

# BOROUGH OF JAMESBURG

## COUNCIL MEETING

### MINUTES – FEBRUARY 7, 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 Kostbar  
Engineer Vogt, for Engineer Dittenhofer  
Denise Jawidzik, Business Administrator

Those Absent: Council member Jennings  
Council member Morales  
Attorney Raffetto

**MAYORAL PROCLAMATION** - celebrating the 97<sup>th</sup> anniversary of the Boy Scouts, was read in full.

**WHEREAS**, the purpose of the Boy Scouts of America -- incorporated on February 8, 1910, and chartered by Congress in 1916 -- is to provide an educational program for boys and young adults to build character, to train in the responsibilities of participating citizenship, and to develop personal fitness; and

**WHEREAS**, the mission of the Boy Scouts of America is to prepare young people to make ethical choices over their lifetimes by instilling in them the values of the Scout Oath and Law; and

**WHEREAS**, Central New Jersey Council of the Boy Scouts of America was created January 1, 1999 with the merger of the former George Washington Council and the former Thomas A. Edison Council; and

**WHEREAS**, the Central New Jersey Council of the Boy Scouts of America stretches across New Jersey, from the Delaware River to the Atlantic Ocean - an area where Scouts can experience the farms and open spaces of Warren and Hunterdon counties, the suburbs of Mercer County, the busy activity of the capital city of Trenton, and the Atlantic Shore in Middlesex County - all of these regions rich in the history of the War of Independence, the Industrial Revolution, the inventions of Thomas A. Edison, and other great scientific discoveries of our age; and

**NOW, THEREFORE BE IT PROCLAIMED**, that I, Mayor Anthony LaMantia, do hereby call on the citizens of the Borough of Jamesburg to commemorate the 97<sup>th</sup> anniversary of the Boy Scouts of America on February 8, 2007.

**AND BE IT FURTHER PROCLAIMED**, that the Borough of Jamesburg enthusiastically encourages participation in scouting and congratulates the Central New Jersey Council of the Boy Scouts of America for their accomplishments is developing the leadership and character of our youth.

**ORDINANCE – FIRST READING:**

**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 Approve Ordinance #05-07 on First Reading, Authorize Publication, and Set Public Hearing, Second Reading date:

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

**RESOLUTIONS:**

**RESOLUTION #073-02-07-07\*\***

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL  
January 24, 2007 Special Meeting (Budget Workshop)  
January 24, 2007

**RESOLUTION #074-02-07-07\*\***

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:

Historical Association	2006 Annual
Library Board of Trustees	December 2006

**RESOLUTION #075-02-07-07\*\***

REDEMPTIONS OF TAX LIENS

**WHEREAS**, THE TAX COLLECTOR HAS CONFIRMED RECEIPT OF PAYMENTS IN THE AGGREGATE AMOUNT OF FIVE THOUSAND TWO HUNDRED TWENTY-SEVEN DOLLARS AND NINETY-SEVEN CENTS (\$5,227.97) AS VERIFIED IN THE CERTIFICATION ATTACHED HERETO; AND

**WHEREAS**, THESE PAYMENTS HAVE BEEN MADE FOR: THE REDEMPTION OF TAX SALE CERTIFICATE #04-0003, THE LIEN-HOLDER BEING BERKSHIRE INVESTMENTS, FOR TAX SALE CERTIFICATE #06-00012, LIEN-HOLDER JOSEPH HOFFMAN, AND FOR TAX SALE CERTIFICATE #06-00014, LIEN-HOLDER BEING JOSEPH HOFFMAN.

**NOW, THEREFORE, BE IT RESOLVED**, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE TAX COLLECTOR BE AND IS HEREBY AUTHORIZED TO ISSUE CHECKS IN THE AGGREGATE AMOUNT OF FIVE THOUSAND TWO HUNDRED TWENTY-SEVEN DOLLARS AND NINETY-SEVEN CENTS (\$5,227.97) TO THE ABOVE SPECIFIED LIEN-HOLDERS.

**RESOLUTION #076-02-07-07\*\***

RETURN OF PREMIUM ON A TAX SALE CERTIFICATE

**WHEREAS**, THE TAX COLLECTOR HAS RECEIVED A PREMIUM IN THE AMOUNT OF FOUR HUNDRED DOLLARS (\$400.00) ON TAX SALE CERTIFICATE #04-0003 BEING HELD BY BERKSHIRE INVESTMENTS, 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 FOUR HUNDRED DOLLARS (\$400.00) TO THE AFOREMENTIONED CERTIFICATE HOLDER.

**END OF CONSENT AGENDA**

**RESOLUTION #077-02-07-07**

AUTHORIZE EXCHANGE PORTION OF CASH PERFORMANCE GUARANTEE FOR SITE  
IMPROVEMENT PERFORMANCE BOND

**WHEREAS**, AS A CONDITION OF THE JAMESBURG LAND USE BOARD APPROVAL OF THE MAJOR SUBDIVISION OF BLOCK 39, LOT 1, J.P. INVESTMENTS DID POST A CASH PERFORMANCE GUARANTEE IN THE AMOUNT OF TWENTY EIGHT THOUSAND SIX HUNDRED AND SIXTY TWO DOLLARS AND SIXTY CENTS (\$28,662.60); AND

**WHEREAS**, SUBSEQUENT TO THE POSTING OF SAID CASH GUARANTEE, J.P. INVESTMENTS SUBMITTED SITE IMPROVEMENT PERFORMANCE BOND #5022298, BOND SAFEGUARD INSURANCE COMPANY BEING THE SURETY, IN THE AMOUNT OF TWENTY FIVE THOUSAND SEVEN HUNDRED AND NINETY SIX DOLLARS AND THIRTY FOUR CENTS (\$25,796.34) WHICH REPRESENTS NINETY PERCENT (90%) OF THE REQUIRED AMOUNT OF THE GUARANTEE; AND

**WHEREAS**, THE BOROUGH ENGINEER AND BOROUGH ATTORNEY HAVE GIVEN THEIR APPROVAL OF THE AMOUNT AND FORM OF THE SITE IMPROVEMENT PERFORMANCE BOND #5022298; AND

**WHEREAS**, BOROUGH ORDINANCE REQUIRES THAT TEN PERCENT (10%) OF THE PERFORMANCE GUARANTEE BE IN THE FORM OF CASH;

**NOW THEREFORE, BE AND IT IS HEREBY RESOLVED**, THAT THE MUNICIPAL CLERK IS HEREBY AUTHORIZED TO ACCEPT SITE IMPROVEMENT PERFORMANCE BOND #5022298, BOND SAFEGUARD INSURANCE COMPANY BEING THE SURETY, IN THE AMOUNT OF TWENTY FIVE THOUSAND SEVEN HUNDRED AND NINETY SIX DOLLARS AND THIRTY FOUR CENTS (\$25,796.34) REPRESENTING NINETY PERCENT (90%) OF THE REQUIRED GUARANTEE FOR THE MAJOR SUBDIVISION OF BLOCK 39, LOT 1; AND

**BE IT FURTHER RESOLVED**, THAT THE FINANCE OFFICER IS HEREBY AUTHORIZED TO RETURN THE CASH AMOUNT OF TWENTY FIVE THOUSAND SEVEN HUNDRED AND NINETY SIX DOLLARS AND THIRTY FOUR CENTS (\$25,796.34), LESS ANY APPROPRIATE ADMINISTRATIVE FEES.

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

**RESOLUTION #078-02-07-07**

A RESOLUTION DENYING THE REQUEST MADE BY BIG DADDY CONSTRUCTION, INC. FOR AN EXTENSION OF TIME TO COMPLETE CONTRACT RESPONSIBILITIES RELATING TO THE PROJECT KNOWN AS "VARIOUS ROAD REPAIRS, PHASE II."

**WHEREAS**, BY RESOLUTION NO. 232-09-27-06, ADOPTED ON SEPTEMBER 27, 2006, THE BOROUGH OF JAMESBURG (THE "BOROUGH") AWARDED A CONTRACT FOR A PUBLIC PROJECT KNOWN AS "VARIOUS ROAD REPAIRS, PHASE II" (THE "PROJECT"), TO BIG DADDY CONSTRUCTION, INC. (THE "CONTRACTOR"), OF MONROE TOWNSHIP, NEW JERSEY, FOR THE TOTAL CONTRACT AMOUNT OF \$72,943.70; AND

**WHEREAS**, CONTRACT DOCUMENTS WERE THEREAFTER EXECUTED BY THE PARTIES REGARDING THE TERMS AND CONDITIONS ASSOCIATED WITH THE PROJECT, WHICH DOCUMENTS WERE IN ACCORDANCE WITH THE BID SPECIFICATIONS; AND

**WHEREAS**, PURSUANT TO THE CONTRACT DOCUMENTS, THE TIME LIMIT FOR COMPLETION OF THE WORK RELATED TO THE PROJECT WAS TO BE NO LATER THAN SIXTY (60) CALENDAR DAYS FROM THE ISSUANCE OF A NOTICE TO PROCEED; AND

**WHEREAS**, THE NOTICE TO PROCEED WAS ISSUED BY THE BOROUGH ON NOVEMBER 6, 2006, AND THEREFORE ALL WORK ASSOCIATED WITH THE CONTRACT WAS REQUIRED TO BE COMPLETED ON OR BEFORE JANUARY 6, 2007; AND

**WHEREAS**, THE COMPLETION DATE OF JANUARY 6, 2007 HAS NOW PASSED, AND THE REQUIRED WORK HAS NOT YET BEEN COMPLETED BY THE CONTRACTOR; AND

**WHEREAS**, BY LETTER DATED JANUARY 29, 2007, THE CONTRACTOR HAS REQUESTED AN EXTENSION OF TIME FOR COMPLETION OF THE CONTRACT WORK, CITING VARIOUS REASONS FOR ITS FAILURE TO PERFORM IN A TIMELY MANNER; AND

**WHEREAS**, A COPY OF THAT LETTER IS ATTACHED HERETO AND IS MADE A PART HEREOF; AND

**WHEREAS**, THE BOROUGH HAS REVIEWED THE CONTENTS OF SAID LETTER, AND DOES NOT BELIEVE THAT THE CONTRACTOR HAS CITED REASONS SUFFICIENT TO SUPPORT THE REQUESTED CONTRACT EXTENSION; AND

**WHEREAS**, ADDITIONALLY, SHOULD THE CONTRACTOR BE GRANTED AN EXTENSION OF TIME, THE BOROUGH MAY BE RESPONSIBLE FOR ADDITIONAL ENGINEERING AND OTHER SUBSTANTIAL COSTS THAT WERE UNANTICIPATED AND FOR WHICH THE BOROUGH SHOULD NOT BE RESPONSIBLE; AND

**WHEREAS**, THE BOROUGH THEREFORE HAS DETERMINED TO DENY SAID REQUEST; AND

**WHEREAS**, THE CONTRACT DOCUMENTS SPECIFY THE REMEDIES AVAILABLE IN THE EVENT OF A BREACH OF CONTRACT, AND THE BOROUGH WISHES TO AVAIL ITSELF OF ALL SUCH REMEDIES, INCLUDING BUT NOT LIMITED TO LIQUIDATED DAMAGES.

**NOW, THEREFORE, BE AND IT 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 CONTRACTOR'S REQUEST FOR AN EXTENSION OF TIME TO COMPLETE THE AFOREMENTIONED PROJECT IS HEREBY DENIED.
2. THAT THE BOROUGH SHALL AVAIL ITSELF OF ALL REMEDIES THAT ARE AVAILABLE IN THE CONTRACT DOCUMENTS IN THE CASE OF A BREACH OF CONTRACT, INCLUDING BUT NOT LIMMITED TO LIQUIDATED DAMAGES.
3. THAT ALL BOROUGH OFFICIAL AND EMPLOYEES ARE HEREBY AUTHORIZED AND DIRECTED TO UNDERTAKE ALL ACTIONS THAT ARE APPROPRIATE TO EFFECTUATE THE INTENTIONS OF THIS RESOLUTION.
4. THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:
  - a. BIG DADDY CONSTRUCTION
  - b. ALAN B. DITTENHOFER, P.E., P.P., C.M.E., BOROUGH ENGINEER
  - c. TERENCE M. VOGT, P.E., P.P., C.M.E., BOROUGH ENGINEER'S OFFICE
  - d. FREDERICK C. RAFFETTO, ESQ., BOROUGH ATTORNEY
  - e. DENISE JAWIDZIK, BOROUGH BUSINESS ADMINISTRATOR

Council member Kostbar stated that he would need to abstain as this corporation is a client. Mayor LaMantia expressed the Borough's displeasure with the work of this contractor. Council member Grimes made inquiry of the contractor's claims of the attached letter of request, regarding death in the family and the need for County permits. Business Administrator Denise Jawidzik explained that this contractor has run past the time limitation on four (4) straight projects with the Borough. The Borough will need to establish past negative experience in order to eliminate bidding by this Contractor in the future.

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

**RESOLUTION #079-02-07-07**

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 \$914,778.91.

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

**RESOLUTION #080-02-07-07**

RESOLUTION OF THE BOROUGH OF JAMESBURG APPROVING PAYMENT CERTIFICATE #1 FOR THE VARIOUS ROAD REPAIRS PROJECT, PHASE 2

**WHEREAS**, THE CONTRACTOR, BIG DADDY CONSTRUCTION, INC., HAS SUBMITTED AS-BUILT QUANTITIES FOR THE VARIOUS ROAD REPAIRS PROJECT, PHASE 2; AND

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

**WHEREAS**, THE ENGINEER RECOMMENDS THE APPROVAL OF PAYMENT CERTIFICATE #1, DATED JANUARY 31, 2007, IN THE AMOUNT OF SEVENTEEN THOUSAND SEVEN HUNDRED AND FORTY-FOUR DOLLARS AND EIGHTY-FIVE CENTS (\$17,744.85).

**NOW, THEREFORE, BE IT RESOLVED**, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT PAYMENT CERTIFICATE #1, IN THE AMOUNT OF SEVENTEEN THOUSAND SEVEN HUNDRED AND FORTY-FOUR DOLLARS AND EIGHTY-FIVE CENTS (\$17,744.85) IS HEREBY AUTHORIZED FOR PAYMENT TO BIG DADDY CONSTRUCTION, INC.

Business Administrator Denise Jawdzik explained that this is necessary due to the new "Prompt Payment Law", however, payment may not be made due to liquidated damages by the Contractor. Will know further after conference with the Borough Attorney.

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

**RESOLUTION #081-02-07-07**

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 VARIOUS ROAD REPAIRS PROJECT, PHASE 2.

**WHEREAS**, DUE TO UNANTICIPATED CIRCUMSTANCES WHICH HAVE ARISEN DURING THE VARIOUS ROAD REPAIRS PROJECT, PHASE 2, 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 JANUARY 31, 2007; AND

**WHEREAS**, THE PROPOSED CHANGE ORDER SHALL CHANGE THE AMOUNT OF THE ORIGINAL CONTRACT BY AN DECREASE IN THE CONTRACT AMOUNT OF ONE THOUSAND SEVEN HUNDRED THIRTY SIX DOLLARS AND NO CENTS (-\$1,736.00); 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 VARIOUS ROAD REPAIRS PROJECT, PHASE 2.
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	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
CARPENTER			X			
GRIMES	X		X			
JENNINGS						X
KOSTBAR					X	
LONGO		X	X			
MORALES						X
MAYOR LAMANTIA						

**COUNCILMATIC COMMITTEE REPORTS**

**POLICE COMMITTEE/COMMISSIONER & HOLIDAY EVENTS/PATRIOTIC COMMITTEE**

Council member Carpenter reported that the Police Committee met this evening prior to the Council meeting. Also reported, that the Library will be holding Black History month events. The date for the Annual Tree Lighting has been changed to the week prior to the originally scheduled date. Mrs. Carpenter also gave report on the Patriotic Committee.

**COMMITTEE ON EDUCATION**

Councilmember Grimes reported on the most recent Board of Education meeting, the Board's ongoing search for a new Chief School Administrator as well as the salary for that position. Mr. Grimes stated that the ensuing year's school budget is uncertain due to recently enacted legislation, yet the Board still needs to prepare their budget, which includes a list of much needed items. The Board is working with Monroe Township Board of Education to negotiate a lower tuition for High School students, which currently is \$14,000 per student for next year. The Board of Education President stated that the Board is working toward a flat budget for 2007/2008. Mr. Grimes also gave report on the status of the new Monroe Township High School project.

**COMMITTEE ON PERSONNEL/NEGOTIATIONS**

Council member Jennings was absent.

**COMMITTEE ON FINANCE & BUDGETING**

Councilmember Kostbar deferred to the Mayor to speak on the legislation that may affect the Borough's budget. Council member Kostbar also reported on his attendance at the Middlesex County Housing and Community Development meeting, where he learned that the Borough should be receiving the same level of C.D.B.G. funding as last year. The meeting regarding discretionary funding is to be held on March 30 - Mr. Kostbar intends to be present.

**COMMITTEE ON BUILDINGS, GROUNDS & COMMITTEE ON TECHNOLOGY**

Council member Longo reported that the ADA accessible bathroom at the Lakeview House is 95% complete. Requests for Proposals are being prepared for an architect to prepare plans for upcoming renovations at the mansion. J.P. Morgan Chase bank is slated for the Land Use Board meeting for February 8. The SERV Committee has met and working together well. Council member Longo also reported that he has attended an Urban Forestry meeting where he learned that the Borough can "bank"

trees through an Arbor Day program. The program also offers free training for Public Works personnel regarding the planting and pruning of trees, etc. Mr. Longo also reported that he will be attending the upcoming Eagle Scout ceremony.

COMMITTEE ON PUBLIC SAFETY/ EMERGENCY SERVICES COMMITTEE ON PUBLIC WORKS  
Mayor Anthony LaMantia reported that Council member Morales

Engineer Vogt reported that the Borough is currently going out to bid on Phase 4 of the Sewer Rehabilitation Project. The grant application for the Community Development Block Grant should be submitted to Middlesex County by next week.

Mayor LaMantia reported that 2 bills have passed the State Legislature, and are awaiting Governor approval, that will have important impact on the Borough. The first bill creates the office of a State Comptroller. Regardless of the other affects it may have, the financial impact is \$9,000,000 to establish the office. The second bill limits the Borough to a 4% total budget increase, which seems unreasonable considering the 17% State mandated increase given to the Library this year. The Mayor stated that this discourages municipalities like Jamesburg that have worked so very hard over the years to keep increases to a bare minimum.

**Members of the public wishing to address the Mayor and Borough Council must approach the podium and state their name and address for the record. There is a five (5) minute time limit for all comments and questions.**

**MOTION TO OPEN TO PUBLIC COMMENT:**

PROPOSED BY: Longo

SECONDED BY: Kostbar

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

ABSENT: Jennings, Morales.

None Opposed, None Abstaining.

**PUBLIC COMMENT**

Richard Reinhart – 35 East Railroad Avenue

- Stated that “Tonkery Day” kills small businesses with gridlock and keeps his clientele away.
- Spoke regarding “undesirable vendors”.
- Suggested the event be moved to Thompson Park.
- Stated that he has spoken to other two businesses and they agree that their business is “killed” by the day.

Elliot Stroul – 110 Mendoker Drive

- Suggested the use of the term “Heritage Day” for the street festival
- Suggested the use of shuttle busses and coordination with the Historical Association’s Buckelew Day.
- Suggested that town organizations be asked to get involved, and corporate sponsorships sought.
- Expressed displeasure at what some vendors have sold in past.
- Stated that he would like to see more entertainment for adults and children, with events spread out throughout the day.

Barbara Reinhart – 35 East Railroad Avenue

- Inquired why the Mayor is against having the Street Festival in the park.
- Stated that the event should be more upscale to eliminate “problem people”.
- Stated that other businesses are afraid to come forward regarding matter, “because of retaliation.”
- Business owners are informing her that they are losing thousands of dollars.

**MOTION TO CLOSE TO PUBLIC COMMENT:**

PROPOSED BY:

SECONDED BY:

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

ABSENT: Jennings, Morales.

None Opposed, None Abstaining.

**MOTION TO ADJOURN:**

PROPOSED BY:

SECONDED BY:

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

ABSENT: Jennings, Morales.

None Opposed, None Abstaining.

**TIME OF ADJOURNMENT:**                      8:00   PM