDRY MACHINE LICENSES

WHEREAS, AN APPLICATION HAS BEEN SUBMITTED BY CHERRY COURT APARTMENTS FOR FOUR (4) 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 LAUNDRY LICENSES #LL-03-07, #LL-04-07, #LL-05-07 AND #LL-06-07 BE AND ARE HEREBY APPROVED IN THE NAME OF CHERRY COURT APARTMENTS.

RESOLUTION #086-02-28-07**

APPROVE LAUNDRY MACHINE LICENSES

WHEREAS, AN APPLICATION HAS BEEN SUBMITTED BY BARCLAY VILLAGE LIMITED FOR FOUR (4) 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 LAUNDRY LICENSES #LL-07-07, #LL-08-07, #LL-09-07 AND #LL-10-07 BE AND ARE HEREBY APPROVED IN THE NAME OF BARCLAY VILLAGE LIMITED.

RESOLUTION #087-02-28-07**

APPROVE JUKE BOX AND POOL TABLE LICENSES

WHEREAS, AN APPLICATION HAS BEEN SUBMITTED BY PARKSIDE TAVERN, INC., FOR ONE (1) JUKE BOX LICENSE, ONE (1) POOL TABLE LICENSE; 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 #JB-01-07, and #PT-01-07 BE AND ARE HEREBY APPROVED IN THE NAME OF PARKSIDE TAVERN, INC.

RESOLUTION #088-02-28-07**

APPROVE JUKE BOX AND VENDING MACHINE LICENSES

WHEREAS, AN APPLICATION HAS BEEN SUBMITTED BY LIMITED FOR A JUKE BOX LICENSE AND A VENDING MACHINE LICENSE BY JAMESBURG ELKS #2180; 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 JUKE BOX LICENSE # JB-02-07 AND VENDING MACHINE LICENSE #VM-01-07, BE AND ARE HEREBY APPROVED IN THE NAME OF JAMESBURG ELKS #2180.

RESOLUTION #091-02-28-07**

RESOLUTION SUPPORTING AND AUTHORIZING THE MUNICIPAL ALLIANCE CHAIRPERSON TO PREPARE APPLICATIONS AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE THE APPLICATIONS FOR MUNICIPAL ALLIANCE ACTIVITIES FUNDING.

WHEREAS, THE MUNICIPAL ALLIANCE CHAIRPERSON, KELLI CRAPAROTTA, HAS RECOMMENDED THAT THE MAYOR AND COUNCIL APPLY TO MIDDLESEX COUNTY FOR FUNDING FOR MUNICIPAL ALLIANCE ACTIVITIES; AND

WHEREAS, THE MAYOR AND COUNCIL HAVE CONSIDERED THIS RECOMMENDATION:

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT KELLI CRAPAROTTA, MUNICIPAL ALLIANCE CHAIRPERSON BE AND IS HEREBY SUPPORTED AND AUTHORIZED TO PREPARE THE APPLICATIONS FOR FUNDING FROM MIDDLESEX COUNTY FOR MUNICIPAL ALLIANCE ACTIVITIES IN ACCORDANCE WITH THE APPLICATION.

BE IT FURTHER RESOLVED, THAT KELLI CRAPAROTTA WILL BE PAID THE AMOUNT OF \$2,000 FOR SAID SERVICES AS MUNICIPAL ALLIANCE CHAIRPERSON, AND THE OVERSEEING OF SAID FUNDS.

BE IT FURTHER RESOLVED, THAT THE MAYOR IS AUTHORIZED TO EXECUTE AND THE BOROUGH CLERK TO ATTEST THE APPLICATION FOR MUNICIPAL ALLIANCE ACTIVITY FUNDING.

END OF CONSENT AGENDA

RESOLUTION #089-02-28-07**

CANCELLATION OF BUCKELEW ADA BATHROOM APPROPRIATION AND RECEIVABLE

WHEREAS, THE BOROUGH OF JAMESBURG WAS APPROVED FOR \$30,000 DEPARTMENT OF COMMUNITY AFFAIRS STATEWIDE LOCAL ADA COMPLIANCE GRANT FOR THE BUCKELEW ADA BATHROOM, AND MADE A PART OF THE 2003 MUNICIPAL BUDGET; AND,

WHEREAS, THE BOROUGH OF JAMESBURG HAS AN UNEXPENDED BALANCE OF \$1,050.00 IN THAT GRANT APPROPRIATION;

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE ABOVE-SPECIFIED, UNEXPENDED APPROPRIATION BE CANCELED AGAINST THE RECEIVABLE.

Council member Grimes requested clarification of this Resolution. Finance Officer Denise Jawidzik explained.

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

RESOLUTION #090-02-28-07**

APPOINT MEMBER TO LIBRARY BOARD OF TRUSTEES TO FILL UNEXPIRED TERM

WHEREAS, THE BOROUGH IS IN RECEIPT OF THE RESIGNATION OF EVELYN LESTER FROM THE LIBRARY BOARD OF TRUSTEES, CAUSING A VACANCY ON SAID BOARD; AND

WHEREAS, THE VICE PRESIDENT OF THE LIBRARY BOARD OF TRUSTEES HAS NOTIFIED THE MAYOR OF THE BOARD'S RECOMMENDATION FOR THE FILLING OF SAID VACANCY:

NOW, THEREFORE, I, MAYOR ANTHONY LAMANTIA, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT GREGORY NEWTON TO THE LIBRARY BOARD OF TRUSTEES, FILLING THE UNEXPIRED TERM OF EVELYN LESTER, SAID TERM EXPIRING ON DECEMBER 31, 2008.

Council member Grimes questioned Mr. Newton's qualifications for this position. Mayor LaMantia gave explanation that this is a volunteer position and Mr. Newton is willing to volunteer his time as a Board of Trustees member.

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

RESOLUTION #092-02-28-07

RESOLUTION AWARDING BID FOR ACQUISITION OF 2007 BACKHOE TO HARTER EQUIPMENT, INC.

WHEREAS, THE BOROUGH OF JAMESBURG ADVERTISED FOR OPEN COMPETITIVE BIDS FOR THE ACQUISITION OF A 2007 BACKHOE AND BIDS WERE RECEIVED ON FEBRUARY 21, 2007; AND

WHEREAS, SEELY EQUIPMENT AND SUPPLY OF FARMINGDALE, NEW JERSEY SUBMITTED THE LOWEST BID OF \$73,912.00 AND HARTER EQUIPMENT, INC. OF ENGLISHTOWN, NEW JERSEY SUBMITTED THE SECOND LOWEST BID OF \$77,447.00 FOR THE ACQUISITION OF THE 2007 BACKHOE; AND

WHEREAS, THE BID THAT SEELY EQUIPMENT AND SUPPLY SUBMITTED HAS A SUBSTANTIAL EXCEPTION TO THE BID SPECIFICATIONS IN THAT THE TOTAL HEIGHT OF THE BACKHOE IS 13 FEET 1 INCH AND THE SPECIFICATIONS CALLED FOR A HEIGHT OF 11 FEET 5 INCHES; AND

WHEREAS, THIS DEVIATION FROM THE SPECIFICATION WILL HAVE A SUBSTANTIAL IMPACT ON THE BOROUGH OF JAMESBURG IN THAT THERE IS A BRIDGE IN THE MUNICIPALITY THAT ONLY ALLOWS FOR PASSAGE OF VEHICLES WITH A MAXIMUM HEIGHT OF 12 FEET; AND

WHEREAS, THE PURCHASING OFFICIAL HAS DETERMINED THAT IT WOULD BE IN THE BEST INTEREST OF THE BOROUGH OF JAMESBURG TO AWARD THE BID TO HARTER EQUIPMENT, INC IN THE AMOUNT OF \$77,447; AND

WHEREAS, THE PURCHASING OFFICIAL HAS REVIEWED THE BID DOCUMENTS SUBMITTED BY HARTER EQUIPMENT, INC. AND HAS DEEMED THEM TO BE SATISFACTORY; AND

WHEREAS, THE CHIEF FINANCIAL OFFICER HAS CERTIFIED TO THE AVAILABILITY OF FUNDS;

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, THAT A CONTRACT BE AWARDED TO HARTER EQUIPMENT, INC. AS SET FORTH IN THEIR BID PROPOSAL, FOR THE ACQUISITION OF A 2007 BACKHOE IN THE AMOUNT OF \$77,447.00.

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

RESOLUTION #093-02-28-07

RESOLUTION SUPPORTING AND AUTHORIZING THE FINANCIAL OFFICER TO PREPARE APPLICATIONS TO THE STATE OF NEW JERSEY AND AUTHORIZING THE APPROPRIATE BOROUGH PERSONNEL TO EXECUTE THE APPLICATIONS FOR EXTRAORDINARY AID.

WHEREAS, THE FINANCE OFFICER, HAS RECOMMENDED THAT THE MAYOR AND COUNCIL APPLY TO THE STATE OF NEW JERSEY FOR EXTRAORDINARY AID; AND

WHEREAS, THE MAYOR AND COUNCIL HAVE CONSIDERED THIS RECOMMENDATION:

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT FINANCE OFFICER BE AND IS HEREBY SUPPORTED AND AUTHORIZED TO PREPARE THE APPLICATIONS TO THE STATE OF NEW JERSEY FOR EXTRAORDINARY AID IN ACCORDANCE WITH THE APPLICATION.

BE IT FURTHER RESOLVED, THAT THE APPROPRIATE BOROUGH PERSONNEL ARE AUTHORIZED TO EXECUTE THE APPLICATION FOR EXTRAORDINARY AID.

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

RESOLUTION #094-02-28-07

RESOLUTION AUTHORIZING THE BOROUGH OF JAMESBURG TO ENTER INTO AN INTERLOCAL SERVICES AGREEMENT WITH MIDDLESEX COUNTY FOR INTER-OPERABLE COMMUNICATIONS EQUIPMENT

WHEREAS, THE "INTERLOCAL SERVICES ACT," N.J.S.A. 40:8A-1, et seq., PERMITS LOCAL UNITS OF THIS STATE TO ENTER INTO A CONTRACT WITH ANY OTHER LOCAL UNIT OR UNITS FOR THE JOINT PROVISION WITHIN THEIR SEVERAL JURISDICTIONS OF ANY SERVICE WHICH ANY PARTY TO THE AGREEMENT IS EMPOWERED TO RENDER WITHIN ITS OWN JURISDICTION; AND

WHEREAS, PURSUANT TO N.J.S.A. 40A:11-5(2), ANY SUCH CONTRACT OR AGREEMENT MAY BE MADE WITHOUT PUBLIC ADVERTISING FOR BIDS OR BIDDING THEREFOR; AND

WHEREAS, THE BOROUGH OF JAMESBURG WISHES TO ENTER INTO AN INTERLOCAL SERVICES AGREEMENT WITH MIDDLESEX COUNTY FOR INTER-OPERABLE COMMUNICATIONS EQUIPMENT; AND

WHEREAS, MIDDLESEX COUNTY IS WILLING TO PROVIDE THE REQUESTED SERVICES TO JAMESBURG BOROUGH UNDER THE TERMS AND CONDITIONS CONTAINED IN A PROPOSED AGREEMENT, A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF; AND

WHEREAS, HAVING CONSIDERED SAME, THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG NOW WISHES TO AUTHORIZE THE APPROPRIATE BOROUGH OFFICIALS TO ENTER INTO THE ATTACHED INTERLOCAL SERVICES AGREEMENT WITH MIDDLESEX COUNTY FOR THE PROVISION OF THE ABOVE-REFERENCED SERVICES.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE MAYOR IS HEREBY AUTHORIZED TO EXECUTE AND THE BOROUGH CLERK TO ATTEST THE ATTACHED INTERLOCAL SERVICES AGREEMENT WITH MIDDLESEX COUNTY FOR INTER-OPERABLE COMMUNICATIONS EQUIPMENT.

BE IT FURTHER RESOLVED, THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO THE MIDDLESEX COUNTY BOARD OF CHOSEN FREEHOLDERS.

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

RESOLUTION #095-02-28-07

RESOLUTION TO AUTHORIZE AN INTERLOCAL SERVICES AGREEMENT WITH THE LIBRARIES OF MIDDLESEX AUTOMATION CONSORTIUM, FOR THE PURPOSE OF PROVIDING CENTRALIZED COMPUTER AND INFORMATION SERVICES FOR LIBRARIES WITHIN AND WITHOUT MIDDLESEX COUNTY

WHEREAS, PURSUANT TO THE AUTHORITY PROVIDED BY THE MUNICIPAL INTERLOCAL SERVICES ACT, NJSA 40:8A-1, ET SEQ., THE BOROUGH OF JAMESBURG DEEMS IT TO BE IN THE PUBLIC INTEREST TO ENTER INTO INTERLOCAL SERVICES AGREEMENTS WITH THE LIBRARIES OF MIDDLESEX AUTOMATION CONSORTIUM, MIDDLESEX COUNTY COLLEGE AND OTHER MUNICIPALITIES WITHIN AND WITHOUT MIDDLESEX COUNTY, FOR THE PURPOSE OF PROVIDING CERTAIN CENTRALIZED COMPUTER SERVICES AS WELL AS OTHER SERVICES FOR LIBRARIES.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE MAYOR AND THE BOROUGH CLERK ARE AUTHORIZED AND DIRECTED TO EXECUTE AND ATTEST RESPECTIVELY, ON BEHALF OF THE BOROUGH OF JAMESBURG, THE INTERLOCAL SERVICES AGREEMENT FOR OPERATING A CENTRALIZED COMPUTER SERVICE SYSTEM AND RELATED SERVICES FOR THE LIBRARIES OF MIDDLESEX COUNTY, MIDDLESEX COUNTY COLLEGE AND OTHER MUNICIPALITIES INCLUDING THE BOROUGH OF JAMESBURG, IN THE FORM SUBSTANTIALLY SIMILAR TO THE AGREEMENTS WITH THE COUNTY OF MIDDLESEX AND THE LIBRARIES OF MIDDLESEX AUTOMATION CONSORTIUM.

BE IT FURTHER RESOLVED, THAT A COPY OF THE PROPOSED AGREEMENT BE ON FILE IN THE OFFICE OF THE BOROUGH CLERK OF THE BOROUGH OF JAMESBURG.

Denise Jawidzik explained that the wording was changed on Exhibit "A" and is now acceptable to the Borough.

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

RESOLUTION #096-02-28-07

RESOLUTION TO AUTHORIZE AN INTERLOCAL SERVICES AGREEMENT WITH THE COUNTY OF MIDDLESEX, MIDDLESEX COUNTY COLLEGE AND OTHER MUNICIPALITIES FOR THE PURPOSE OF PROVIDING CENTRALIZED COMPUTER AND INFORMATION SERVICES FOR LIBRARIES WITHIN AND WITHOUT MIDDLESEX COUNTY

WHEREAS, PURSUANT TO THE AUTHORITY PROVIDED BY THE MUNICIPAL INTERLOCAL SERVICES ACT, NJSA 40:8A-1, ET SEQ., THE BOROUGH OF JAMESBURG DEEMS IT TO BE IN THE PUBLIC INTEREST TO ENTER INTO INTERLOCAL SERVICES AGREEMENTS WITH THE COUNTY OF MIDDLESEX, MIDDLESEX COUNTY COLLEGE AND OTHER MUNICIPALITIES WITHIN AND WITHOUT MIDDLESEX COUNTY, FOR THE PURPOSE OF PROVIDING CERTAIN CENTRALIZED COMPUTER SERVICES AS WELL AS OTHER SERVICES FOR LIBRARIES.

NOW, THEREFORE BE AND IT IS HEREBY RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, NEW JERSEY THAT THE MAYOR AND THE BOROUGH CLERK ARE AUTHORIZED AND DIRECTED TO EXECUTE AND ATTEST RESPECTIVELY, ON BEHALF OF THE BOROUGH OF JAMESBURG, THE INTERLOCAL SERVICES AGREEMENT FOR OPERATING A CENTRALIZED COMPUTER SERVICE SYSTEM AND RELATED SERVICES FOR THE LIBRARIES OF MIDDLESEX COUNTY, MIDDLESEX COUNTY COLLEGE AND OTHER MUNICIPALITIES INCLUDING THE BOROUGH OF JAMESBURG, IN THE FORM SUBSTANTIALLY SIMILAR TO THE AGREEMENTS WITH THE COUNTY OF MIDDLESEX AND THE LIBRARIES OF MIDDLESEX AUTOMATION CONSORTIUM.

BE IT FURTHER RESOLVED, THAT A COPY OF THE PROPOSED AGREEMENT BE ON FILE IN THE OFFICE OF THE BOROUGH CLERK OF THE BOROUGH OF JAMESBURG.

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
CARPENTER		X	X			
GRIMES			X			

JENNINGS	X		X			
KOSTBAR			X			
LONGO			X			
MORALES						X
MAYOR LAMANTIA						

RESOLUTION #097-02-28-07

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 \$70,065.51.

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

RESOLUTION #098-02-28-07

RESOLUTION GRANTING REQUEST TO PAVE ALLEYWAY AS CONDITIONED BY THE LAND USE BOARD FOR THE PRELIMINARY AND FINAL SITE PLAN APPROVAL OF YONG K. JUNG FOR OPERATION OF A DRY CLEANING SHOP WITH DRIVE THOROUGH WINDOW AT BLOCK 12, LOT 1

WHEREAS, THE BOROUGH OF JAMESBURG COMBINED LAND USE BOARD HAS GRANTED PRELIMINARY AND FINAL SITE PLAN APPROVAL TO YONG K. JUNG ("THE APPLICANT") FOR THE OPERATION OF A DRY CLEANING ESTABLISHMENT AT BLOCK 12, LOT 1; AND

WHEREAS, THE APPLICANT INTENDS TO UTILIZE A PORTION OF THE ALLEY LOCATED TO THE REAR OF THE PROPERTY FOR TWO WAY ACCESS TO AND FROM THE SITE OF THE BUSINESS; AND

WHEREAS, DUE TO THE APPLICANT'S INTENTION TO UTILIZE A PORTION OF THE ALLEYWAY, THE LAND USE BOARD APPROVAL WAS CONDITIONED UPON THE APPLICANT OBTAINING A SEPARATE APPROVAL OF THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG GRANTING PERMISSION FOR THE APPLICANT TO PAVE SAID ALLEYWAY; AND

WHEREAS, THE APPLICANT HAS AGREED TO BE RESPONSIBLE TO PAVE THE ALLEYWAY A WIDTH OF EIGHTEEN (18) FEET AND A DISTANCE OF ONE HUNDRED (100) FEET, WITH FIFTY (50) FEET BEING FOR APPLICANT'S OWN PURPOSES AND THE OTHER FIFTY (50) FEET TO ADDRESS THE CONCERNS RAISED BY A RESIDENTIAL NEIGHBOR:

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, AND STATE OF NEW JERSEY, THAT THE APPLICANT IS GRANTED PERMISSION TO PAVE (AS DESCRIBED IN THE PREVIOUS PARAGRAPH), THE ALLEYWAY LOCATED TO THE REAR OF THE PROPERTY KNOWN BLOCK 12, LOT 1, SAID ALLEYWAY TO BE UTILIZED FOR TWO WAY ACCESS TO THE PROPOSED DRY CLEANING BUSINESS OF YONG K. JUNG.

Mayor LaMantia stated that he spoke with Mr. Jung and his attorney and has advised them that an "Indemnification and Hold Harmless Agreement" will also be necessary for the use of the alleyway. Mr.

Pape, Mr. Jung's attorney approached the podium and informed Council that such a document is acceptable to his client.

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

DISCUSSION:

Mayor LaMantia gave report on Senate Bill S-2441, pending in the legislature, that would mandate the Borough to participate in "set aside bidding", that would require that the Borough award a certain percentage of all contracts to women, minorities, or small businesses. This bill is not funded by the State. Denise Jawdzik reported that letters of opposition have been sent out and the League of Municipalities is opposed to the bill.

COUNCILMATIC COMMITTEE REPORTS

POLICE COMMITTEE / COMMISSIONER & HOLIDAY EVENTS/PATRIOTIC COMMITTEE

Council member Carpenter reported that the next Police Committee meeting would be held just prior to the Council meeting of March 14. Mrs. Carpenter also reported on Library Board and Patriotic Committee events.

COMMITTEE ON EDUCATION

Councilmember Grimes reported that the President of the Board of Education, Frank Tarulli, has resigned his position and the Darren Larsen has been elected Vice President of the Board. The State aid to the schools was increase 8.3% and on March 8, the Board will be deciding budget matters. There will be four (4) seats available in the upcoming Board of Education election and candidates are still being sought for the Chief School Administrator's position.

COMMITTEE ON PERSONNEL/NEGOTIATIONS

Council member Jennings reported that the Municipal Housing Liaison position would hopefully be filled by the next Council meeting.

COMMITTEE ON FINANCE & BUDGETING

Councilmember Kostbar spoke regarding extraordinary aid and how it affects the final adoption of the budget.

COMMITTEE ON BUILDINGS, GROUNDS & COMMITTEE ON TECHNOLOGY

Council member Longo reported that final edits are being done on the Land Use Ordinance. Requests for Proposals for architects for the Buckelew Mansion are due back on March 27. The Public Works Foreman will be informed of a seminar available to the department regarding the proper care and pruning of trees. The Revitalization Coalition held a meeting this past Saturday and the next meeting will be held on March 15 at the GMB School. A large turnout is needed to give input on how the downtown area is to look in the future. Rutgers hopes to make presentation to the Land Use Board and the Council sometime in May.

Engineer Cline reported on the Sewer Rehabilitation (Phase 4) bid openings held the previous day and how the rehabilitation of this particular line should reduce infiltration significantly.

COMMITTEE ON PUBLIC SAFETY/ EMERGENCY SERVICES COMMITTEE ON PUBLIC WORKS

Mayor Anthony LaMantia reported that the purchase of the backhoe has been needed for a long time. The Emergency Management Coordinator is attending a meeting this evening regarding emergency shelters. The Borough is to be a recipient of a \$5,000 Clean Communities Grant. The Mayor also reported that he met with the Public Works Foreman and representatives of the Borough Engineer's office regarding a storm drain by the PNC bank on West Railroad Avenue. The New Jersey Devils, that sponsor the Borough's Hockey program, gave free tickets for a hockey game, to participants of the Borough's hockey program. Players will also be visiting the GMB School.

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: Carpenter

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

None Opposed, None Abstaining.

PUBLIC COMMENT:

Anne Sabatino – 8 Woodland Road

- Inquired whether the Borough has an ordinance prohibiting parking on streets when snow covered.
- Inquired about the drainage issue at the CVS pharmacy.
- Spoke regarding the need for safe places to walk in the Borough and the need for protecting pedestrians in crosswalks.

Cindy Yasher – Director, Jamesburg Public Library

- Thanked Council for authorizing the LMxAC.

MOTION TO CLOSE TO PUBLIC COMMENT:

PROPOSED BY: Kostbar

SECONDED BY: Longo

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

None Opposed, None Abstaining.

MOTION TO ADJOURN:

PROPOSED BY: Kostbar

SECONDED BY: Jennings

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

None Opposed, None Abstaining.

TIME OF ADJOURNMENT:

7:40 PM