

# BOROUGH OF JAMESBURG

## COUNCIL MEETING

### MINUTES – July 11, 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  
Engineer Vogt  
Denise Jawidzik, Business Administrator

Those absent: None

#### **ORDINANCE – FIRST READING:**

##### **ORDINANCE #12-07**

AN ORDINANCE PROVIDING FOR RESTORATION OF THE BUCKELEW MANSION PHASE II, AS WELL AS THE INSTALLATION OF BARRIER FREE PLAYGROUND EQUIPMENT AND APPROPRIATING THE SUM OF \$491,000 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 RESTORE THE BUCKELEW MANSION AS WELL AS INSTALL BARRIER FREE PLAYGROUND EQUIPMENT AT THE AUGUSTA STREET PARK; AND

**WHEREAS**, THE BOROUGH OF JAMESBURG HAS BEEN APPROVED FOR \$491,000.00 IN FUNDING FROM THE MIDDLESEX COUNTY OPEN SPACE RECREATION AND FARMLAND AND HISTORIC PRESERVATION TRUST FUND PROGRAM FOR SUCH IMPROVEMENTS.

**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 RESTORATION OF THE BUCKELEW MANSION PHASE II, IN ADDITION TO THE INSTALLATION OF BARRIER FREE PLAYGROUND EQUIPMENT, TOGETHER WITH ALL ITEMS NECESSARY, INCIDENTAL OR APPURTENANT THERETO.

SECTION 3. THE 2007 CAPITAL BUDGET 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 Approve Ordinance #12-07 on First Reading; Authorize Publication and Set Public Hearing/Second Reading Date:

Proposed by: Longo

Seconded by: Kostbar

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

Abstain: Bodall

None Opposed.

**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			
GRIMES		X	X			
JENNINGS	X		X			
KOSTBAR			X			
LONGO			X			
MAYOR LAMANTIA						

**RESOLUTIONS:**

**RESOLUTION #173-07-11-07\*\***

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL  
June 13, 2007

**RESOLUTION #174-07-11-07\*\***

RESOLUTION ACCEPTING MONTHLY 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	May 2007
Tax Collector	May 2007
Investment Report	May 2007
Finance Officer	May 2007
Police Department	May 2007

**RESOLUTION #175-07-11-07\*\***

RESOLUTION ACCEPTING AGREEMENT WITH MIDDLESEX COUNTY REGARDING OPEN SPACE RECREATION GRANT MONIES FOR PHASE 2 OF THE "HISTORIC BUCKELEW MANSION REHABILITATION PROJECT".

**WHEREAS**, THE COUNTY BOARD OF CHOSEN FREEHOLDERS HAS VOTED, ON JUNE 21, 2007, TO APPROVE A GRANT FOR THE BOROUGH OF JAMESBURG FOR PHASE 2 OF THE "HISTORIC BUCKELEW MANSION REHABILITATION PROJECT" AND THE INSTALLATION OF BARRIER FREE PLAYGROUND EQUIPMENT AT AUGUSTA STREET PARK; AND

**WHEREAS**, THE GRANT MONIES FOR SAID PROJECT ARE AVAILABLE THROUGH AN OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND GRANT FROM THE COUNTY OF MIDDLESEX, IN THE AMOUNT OF \$491,000.00; AND

**WHEREAS**, PHASE 2 OF THE "HISTORIC BUCKELEW MANSION REHABILITATION PROJECT" INCLUDES: THE RECONSTRUCTION OF THE BUCKELEW HOUSE, INCLUDING ROOF REPLACEMENT, GARAGE RENOVATION, ELECTRICAL SYSTEM UPGRADE AND FRONT PORCH REPLACEMENT AND IS MORE FULLY SET FORTH IN THE PROGRAM DETAILS AND COST ESTIMATE DATED SEPTEMBER 6, 2006 AS PREPARED BY REMINGTON, VERNICK & VENA ENGINEERS; AND

**WHEREAS**, THE INSTALLATION OF BARRIER FREE PLAYGROUND EQUIPMENT AT THE AUGUSTA STREET PARK IS MORE FULLY SET FORTH IN THE PROGRAM DETAILS AND COST ESTIMATE DATED APRIL 13, 2007, AS PREPARED BY REMINGTON, VERNICK & VENA ENGINEERS; AND

**WHEREAS**, THE BOROUGH OF JAMESBURG IS DESIROUS OF OBTAINING SAID GRANT FUNDING FOR THE URGENTLY NEEDED REPAIRS KNOWN AS PHASE 2 OF THE "HISTORIC BUCKELEW MANSION REHABILITATION PROJECT" AND ALSO FOR THE INSTALLATION OF BARRIER FREE PLAYGROUND EQUIPMENT AT AUGUSTA STREET PARK ; AND

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

1. THE BOROUGH OF JAMESBURG DOES HEREBY ENTER INTO THE GRANT AGREEMENT WITH THE COUNTY OF MIDDLESEX FOR AN OPEN SPACE, RECREATION, AND FARMLAND AND HISTORIC PRESERVATION TRUST FUND GRANT IN THE AMOUNT OF \$491,000.00, TO BE UTILIZED FOR PHASE 2 OF THE "HISTORIC BUCKELEW MANSION REHABILITATION PROJECT" AS WELL AS THE INSTALLATION OF BARRIER FREE PLAYGROUND EQUIPMENT AT THE AUGUSTA STREET PARK.
2. THE MAYOR IS AUTHORIZED TO EXECUTE SAID GRANT AGREEMENT ON BEHALF OF THE BOROUGH OF JAMESBURG AND THE MUNICIPAL CLERK IS HEREBY DIRECTED TO ATTEST SAID GRANT AGREEMENT AND AFFIX THERETO THE CORPORATE SEAL OF THE BOROUGH OF JAMESBURG.
3. A DULY AUTHENTICATED COPY OF THIS RESOLUTION SHALL BE FORWARDED TO THE MIDDLESEX COUNTY BOARD OF CHOSEN FREEHOLDERS.

**RESOLUTION #176-07-11-07\*\***

AUTHORIZE RENEWAL OF MEMBERSHIP IN THE MIDDLESEX COUNTY MUNICIPAL JOINT INSURANCE FUND.

**WHEREAS**, THE BOROUGH OF JAMESBURG HAS PARTICIPATED AS A MEMBER OF THE MIDDLESEX COUNTY MUNICIPAL JOINT INSURANCE FUND (HEREINAFTER THE "FUND") EXISTING PURSUANT TO CHAPTER 372, LAWS OF 1983 (N.J.S.A. 40A:10-36, et. seq.) AND IS DESIROUS OF CONTINUING SAID MEMBERSHIP FOR A TERM TO EXPIRE DECEMBER 31, 2010; AND

**WHEREAS**, THE GOVERNING BODY OF THE BOROUGH OF JAMESBURG HAS DETERMINED THAT CONTINUED MEMBERSHIP IN THE FUND IS IN THE BEST INTEREST OF THE MUNICIPALITY:

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

SECTION 1. THE BOROUGH OF JAMESBURG HEREBY AGREES TO CONTINUE AS A MEMBER OF THE FUND FOR A PERIOD OF THREE (3) YEARS COMMENCING JANUARY 1, 2008, AND TERMINATING ON DECEMBER 31, 2010 FOR THE PURPOSE OF SECURING THE FOLLOWING TYPES OF INSURANCE COVERAGE:

- a. WORKERS COMPENSATION AND EMPLOYERS LIABILITY
- b. GENERAL LIABILITY COVERAGE
- c. MOTOR VEHICLE AND EQUIPMENT LIABILITY COVERAGE

- d. PROPERTY DAMAGE COVERAGE (BUILDING, CONTENTS, AUTO PHYSICAL DAMAGE AND BOILER AND MACHINERY)

AFTER THE EXPIRATION OF THE SAID THREE (3) YEAR PERIOD OF MEMBERSHIP, PARTICIPATION MAY BE CANCELED OR EXTENDED IN ACCORDANCE WITH THE BY-LAWS OF THE FUND.

**SECTION 2.** FOR THE PURPOSES OF CONTRIBUTION OF SUMS INTO THE FUND TO BE DESIGNATED FOR ADMINISTRATIVE COSTS AND CLAIMS, THE BOROUGH OF JAMESBURG HEREBY AGREES TO OBTAIN THE TYPES OF COVERAGE FROM THE FUND AS ARE SET FORTH IN SECTION 1 OF THIS RESOLUTION AND THE INDEMNITY AND TRUST AGREEMENT TO BE SIGNED BY IT.

**SECTION 3.** THE MAYOR IS HEREBY AUTHORIZED AND DIRECTED TO EXECUTE AND THE MUNICIPAL CLERK TO ATTEST THE INDEMNITY & TRUST AGREEMENT SIGNIFYING CONTINUED MEMBERSHIP.

**RESOLUTION #177-07-11-07\*\***

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 \$826,608.14

**END OF CONSENT AGENDA**

**RESOLUTION #178-07-11-07**

RELEASE OF PERFORMANCE BOND OF BIG DADDY CONSTRUCTION, INC. BEING HELD FOR THE VARIOUS ROAD REPAIRS PHASE 2 PROJECT.

**WHEREAS**, THE BOROUGH OF JAMESBURG IS IN POSSESSION OF A PERFORMANCE BOND FROM BIG DADDY CONSTRUCTION, INC., FOR THE VARIOUS ROAD REPAIRS, PHASE 2 PROJECT; AND

**WHEREAS**, BIG DADDY CONSTRUCTION, INC. HAS SUBMITTED MAINTENANCE BOND NUMBER #B10 006 421-MB, AEGIS SECURITY INSURANCE COMPANY BEING THE SURETY, IN THE AMOUNT OF EIGHTY THOUSAND SEVEN HUNDRED EIGHTY-ONE DOLLARS AND TWENTY CENTS (\$80,781.20) AND

**WHEREAS**, THE BOROUGH ATTORNEY AND BOROUGH ENGINEER HAVE GIVEN APPROVAL OF THE AMOUNT OF THE AMOUNT AND ACCEPTANCE DATE OF THE AFOREMENTIONED MAINTENANCE BOND:

**NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED**, BY THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, THAT THE BOROUGH CLERK IS HEREBY AUTHORIZED TO ACCEPT THE AFOREMENTIONED MAINTENANCE BOND AND RELEASE THE PERFORMANCE BOND HELD FOR THE VARIOUS ROAD REPAIRS, PHASE 2 PROJECT.

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

**RESOLUTION #179-07-11-07**

RESOLUTION AWARDING CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND RICHARD GRUBB & ASSOCIATES, INC. FOR ARCHAEOLOGICAL SURVEY SERVICES

**WHEREAS**, THE MAYOR AND BOROUGH COUNCIL ARE DESIROUS OF PERFORMING UPGRADES TO THE HISTORIC BUCKLEW MANSION IN THE BOROUGH OF JAMESBURG, WHICH DOES REQUIRE AN ARCHAEOLOGICAL SURVEY; AND

**WHEREAS**, RICHARD GRUBB AND ASSOCIATES, INC. HAVE PRESENTED AN ESTIMATE OF COSTS TO PROVIDE SAID PROFESSIONAL SERVICES OF AN ARCHAEOLOGICAL SURVEYOR; AND

**WHEREAS**, THE LOCAL PUBLIC CONTRACTS LAW, N.J.S.A. 40A:11-1 et seq., AUTHORIZES THE AWARDING OF A CONTRACT FOR PROFESSIONAL SERVICES WITHOUT PUBLIC ADVERTISING FOR BIDS AND BIDDING THEREFOR, PROVIDED THAT THE RESOLUTION AUTHORIZING THE CONTRACT AND THE CONTRACT ITSELF BE AVAILABLE FOR PUBLIC INSPECTION IN THE OFFICE OF THE CLERK AND THAT NOTICE OF THE AWARDING OF THE CONTRACT BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE MUNICIPALITY:

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

1. THAT THE MAYOR AND BOROUGH COUNCIL DO HEREBY AWARD THE CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND RICHARD GRUBB & ASSOCIATES, INC. REGARDING THE ABOVE-REFERENCED ARCHAEOLOGICAL SURVEY SERVICES
2. THAT THIS CONTRACT IS AWARDED WITHOUT COMPETITIVE BIDDING AS A PROFESSIONAL SERVICE IN ACCORDANCE WITH N.J.S.A. 40A:11-5 OF THE LOCAL PUBLIC CONTRACTS LAW OF NEW JERSEY, BECAUSE THE SERVICES WILL BE PERFORMED BY PERSONS AUTHORIZED BY LAW TO PRACTICE A RECOGNIZED PROFESSION AND IT IS NOT POSSIBLE TO OBTAIN BIDS FOR SUCH NEEDED QUALITATIVE SERVICES.
3. THAT THE CHIEF FINANCIAL OFFICER HAS FILED A CERTIFICATE OF AVAILABILITY OF FUNDS FOR THIS CONTRACT AND SAME IS ATTACHED TO THIS RESOLUTION.
4. THAT NOTICE OF THE ADOPTION OF THIS RESOLUTION SHALL BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE BOROUGH.
5. THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:
  - a. RICHARD GRUBB & ASSOCIATES, INC.
  - b. REMINGTON, VERNICK & VENA ENGINEERS
  - c. DENISE JAWIDZIK, CHIEF FINANCIAL OFFICER.

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

**Presentation:**

Kevin Watsey, External Affairs Liaison for New Jersey American Water Company gave a short presentation regarding the company. Explained that NJAWC was purchased five years ago, by a company named RWE and is currently in the process of being sold again. It is hoped that the company will be public by the end of this year. Also informed Council that NJAWC is willing to assist the Borough with whatever events the Borough may be having. A letter of request on Borough letterhead, with as much advance notice as possible, is all that is required. Mr. Watsey also explained the current assistance programs NJAWC has for customers requiring financial assistance.

Mayor LaMantia inquired whether the recent switch from well usage to surface water supply of water will affect the water table. Mr. Watsey replied that he will inquire of the company expert on such matters and will get back to the Mayor with the answer.

**DISCUSSION:**

Library

Mayor suggested that the matter of a referendum to close the library be tabled and the Borough should keep working with the State on getting a waiver from the Local Finance Board for the budget cap. Council member Kostbar thanked all who have been working on this matter by spreading petitions, etc., but expressed his doubts that the Borough would be granted a cap waiver due to the political strength of opposed legislators. Council discussed the possibilities for budget cuts should a waiver not be granted and possible avenues for the continuation of certain services without these cuts. Council member Carpenter agreed with Mayor LaMantia, that we should continue to push Trenton for a solution. Council member Kostbar raised concern about the mandatory increases in the library appropriations for future years. Council member Longo agreed that there are many facets to this issue and the library board needs to realize the impact their appropriation places on other areas of service. Mr. Longo stated that he feels that all departments should be held to the same cap, however, it is agreed that pressure needs to be applied in Trenton to assist rectifying this situation. Mr. Bodall echoed Mr. Longo's sentiments. Council member Jennings stated that this matter is a by-product of the big political push to reduce property taxes, and Jamesburg is forced to deal with this issued now due to its' tight budget. Council member Grimes expressed concern due to the legislative process being a lengthy one. Mr. Grimes feels that each member of Council needs to consider where to cut future budgets, creating a "Plan B". Council discussed the period necessary for ordinance introduction and adoption, as well as the deadline (August 24) to submit a question to the County Clerk for placement of a question on the General Election ballot. Council member Kostbar brought up the matter of needing to award a new garbage contract at the ensuing Council meeting, which would lock the Borough into a minimum one (1) year contract, eliminating that area for a possible cut from next year's budget. Denise Jawidzik explained the five options that have been placed in the bid specs for the garbage collection contract that Council will need to decide at the August 8 Council meeting. Upon request for consensus to move forward with the referendum ordinance, Council member Carpenter was in opposition, while Council members Jennings, Kostbar, Longo, Grimes, and Bodall all felt that the ordinance being introduced would provide a safety measure should the State not come forward with a solution. Being that two (2) ordinances had been prepared, Attorney Raffetto made suggestion to move forward with the first ordinance "A", with revisions.

**ORDINANCE #13-07**

**AN ORDINANCE REQUESTING THE CLERK OF THE MIDDLESEX COUNTY BOARD OF ELECTIONS TO PLACE A PUBLIC QUESTION ON THE BALLOT FOR CONSIDERATION BY THE VOTERS OF THE BOROUGH OF JAMESBURG AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 6, 2007, REGARDING THE CONTINUATION OF THE JAMESBURG FREE PUBLIC LIBRARY.**

**WHEREAS**, in accordance with N.J.S.A. 40:54-1, et seq., the Borough of Jamesburg, in the County of Middlesex, has established a free public library within its corporate limits; and

**WHEREAS**, the Jamesburg Free Public Library (the "Library") was created pursuant to a public referendum, at which time the legal voters of the municipality determined, by a majority vote, to establish the Library; and

**WHEREAS**, the Library is operated with the assistance of funding from the Borough of Jamesburg; and

**WHEREAS**, due to extreme budgetary constraints which have been experienced by the Borough over a number of years, the Mayor and Council of the Borough of Jamesburg have determined that it may no longer be feasible for the Borough to continue to provide funding to the Library; and

**WHEREAS**, without the funding provided by the Borough, the Library will not be able to continue its operations; and

**WHEREAS**, the Mayor and Borough Council have therefore determined that it is appropriate to place a binding public referendum question on the ballot at the next general election, in accordance with N.J.S.A. 40:54-1, et seq., to obtain direction from the Borough's voters as to whether the Borough should discontinue the support, maintenance and control of the Library; and

**WHEREAS**, the Mayor and Borough Council wish to request that the Clerk of the Middlesex County Board of Elections place such a binding public referendum question on the ballot at the November 6, 2007 general election, in the form as stated below; and

**WHEREAS**, if a majority of the votes cast on the binding public referendum question at the said November 6, 2007 general election shall be in favor of discontinuance of the Library, then the Borough shall take all appropriate actions that are consistent with said determination.

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

1. That the Clerk of the Middlesex County Board of Elections is hereby requested to place the following binding public referendum question on the ballot for consideration by the legal voters of the Borough of Jamesburg at the next general election to be held on November 6, 2007:

**“Shall the Borough of Jamesburg discontinue the support, maintenance and control of the Jamesburg Free Public Library?”**

2. That the Borough Clerk and the Borough Attorney are hereby authorized and directed to prepare an “explanatory statement” which shall be forwarded to the Clerk of the Middlesex County Board of Elections, and which shall accompany the above-referenced binding public referendum question and appear on the ballot for Jamesburg Borough voters at the next general election to be held on November 6, 2007.

3. That, should the majority of all votes cast upon the proposition on November 6, 2007 be in favor of the proposition, then the Mayor and Council of the Borough of Jamesburg shall take all appropriate steps to close the Library within a reasonable period of time thereafter.

4. That, following final adoption, the Borough Clerk shall forward a certified copy of this Ordinance to the Clerk of the Middlesex County Board of Elections.

5. That the Borough Clerk, the Borough Attorney and all other relevant Borough Officials are hereby authorized and directed to perform all activities that are necessary in order to carry out the intentions of the within Ordinance.

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.

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

Motion to Approve Ordinance #13-07 on First Reading, Authorize Publication and Set Public Hearing/Second Reading Date:

Proposed by: Grimes

Seconded by: Bodall

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

Opposed: Carpenter

None Abstained.

**COUNCILMATIC COMMITTEE REPORTS**

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

Council member Carpenter reported that the Police Committee needed to be canceled, but will meet just prior to the August Council meeting. Also reported on Library events and there was no report for Holiday Events.

**COMMITTEE ON EDUCATION**

Councilmember Grimes reported that the new School Superintendent will begin in her new position on July 17. A referendum is being planned in Monroe, for a December special election, to decide whether to increase the capacity for the proposed High School. Council discussed the Borough's obligation for that debt service.

**COMMITTEE ON PERSONNEL/NEGOTIATIONS**

Council member Jennings reported that the Personnel Committee will be negotiating with the new acting Police Chief and the PBA.

**COMMITTEE ON FINANCE & BUDGETING**

Councilmember Kostbar reported that the Borough still awaits word on extraordinary aid, for adoption of the budget.

**COMMITTEE ON BUILDINGS & GROUNDS**

Council member Longo reported that the Land Use Board will be meeting the following evening, July 12. Mr. Longo also reported on the Buckelew House renovations/upgrades.

**COMMITTEE ON TECHNOLOGY**

Council member Bodall reported that he has completed a prototype of a new Borough web site, and welcomed comments.

Engineer Vogt reported that the Sewer Rehabilitation., Phase IV, is nearing completion and the pre-construction meeting has been held for the Oakland Road/Front Street Reconstruction project.

Attorney Raffetto reported that a letter was sent to the Monroe Township Attorney regarding the Costco Settlement Agreement. The Monroe Township Attorney informed Attorney Raffetto that he would bring the matter to the Governing Body's attention, as well as the Township Engineer's attention.

**COMMITTEE ON PUBLIC SAFETY/ EMERGENCY SERVICES COMMITTEE ON PUBLIC WORKS**

Mayor Anthony LaMantia reported that Public Works has been diligently re-painting the crosswalks, and should be finished prior to the start of school. A public Safety Committee meeting will be held next week. Mayor LaMantia made recommendation that the governing body hold an Executive Session regarding the Costco settlement agreement, after the Public Portion. So agreed. The Mayor also reported that he has been in touch with the County regarding the ditch that requires cleaning, by the Quail Run Condominium development. The Mayor also thanked Valiant Construction and the Eagle Scouts for the hard work on the roof of the Buckelew House garage.

**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: Carpenter

SECONDED BY: Grimes

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

None Opposed, None Abstaining.

**PUBLIC COMMENT:**

Elliott Stroul – 110 Mendoker Drive

- Spoke of the success of the J.C.A. circus
- The revitalization coalition will be holding a movie night and will show the original Star Wars.
- Questioned whether the Buckelew House upgrades will affect the Holiday carriage rides.
- Inquired whether other municipalities are in the same predicament with the library, as Jamesburg is and whether Jamesburg can coordinate efforts with them in putting pressure on Trenton for an answer.

- Thanked Council for having the press conference with our legislators, to bring the library issue to everyone's attention.

Carole Hetzell – 36 Woodland Road

- Stated that she has spoken with the legislators and they are aware that the funding formula needs to be "tweaked".
- Informed Council of scheduled library events.

Jerry Gowan – Quail Run Drive

- Spoke to the matter of a Quail Run unit having to pump water out of their basement since April.
- Inquired whether the drainage ditch near Quail Run can have a safety cage installed over the catch basin for safety reasons.

Suzanne Dell – 34 Quail Run Drive

- Would like to be informed of what NJAWC replies regarding the use of well water vs. surface water and whether it has an impact on the water tables.

Barbara Bushman – 280 Gatzmer Avenue

- Inquired who is going to be hired to perform the study mandated by the Costco settlement agreement.
- Inquired why the CVS drainage issue is being addressed, but Gatzmer Avenue is not.

Cathy Freeland – Quail Run Drive

- Wanted Council to be aware that the whole Quail Run complex is having a problem with excess water.

**MOTION TO CLOSE TO PUBLIC COMMENT:**

PROPOSED BY: Kostbar

SECONDED BY: Carpenter

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

None Opposed, None Abstaining

**RESOLUTION #180-07-11-07**

**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:

**POTENTIAL LITIGATION:  
(COSTCO/MONROE TOWNSHIP SETTLEMENT AGREEMENT COMPLIANCE)**

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.

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

**MOTION TO ADJOURN:**

PROPOSED BY: Kostbar

SECONDED BY: Carpenter

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

None Opposed, None Abstaining

**TIME OF ADJOURNMENT:**

8:27 PM