

BOROUGH OF JAMESBURG

COUNCIL MEETING

MINUTES – MARCH 28, 2007

CALL TO ORDER: 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 are 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 Grimes
Council member Jennings
Council member Kostbar
Engineer Vogt
Denise Jawidzik, Business Administrator

Those Absent: Council member Carpenter
Attorney Raffetto

NOMINATION OF NEW COUNCIL MEMBER

Mayor LaMantia made the following announcement:
As you know, Carlos Morales submitted a written letter of resignation to the Borough Clerk, dated February 27, 2007. The process for filling Mr. Morales' vacant Council seat is set forth under the Municipal Vacancy Law, N.J.S.A. 40A:16-1, et seq. Under that law, since Mr. Morales was the nominee of a political party, then the municipal committee of the political party with which Mr. Morales was affiliated has a period of fifteen (15) days following the occurrence of the vacancy to present to the governing body the names of three (3) nominees for the selection of a successor to fill the vacancy. The governing body shall, within thirty (30) days following the occurrence of the vacancy, or on or before March 29, 2007, appoint one (1) of the nominees to fill the vacancy.

Within the prescribed fifteen (15) day time period, the Jamesburg Democratic Committee submitted the names of three (3) nominees to fill the vacancy. I will now accept a nomination.

Nomination of Tom Bodall:
Proposed: Kostbar
Seconded: Longo
In favor: Longo, Grimes, Jennings, Kostbar
Absent: Carpenter

PUBLIC HEARING – 2007 MUNICIPAL BUDGET

Open to Public:
Proposed: Grimes
Seconded: Longo
In favor: Longo, Grimes, Jennings, Kostbar, Bodall
Absent: Carpenter

There were no public comments.

ORDINANCE – SECOND READING/PUBLIC HEARING:

THE FOLLOWING ORDINANCE WAS APPROVED ON FIRST READING AT THE MEETING OF THE MAYOR AND COUNCIL HELD ON MARCH 14, 2007, AND PUBLISHED BY SYNOPSIS IN THE MARCH 19, 2007 EDITION OF THE HOME NEWS TRIBUNE. COPIES HAVE BEEN POSTED ON THE MUNICIPAL BULLETIN BOARD AND MADE AVAILABLE TO THE PUBLIC SINCE INTRODUCTION

ORDINANCE #09-07

AN ORDINANCE APPROVING AND ADOPTING A NEW LAND DEVELOPMENT/ZONING ORDINANCE AND ZONING MAP FOR THE BOROUGH OF JAMESBURG, REPEALING THE PRIOR LAND DEVELOPMENT /ZONING CHAPTERS OF THE BOROUGH CODE AND ZONING MAP, AND AMENDING AND SUPPLEMENTING THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG, NEW JERSEY", ACCORDINGLY.

WHEREAS, THE BOROUGH OF JAMESBURG HAS BEEN ENGAGED IN THE PROCESS OF DRAFTING A NEW LAND DEVELOPMENT/ZONING ORDINANCE FOR THE BOROUGH OF JAMESBURG, AS WELL AS A NEW ZONING MAP, BECAUSE THE EXISTING LAND DEVELOPMENT/ZONING ORDINANCE AND ASSOCIATED REGULATIONS ARE INCONSISTENT WITH THE PRESENT MASTER PLAN, WHICH HAS BEEN IN EFFECT FOR OVER ONE (1) YEAR; AND

WHEREAS, THE PROPOSED NEW LAND DEVELOPMENT/ZONING ORDINANCE AND ZONING MAP, DATED JANUARY 2007, ARE ATTACHED HERETO AND MADE A PART HEREOF; AND

WHEREAS, THE PROPOSED NEW ORDINANCE SHALL COMPLETELY SUPERSEDE THE EXISTING LAND DEVELOPMENT/ZONING ORDINANCE AND ASSOCIATED REGULATIONS OF THE BOROUGH, AS CONTAINED WITH CHAPTERS 27, 28 AND 30 OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG, NEW JERSEY"; AND

WHEREAS, THE PROPOSED NEW ZONING MAP, DATED JANUARY, 2007, SHALL SUPERSEDE THE EXISTING ZONING MAP DATED SEPTEMBER, 1998; AND

WHEREAS, PURSUANT TO N.J.S.A. 40:55D-62.1, SINCE THE PROPOSED NEW ORDINANCE AND ZONING MAP HAVE BEEN RECOMMENDED BY THE BOARD AS PART OF A PERIODIC GENERAL RE-EXAMINATION OF THE MASTER PLAN, NO ADDITIONAL NOTICE TO INDIVIDUAL PROPERTY OWNERS IS REQUIRED REGARDING THE PUBLIC HEARING.

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 ATTACHED LAND DEVELOPMENT/ZONING ORDINANCE AND ZONING MAP, DATED JANUARY 2007, ARE HEREBY APPROVED AND ADOPTED AS THE OFFICIAL LAND DEVELOPMENT/ZONING ORDINANCE AND ZONING MAP, RESPECTIVELY, FOR THE BOROUGH OF JAMESBURG.
2. THAT THE ATTACHED ORDINANCE SHALL HEREBY SUPERSEDE THE EXISTING PROVISIONS CONTAINED WITHIN CHAPTER 27, 28, AND 30 OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG, NEW JERSEY", AND THE PRIOR CHAPTERS 27, 28, AND 30 ARE HEREBY REPEALED IN THEIR ENTIRETY.
3. THAT THE ATTACHED ZONING MAP, DATED JANUARY 2007, 2006, SHALL HEREBY SUPERSEDE THE PRIOR ZONING MAP, DATED SEPTEMBER, 1998, FOR THE BOROUGH.
4. THAT CHAPTER 27 OF THE BOROUGH CODE ENTITLED THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG, NEW JERSEY," IS HEREBY AMENDED AND SUPPLEMENTED ACCORDINGLY.
5. 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 A 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.
6. THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON FINAL PASSAGE AND PUBLICATION IN ACCORDANCE TO THE LAW.
7. THAT ALL OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith ARE HEREBY REPEALED TO THE EXTENT OF SUCH INCONSISTENCIES.

Motion to Open to Public Comment on Ordinance #09-07

Proposed: Longo
Seconded: Jennings
In Favor: Longo, Grimes, Jennings, Kostbar, Bodall
Absent: Carpenter
None Opposed, None Abstaining.

Public Comment on Ordinance #09-07

There were no comments from the public

Motion to Close to Public Comment on Ordinance #09-07

Proposed: Jennings
Seconded: Kostbar
In Favor: Longo, Grimes, Jennings, Kostbar, Bodall
Absent: Carpenter
None Opposed, None Abstaining.

Motion to Adopt Ordinance #09-07

Proposed: Jennings
Seconded: Kostbar
In Favor: Longo, Grimes, Jennings, Kostbar, Bodall
Absent: Carpenter
None Opposed, None Abstaining.

RESOLUTIONS:

RESOLUTION #111-03-28-07

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:

Police – February, 2007
Library – February, 2007

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

RESOLUTION #112-03-28-07

AUTHORIZE CANCELLATION OF TAX BALANCE

WHEREAS, AN THERE IS A 2001 BALANCE OF TAXES IN THE AMOUNT OF ONE THOUSAND EIGHT HUNDRED SEVENTY TWO DOLLARS AND SIXTY CENTS (\$1,872.60) ON BLOCK 62 LOT 8 FROM A PAST BANKRUPTCY, AND

WHEREAS, THIS BALANCE WAS ERRONEOUSLY OMITTED FROM THE PAYOFF AMOUNTS CALCULATED BY THE TAX COLLECTOR FOR THE SETTLEMENT OF TAXES ON THIS PROPERTY IN CONJUNCTION WITH THIS BANKRUPTCY.

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 CANCEL

SUCH BALANCE IN THE AMOUNT OF ONE THOUSAND EIGHT HUNDRED SEVENTY TWO DOLLARS AND SIXTY CENTS (\$1,872.60).

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

RESOLUTION #113-03-28-07

APPOINT EMERGENCY SERVICE DISPATCHER

I, MAYOR ANTHONY LAMANTIA, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT TROY RUDOLPH AS FULL TIME EMERGENCY SERVICE DISPATCHER FOR THE BOROUGH OF JAMESBURG EFFECTIVE APRIL 1, 2007.

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

RESOLUTION #114-03-28-07

APPOINT CROSSING GUARD

I, MAYOR ANTHONY LAMANTIA, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT ANA RUIZ AS CROSSING GUARD FOR THE BOROUGH OF JAMESBURG EFFECTIVE APRIL 1, 2007.

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

RESOLUTION #115-03-28-07

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 \$\$765,427.14:

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

COUNCILMATIC COMMITTEE REPORTS

COMMITTEE ON EDUCATION
Councilmember Grimes

The school has received in excess of \$300,000 in state aid, but of that \$109,000 is conditional aid and not guaranteed. The budget must be passed, along with other program requirements in order to receive. As reported by the Cranbury Press, there will be no school tax increase this year. There is a public hearing on that budget 3/29/07 at 7:30pm.

COMMITTEE ON PERSONNEL/NEGOTIATIONS
Council member Jennings

No report

COMMITTEE ON FINANCE & BUDGETING
Councilmember Kostbar

No finance report. Mr. Kostbar will attend the CDBG meeting on Saturday where they will vote on this year's grant applications. On May 11th there will be a MOM Line rally in Freehold, so the issue is still out there.

COMMITTEE ON BUILDINGS, GROUNDS & COMMITTEE ON TECHNOLOGY
Council member Longo

The Borough received proposals for the Buckelew Mansion Restoration project and is in the process of reviewing to make a recommendation of award at the next council meeting. The revitalization coalition meeting was a success with positive feedback. Rutgers students will review the data collected from the Visual Preference Survey and present to Council and Land Use Board.

COMMITTEE ON PUBLIC SAFETY/ EMERGENCY SERVICES COMMITTEE ON PUBLIC WORKS
Mayor Anthony LaMantia

The Public Works Department will work on a schedule for crosswalk lines to be painted.

The Elks have requested handicapped parking and he will meet with them to discuss further.

Mayor LaMantia attended a meeting that Governor Corzine was at and spoke to him and representatives from his office concerning the proposed tax levy cap law and the letter he sent to Governor.

Councilman Jennings announced that there is a Veterans Drive to aid wounded soldiers.

Councilman Bodall thanked the Council for the opportunity to serve the people of Jamesburg.

MOTION TO OPEN TO PUBLIC COMMENT:

PROPOSED BY: Longo
SECONDED BY: Kostbar
ALL IN FAVOR: Longo, Grimes, Jennings, Kostbar, Bodall
None Opposed, None Abstaining.

Tom Bodall – East Church Street
Signage on East Railroad Avenue

Jeffrey Sosnick – 6 Willow Street
Advance notice of street sweeping

MOTION TO CLOSE TO PUBLIC COMMENT:

PROPOSED BY: Kostbar
SECONDED BY: Jennings
ALL IN FAVOR: Longo, Grimes, Jennings, Kostbar, Bodall
None Opposed, None Abstaining.

MOTION TO ADJOURN:

PROPOSED BY: Grimes
SECONDED BY: Kostbar
ALL IN FAVOR: Longo, Grimes, Jennings, Kostbar, Bodall
None Opposed, None Abstaining.

TIME OF ADJOURNMENT: 7:20PM