

# **BOROUGH OF JAMESBURG**

## **COUNCIL MEETING**

### **MINUTES - JANUARY 23, 2008**

**CALL TO ORDER:** 7:23PM - 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 Kostbar  
Council member Bodall  
Council member Carpenter  
Council member Grimes  
Council member Jennings  
Council member Longo  
Engineer Vogt for Engineer Dittenhofer  
Denise Jawdzik, Business Administrator

Those Absent: Attorney Raffetto

#### **MAYORAL PROCLAMATION**

### **PROCLAMATION** OF THE MAYOR OF THE BOROUGH OF JAMESBURG

**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 98<sup>th</sup> anniversary of the Boy Scouts of America on February 8, 2008.

**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 in developing the leadership and character of our youth.

**ORDINANCES FIRST READING:**

**ORDINANCE #04-08**

AN ORDINANCE AMENDING CHAPTER XV (SEWERS) OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG, (2000)".

**BE IT ORDAINED** BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AS FOLLOWS:

1. CHAPTER XV (SEWERS) OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG, (2000)" IS HEREBY AMENDED AND SUPPLEMENTED TO READ AS FOLLOWS:

**SECTION 15-12.11(i) – (Formula for Operational Charge).** THE ANNUAL SEWER RATES TO BE UTILIZED FOR THE USE OF THE JAMESBURG SEWER SYSTEM, ARE AS FOLLOWS (ADDITIONS ARE UNDERLINED, DELETIONS SHOWN WITH ~~STRIKETHROUGH~~):

**RATE:**

<b>CATEGORY</b>	<b>DESCRIPTION</b>	<b>ANNUAL RATE</b>	
R01	Residential	<del>\$316.00</del>	<u>\$332.00</u>
R02	Senior Citizens	<del>\$114.00</del>	<u>\$120.00</u>
R03	Single Apts.	<del>\$242.00</del>	<u>\$254.00</u>
C01	Laundromat		\$14,066.00
C02	Bakery	<del>\$5,336.00</del>	<u>\$5,400.00</u>
C03	Office Complex	<del>\$1,697.00</del>	<u>\$1,760.00</u>
C04	Small Restaurant	<del>\$776.00</del>	<u>\$808.00</u>
C05	Medium Restaurant	<del>\$2,716.00</del>	<u>\$2,824.00</u>
C06	Large Restaurant	<del>\$4,608.00</del>	<u>\$4,792.00</u>
C07	Gas Station	<del>\$970.00</del>	<u>\$1008.00</u>
C08	Schools	<del>\$1,868.00</del>	<u>\$1,942.00</u>
C09	Office	<del>\$364.00</del>	<u>\$280.00</u>
C10	333 Forsgate	<del>\$5,578.00</del>	<u>\$5,800.00</u>
C11	Car Wash	<del>\$5,336.00</del>	<u>\$5,550.00</u>
C12	NJ American Water Company	<del>\$4.80</del> per 1,000 gallons	<u>\$4.99</u>

The Sewer Administrator is hereby given the authority to determine which rate schedule each property shall be billed under based upon past consumption and factual data. Senior citizens are those individuals who qualify for a senior citizen tax deduction as determined by the State of New Jersey. Restaurant categories shall be based upon a combination of: 1.) the seating capacity, as determined by the Jamesburg Fire Official and; 2.) Assessed property value, as determined by the Jamesburg Tax Assessor.

2. ALL OTHER ORDINANCES OR PART OF ORDINANCES HEREWITH ARE HEREBY REPEALED.
3. THIS ORDINANCE SHALL TAKE EFFECT UPON FINAL PASSAGE AND PUBLICATION IN ACCORDANCE WITH THE LAW.

Motion to Approve Ordinance #04-08 of First Reading; Authorize Publication, and Set Public Hearing/Second Reading Date:

Proposed by: Longo

Seconded by: Grimes

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

None Opposed, None Abstaining.

**ORDINANCE #05-08**

AN ORDINANCE PROVIDING FOR MAPLE DRIVE, BIRCHWOOD ROAD AND FERNWOOD LANE IMPROVEMENTS AND APPROPRIATING THE SUM OF \$185,000 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 MAPLE DRIVE, BIRCHWOOD ROAD AND FERNWOOD LANE; AND

**WHEREAS**, THE BOROUGH OF JAMESBURG HAS BEEN APPROVED FOR \$185,000 IN FUNDING FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION 2008 MUNICIPAL AID PROGRAM FOR SUCH CONSTRUCTION.

**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 IMPROVEMENTS ON MAPLE DRIVE, BIRCHWOOD ROAD AND FERNWOOD LANE, TOGETHER WITH ALL ITEMS NECESSARY, INCIDENTAL OR APPURTENANT THERETO.

SECTION 3. THE 2008 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 #05-08 of First Reading: Authorize Publication, and Set Public Hearing/Second Reading Date:

Proposed by: Bodall

Seconded by: Kostbar

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

None Opposed, None Abstaining.

## **ORDINANCE #06-08**

### AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2 (ADMINISTRATION), SECTION 30.16 (SPECIAL DUTY ASSIGNMENTS FOR POLICE OFFICERS) OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG, NEW JERSEY "

**BE IT 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 "REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG, NEW JERSEY (2000)", IS HEREBY AMENDED AND SUPPLEMENTED TO ESTABLISH NEW PROVISIONS RELATING TO "SPECIAL DUTY ASSIGNMENTS FOR POLICE OFFICERS" AS FOLLOWS (DELETIONS ARE SHOWN WITH ~~STRIKETHROUGH~~, ADDITIONS ARE SHOWN UNDERLINED):

#### **2-30.16 SPECIAL DUTY ASSIGNMENTS FOR POLICE OFFICERS**

##### **A. INTENDED PURPOSE AND OBJECTIVE**

THE INTENTION OF THIS ORDINANCE IS TO PERMIT MEMBERS OF THE JAMESBURG BOROUGH POLICE DEPARTMENT, DURING THEIR OFF-DUTY HOURS, TO ENGAGE IN CERTAIN EXTRA DUTY POLICE-RELATED ACTIVITIES FOR PRIVATE PERSONS OR ENTITIES UNDER SPECIFIED CIRCUMSTANCES AND ESTABLISH POLICY REGARDING THE USE OF SAID OFFICERS.

##### **B. AUTHORIZATION FOR ASSIGNMENTS**

THE CHIEF OF POLICE OF THE BOROUGH OF JAMESBURG IS HEREBY AUTHORIZED TO PERMIT MEMBERS OF THE BOROUGH POLICE DEPARTMENT, DURING THEIR OFF-DUTY HOURS, TO ENGAGE IN EXTRA DUTY POLICE-RELATED ACTIVITIES FOR PRIVATE REASONS OR ENTITIES UNDER THE PROVISIONS OF THIS ORDINANCE. ANY AND ALL EXTRA DUTY ASSIGNMENTS MUST BE DETERMINED AND APPROVED BY THE CHIEF OF

POLICE PRIOR TO THE COMMENCEMENT OF SUCH EMPLOYMENT. THE CHIEF OF POLICE SHALL OBTAIN SUCH INFORMATION AS HE DEEMS NECESSARY IN ORDER TO MAKE HIS DETERMINATION AS TO WHETHER TO PERMIT THE REQUESTED ASSIGNMENT. THE CHIEF OF POLICE MAY ASSIGN A PATROL VEHICLE FOR USE IN PERFORMING THE REQUESTED ASSIGNMENT IF THE CHIEF OF POLICE DETERMINES THAT SUCH PATROL VEHICLE IS NECESSARY IN ORDER TO PROPERLY PERFORM THE CONTRACTED DUTY. THE CHIEF OF POLICE MAY DENY ASSIGNMENT OR USE OF POLICE OFFICER (S) OR VEHICLES AND/OR IMPOSE ANY CONDITION (S) OR REQUIREMENT (S) AS HE, IN HIS SOLE DISCRETION, MAY DEEM TO BE IN THE BEST INTERESTS OF THE BOROUGH AND/OR THE POLICE OFFICER (S) OR PUBLIC SAFETY. THE CHIEF OF POLICE SHALL BE GUIDED BY THE NATURE OF THE ASSIGNMENT AND SHOULD AVOID THOSE WITH CONFLICTS OF INTEREST AND/OR HIGH RISK OF INJURY.

#### **C. NATURE OF WORK; PROCEDURE FOR ASSIGNMENT.**

THE WORK TO BE PERFORMED SHALL BE CONSIDERED AS A "SPECIAL ASSIGNMENT FROM INDEPENDENT CONTRACTORS" AND WILL NOT BE CONSIDERED AS A DIRECT ASSIGNMENT. OFFICERS ENGAGED IN SUCH ASSIGNMENTS SHALL CONFORM TO ALL POLICE DEPARTMENT RULES, REGULATIONS, AND PROCEDURES. AFTER APPROVAL OF THE ACTIVITY BY THE CHIEF OF POLICE, THE ASSIGNMENT OF THE NECESSARY EXTRA DUTY POLICE OFFICER(S) SHALL BE MADE ON A VOLUNTARY BASIS IN ACCORDANCE WITH A FAIR AND REASONABLE SYSTEM ESTABLISHED AND ADMINISTERED BY THE CHIEF OF POLICE. ANY LAW ENFORCEMENT OFFICERS, WHEN SO EMPLOYED BY THE BOROUGH SHALL BE TREATED AS AN EMPLOYEE OF THE BOROUGH PROVIDED, HOWEVER, THAT WAGES EARNED FOR OUTSIDE EMPLOYMENT SHALL NOT BE APPLIED TOWARD PENSION BENEFITS OF LAW ENFORCEMENT OFFICERS SO EMPLOYED, NOR SHALL HOURS WORKED FOR OUTSIDE EMPLOYMENT BE CONSIDERED IN ANY WAY COMPENSABLE AS OVER TIME.

#### **D. ESCROW ACCOUNTS**

ANY PERSON OR ENTITY REQUESTING THE SERVICES OF AN OFF-DUTY LAW ENFORCEMENT OFFICER OF THE JAMESBURG POLICE DEPARTMENT SHALL ESTIMATE THE NUMBER OF HOURS SUCH LAW ENFORCEMENT SERVICES ARE REQUIRED, WHICH ESTIMATE SHALL BE APPROVED IN WRITING BY THE CHIEF OF POLICE, AND SHALL ESTABLISH AN ESCROW ACCOUNT WITH THE BOROUGH FINANCE OFFICER BY DEPOSITING AN AMOUNT SUFFICIENT TO COVER THE RATES OF COMPENSATION AND ADMINISTRATIVE FEES SET FORTH IN THIS SECTION, FOR THE TOTAL ESTIMATED HOURS OF SERVICE.

PRIOR TO POSTING ANY REQUEST FOR SERVICES OF OFF-DUTY LAW ENFORCEMENT OFFICERS, THE CHIEF OF POLICE, OF HIS DESIGNEE, SHALL VERIFY THAT THE BALANCE IN THE ESCROW ACCOUNT OF THE PERSON OR ENTITY REQUESTING SERVICES IS SUFFICIENT TO COVER THE COMPENSATION AND FEES FOR THE NUMBER OF HOURS SPECIFIED IN THE REQUEST FOR SERVICES. THE CHIEF OF POLICE SHALL NOT POST A REQUEST FOR SERVICES FROM ANY PERSON OR ENTITY UNLESS ALL FEES AND COMPENSATION REQUIRED IN THE MANNER DESCRIBED ABOVE HAVE BEEN DEPOSITED WITH THE BOROUGH FINANCE OFFICER. NO OFFICER SHALL PROVIDE ANY SUCH SERVICES FOR MORE HOURS THAN ARE SPECIFIED IN THE REQUEST FOR SERVICES.

IN THE EVENT THE FUNDS IN SUCH AN ESCROW ACCOUNT SHOULD BECOME DEPLETED, SERVICES OF OFF-DUTY LAW ENFORCEMENT OFFICERS SHALL CEASE AND REQUESTS FOR FURTHER OR FUTURE SERVICES SHALL NOT BE PERFORMED OR POSTED UNTIL ADDITIONAL FUNDS HAVE BEEN DEPOSITED IN THE ESCROW ACCOUNT IN THE MANNER DESCRIBED ABOVE.

THE PERSON OR ENTITY REQUESTING SUCH SERVICES SHALL BE RESPONSIBLE FOR ENSURING THAT SUFFICIENT FUNDS REMAIN IN ESCROW ACCOUNT IN ORDER TO AVOID ANY INTERRUPTION OF SERVICES.

#### **E. REQUESTS FOR SERVICES**

ALL REQUESTS FOR THE SERVICES OF OFF-DUTY LAW ENFORCEMENT OFFICERS IN THE BOROUGH OF JAMESBURG POLICE DEPARTMENT FOR A PERIOD OF ONE WEEK OR LONGER SHALL BE FORWARDED TO THE CHIEF OF POLICE FOR POSTING AT LEAST TEN (10) DAYS BEFORE SUCH SERVICES ARE REQUIRED.

**F. RATES OF COMPENSATION; ADMINISTRATIVE FEE; PAYMENT FOR SERVICES**

~~RATES OF COMPENSATION FOR CONTRACTING THE SERVICES OF OFF-DUTY LAW ENFORCEMENT OFFICERS SHALL BE FORTY-TWO DOLLARS AND FIFTY CENTS PER HOUR (\$42.50) AND AN ADDITIONAL FEE OF SEVEN DOLLARS AND FIFTY CENTS PER HOUR (\$7.50) IS HEREBY ESTABLISHED TO COVER ADMINISTRATIVE COSTS, OVERHEAD, AND OUT-OF-POCKET EXPENSES OF THE BOROUGH OF JAMESBURG. THEREFORE, THE TOTAL HOURLY RATE OF COMPENSATION SHALL BE FIFTY DOLLARS (\$50.00).~~

FEEES FOR THE SERVICES TO BE RENDERED SHALL BE ESTABLISHED BY RESOLUTION OF THE BOROUGH COUNCIL AND MAY BE AMENDED FROM TIME TO TIME AT THE BOROUGH COUNCIL'S DISCRETION.

**G. INSURANCE COVERAGE**

THE BOROUGH SHALL BE RESPONSIBLE TO PROVIDE ALL NECESSARY INSURANCE COVERAGE AS REQUIRED BY LAW, INCLUDING, BUT NOT LIMITED TO WORKERS' COMPENSATION, PUBLIC LIABILITY AND CLAIMS FOR DAMAGE, PERSONAL INJURY INCLUDING DEATH OR DAMAGE TO PROPERTY WHICH MAY ARISE AS A RESULT OF THE BOROUGH'S PERFORMANCE UNDER THE AGREEMENT.

- 2. THAT, 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.
- 3. THAT ALL OTHER ORDINANCES OR PART(S) OF ORDINANCES INCONSISTENT WITH THE PROVISIONS OF THIS ORDINANCE ARE HEREBY REPEALED TO THE EXTENT OF THEIR INCONSISTENCY.
- 4. THAT THIS ORDINANCE SHALL TAKE EFFECT UPON FINAL PASSAGE AND PUBLICATION AS PROVIDED BY LAW.

Motion to Approve Ordinance #06-08 of First Reading: Authorize Publication, and Set Public Hearing/Second Reading Date:

Proposed by: Jennings

Seconded by: Carpenter

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

None Opposed, None Abstaining.

**ORDINANCES - PUBLIC HEARING, SECOND READING:**

THE FOLLOWING ORDINANCES WERE APPROVED ON FIRST READING AT THE MEETING OF THE MAYOR AND COUNCIL HELD ON JANUARY 2, 2008, AND PUBLISHED IN FULL IN THE JANUARY 11, 2008 EDITION OF THE CRANBURY PRESS. COPIES HAVE BEEN POSTED ON THE MUNICIPAL BULLETIN BOARD AND MADE AVAILABLE TO THE PUBLIC SINCE INTRODUCTION

**ORDINANCE #01-08**

2008 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

**WHEREAS**, THE LOCAL GOVERNMENT CAP LAW, N.J.S.A. 40A:4-45.1 et seq., PROVIDES THAT IN THE PREPARATION OF ITS ANNUAL BUDGET, A MUNICIPALITY SHALL LIMIT ANY INCREASE IN SAID BUDGET TO 2.5% UNLESS AUTHORIZED BY ORDINANCE TO INCREASE IT TO 3.5% OVER THE PREVIOUS YEAR'S FINAL APPROPRIATIONS, SUBJECT TO CERTAIN EXCEPTIONS; AND

**WHEREAS**, N.J.S.A. 40A:4-45.15a PROVIDES THAT A MUNICIPALITY MAY, WHEN AUTHORIZED BY ORDINANCE, APPROPRIATE THE DIFFERENCE BETWEEN THE AMOUNT OF ITS ACTUAL FINAL APPROPRIATION AND THE 3.5% PERCENTAGE RATE AS AN EXCEPTION TO ITS FINAL APPROPRIATIONS IN EITHER OF THE NEXT TWO SUCCEEDING YEARS; AND,

**WHEREAS**, THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG IN THE COUNTY OF MIDDLESEX FINDS IT ADVISABLE AND NECESSARY TO INCREASE ITS CY 2008 BUDGET BY UP TO 3.5% OVER THE PREVIOUS YEAR'S FINAL APPROPRIATIONS, IN THE INTEREST OF PROMOTING THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS; AND,

**WHEREAS**, THE BOROUGH COUNCIL HEREBY DETERMINES THAT A 1% INCREASE IN THE BUDGET FOR SAID YEAR, AMOUNTING TO \$33,674.29 IN EXCESS OF THE INCREASE IN FINAL APPROPRIATIONS OTHERWISE PERMITTED BY THE LOCAL GOVERNMENT CAP LAW, IS ADVISABLE AND NECESSARY; AND,

**WHEREAS**, BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG HEREBY DETERMINES THAT ANY AMOUNT AUTHORIZED HEREINABOVE THAT IS NOT APPROPRIATED AS PART OF THE FINAL BUDGET SHALL BE RETAINED AS AN EXCEPTION TO FINAL APPROPRIATION IN EITHER OF THE NEXT TWO SUCCEEDING YEARS.

**NOW, THEREFORE, BE IT ORDAINED**, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, A MAJORITY OF THE FULL AUTHORIZED MEMBERSHIP OF THIS GOVERNING BODY AFFIRMATIVELY CONCURRING, THAT, IN THE CY 2008 BUDGET YEAR, THE FINAL APPROPRIATIONS OF THE BOROUGH OF JAMESBURG SHALL, IN ACCORDANCE WITH THIS ORDINANCE AND N.J.S.A. 40A: 4-45.14, BE INCREASED BY 3.5%, AMOUNTING TO \$117,860.02 AND THAT THE CY 2008 MUNICIPAL BUDGET FOR THE BOROUGH OF JAMESBURG BE APPROVED AND ADOPTED IN ACCORDANCE WITH THIS ORDINANCE; AND

**BE IT FURTHER ORDAINED**, THAT ANY AMOUNT AUTHORIZED HEREINABOVE THAT IS NOT APPROPRIATED AS PART OF THE FINAL BUDGET SHALL BE RETAINED AS AN EXCEPTION TO FINAL APPROPRIATION IN EITHER OF THE NEXT TWO SUCCEEDING YEARS; AND,

**BE IT FURTHER ORDAINED**, THAT A CERTIFIED COPY OF THIS ORDINANCE AS INTRODUCED BE FILED WITH THE DIRECTOR OF LOCAL GOVERNMENT SERVICES WITHIN 5 DAYS OF INTRODUCTION; AND

**BE IT FURTHER ORDAINED**, THAT A CERTIFIED COPY OF THIS ORDINANCE UPON ADOPTION, WITH THE RECORDED VOTE INCLUDED THEREON, BE FILED WITH SAID DIRECTOR WITHIN 5 DAYS AFTER SUCH ADOPTION.

Motion to Open to Public Comment on Ordinance #01-08

Proposed by: Carpenter

Seconded by: Kostbar

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

None Opposed, None Abstaining.

Public Comment on Ordinance #01-08

No members of the public wished to be heard on this ordinance.

Motion to Close to Public Comment on Ordinance #01-08

Proposed by: Jennings

Seconded by: Longo

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

None Opposed, None Abstaining.

Motion to Approve Ordinance #01-08 on Second Reading:

Proposed by: Kostbar

Seconded by: Carpenter

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

None Opposed, None Abstaining.

**ORDINANCE #02-08**

AN ORDINANCE PROVIDING FOR STREETScape IMPROVEMENTS PHASE III TO EAST RAILROAD AVENUE AND APPROPRIATING THE SUM OF \$180,000 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 STREETScape ALONG EAST RAILROAD AVENUE; AND

**WHEREAS**, THE BOROUGH OF JAMESBURG HAS BEEN APPROVED FOR \$100,000 IN FUNDING FROM THE MIDDLESEX COUNTY SUSTAINABLE ECONOMIC GROWTH IMPROVEMENT FUND AND \$80,000 IN FUNDING FROM THE 2007 MIDDLESEX COUNTY OPEN SPACE AND RECREATION PEDESTRIAN/BICYCLE GRANT PROGRAM FOR SUCH CONSTRUCTION.

**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 IMPROVEMENTS TO EAST RAILROAD AVENUE, TOGETHER WITH ALL ITEMS NECESSARY, INCIDENTAL OR APPURTENANT THERETO.

SECTION 3. THE 2008 CAPITAL BUDGET DOES 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 #02-08

Proposed by: Kostbar

Seconded by: Carpenter

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

None Opposed, None Abstaining.

Public Comment on Ordinance #02-08

No members of the public wished to be heard on this ordinance.

Motion to Close to Public Comment on Ordinance #02-08

Proposed by: Jennings

Seconded by: Kostbar

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

None Opposed, None Abstaining.

Motion to Approve Ordinance #02-08 on Second Reading:

Proposed by: Kostbar

Seconded by: Bodall

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

None Opposed, None Abstaining.

**ORDINANCE #03-08**

AN ORDINANCE AMENDING AND SUPPLEMENTING THE SCHEDULE OF FEES OF THE BOROUGH OF JAMESBURG

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

1. "Revised General Ordinances of the Borough of Jamesburg New Jersey (2000)" is hereby amended and supplemented to read as follows:

**SCHEDULE OF FEES**

**ALCOHOLIC BEVERAGE CONTROL LICENSES**

RETAIL CONSUMPTION		\$2,500.00
RETAIL DISTRIBUTION		\$2,500.00
CLUB		\$ 188.00

**CATS**

KENNEL FEES – STRAY ANIMALS – SURRENDER - FLAT FEE		\$100.00
IMPOUNDMENT/QUARANTINE - PER DAY		\$ 21.20
ADMINISTRATION FEE		\$100.00

**LICENSE:**

SPAYED/NEUTERED	<del>\$ 6.00</del>	<u>\$ 9.00</u>
NON SPAYED/NEUTERED	<del>\$ 9.00</del>	<u>\$13.00</u>
REPLACEMENT TAG		\$ 1.00
LATE FEE - April 1 through December 31 - each license (excluding cats less than 7 mos. of age)		\$10.00

**COPIES ON BOROUGH COPIER**

FIRST TEN (10) COPIES	PER COPY	\$ .75
NEXT TEN (10) COPIES	PER COPY	\$ .50
EVERY PAGE THEREAFTER	PER COPY	\$ .25

FAXES TO OR FROM BOROUGH FAX MACHINE (per page)		\$ 1.00
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**DOGS**

KENNEL FEES – STRAY ANIMALS - FLAT FEE		\$100 .00
IMPOUNDMENT/QUARANTINE - PER DAY		\$ 21.20
ADMINISTRATION FEE		\$100.00

LICENSE:

SPAYED/ NEUTERED	<del>\$ 6.00</del>	\$ 9.00
NON SPAYED/NEUTERED	<del>\$ 7.00</del>	\$11.00
STATE POPULATION CONTROL		\$ 3.00
STATE REGISTRATION FEE		\$ 1.00
N.J. PILOT CLINIC FEE		.20
REGISTRATION TAG		\$ 1.00
REPLACEMENT TAG		\$ 1.00
LATE FEE - April 1 through December 31 - each license (excluding dogs less than 7 mos. of age)		\$10.00

**FIRE PREVENTION FEES:**

REGISTRATION PERMITS

REGISTRATION PERMITS ARE REQUIRED ON ALL COMMERCIAL PROPERTIES AND/OR BUSINESSES LOCATED WITHIN THE JURISDICTION OF THE BOROUGH OF JAMESBURG. REGISTRATION PERMITS SHALL BE REQUIRED ON ALL COMMERCIAL AND OTHER PUBLIC PLACES NOT OUTLINED OR FALLING UNDER THE LIFE HAZARD USE CATEGORY. IT SHALL INCLUDE BUT NOT BE LIMITED TO THE FOLLOWING: MERCANTILE, PROFESSIONAL OFFICE, BUSINESS OFFICE, WAREHOUSE, STORAGE BUILDING, EATING ESTABLISHMENT, BANK, CHURCH, MAINTENANCE BUILDING, CLUB HOUSE. ALL PROPERTIES AND/OR BUSINESSES

THE FEES FOR REGISTRATION PERMITS ARE DUE IN THE MONTH OF JANUARY OF EACH YEAR. THOSE FEES NOT RECEIVED IN THE OFFICE OF THE FIRE PREVENTION BUREAU WITHIN 1 MONTH OF DATED INVOICES ARE SUBJECT TO A LATE PENALTY OF THAT EQUAL TO AND INCLUDING THE REGISTRATION FEE FOR THAT YEAR, WHICH ARE:

1 through 300 square feet	\$ 35.00
301 through 1,000 square feet	\$ 65.00
1,001 through 3,000 square feet	\$100.00
3,001 through 5,000 square feet	\$150.00
5,001 through 10,000 square feet	\$200.00
10,001 through 20,000 square feet	\$250.00
20,001 square feet and larger	\$300.00

**CERTIFICATE OF SMOKE AND CARBON MONOXIDE DETECTOR COMPLIANCE**

INITIAL INSPECTION

Within ten (10) days prior to closing	\$ 35.00
Within four (4) days prior to closing	\$ 70.00
Less than four (4) days prior to closing	\$125.00
RE-INSPECTION REQUIRED DUE TO FAILURE AT INITIAL INSPECTION	\$ 35.00

A CERTIFICATE OF SMOKE AND CARBON MONOXIDE DETECTOR COMPLIANCE WILL NOT BE ISSUED UNTIL ALL FEES HAVE BEEN PAID TO THE JAMESBURG FIRE PREVENTION BUREAU.

<b>JUNK YARD PERMIT</b>	\$100.00
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**LAUNDRIES/ LAUNDERETTES**

COIN OPERATED DRYER INSTALLED- each machine	\$15.00
COIN OPERATED WASHER INSTALLED - each machine	\$15.00
LATE FEE - per day, per machine, after March 31	\$ 1.50

**LAND USE BOARD FEES: ALL FEES ARE CUMULATIVE:**

X	APPEAL OF BUILDING INSPECTOR'S DECISION OR ZONING ORDINANCE INTERPRETATION-	\$50.00
X	BULK VARIANCE (N.J.S.A. 40:55D-70c)	\$200.00
X	USE VARIANCE (N.J.S.A. 40:55D-70d)	\$500.00
X	ZONING CHANGES	\$500.00
X	SITE PLAN	\$500.00

X	MINOR SUBDIVISION	\$300.00
X	MAJOR SUBDIVISION	\$500.00
X	ALL OTHER APPLICATIONS	\$500.00

**LAND-USE BOARD PROFESSIONAL SERVICES**

ESCROW SHALL BE DEPOSITED WITH THE BOROUGH TO COVER THE COST OF PROFESSIONAL SERVICES TO BE RENDERED TO THE MUNICIPALITY OR APPROVING AUTHORITY FOR REVIEW OF APPLICATIONS FOR DEVELOPMENT, REVIEW AND PREPARATION OF DOCUMENTS FOR CONSIDERATION BEFORE THE LAND USE BODY UNDER THE PROVISIONS OF P.L. 1975,c.291 (N.J.S.A. 40:55D-1 et seq.). PRIOR TO AN APPLICATION BEING RULED COMPLETE, THE FOLLOWING SUM(S) SHALL BE SUBMITTED TO BE HELD IN ESCROW:

**LAND USE BOARD ESCROWS:**

X	ALL ZONING CHANGES - ESCROW	\$ 3,000.00
X	USE VARIANCE AND BULK VARIANCE	\$ 2,000.00
X	SUBDIVISION, MINOR	\$ 1,000.00
X	SUBDIVISION, MAJOR	\$ 3,000.00
X	ALL OTHER APPLICATIONS	\$ 1,000.00
X	SITE PLAN - (0 to 2 acres) ESCROW	\$ 4,000.00
	(2+ acres, per acre or portion thereof)	\$ 250.00

**LICENSES (each machine)**

COIN OPERATED GAMES/ AMUSEMENTS	\$ 60.00
DISTRIBUTORS	\$ 25.00
NEWSRACKS	\$ 15.00
JUKE BOXES	\$ 60.00
VENDING MACHINES	\$ 25.00
POOL/ BILLIARD TABLE PINBALL, INCLUDING COIN OPERATED TABLES	\$ 60.00
LATE FEES - per day, per license, after March 31	\$ 1.50

<b>LIMOUSINES</b> license	\$80.00
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**MAINTENANCE OF PROPERTY BY BOROUGH FEE** \$500.00

**ORDINANCES**

COMPLETE COPY OF "REVISED GENERAL ORDINANCES (2000)"	\$40.00
SUPPLEMENTS TO "REVISED GENERAL ORDINANCES (2000)"	\$10.00
COPY OF LAND-USE ORDINANCES ONLY	\$25.00
COPY OF CURRENT MASTER PLAN	\$45.00

<b>POLICE REPORTS</b> per copy when not requested in person (first three pages)	\$ 5.00
(Each additional page after the first three)	\$ 1.00

**REGISTRAR**

MARRIAGE LICENSES/DOMESTIC PARTNERSHIP	\$28.00
CERTIFIED COPIES	\$10.00
BURIAL PERMITS	\$ 5.00
SEARCHES – per 5 year time period searched	\$15.00
CORRECTIONS	\$10.00

**RENTAL PROPERTY REGISTRATION:**

REGISTRATION FEE (per unit)	\$30.00
[CERTIFICATE OF APPROVAL \$35.00]	
ROOMING/BOARDING HOUSES	\$30.00 PLUS
EACH INDIVIDUAL ROOM WHERE ACCOMMODATIONS ARE OFFERED	\$ 5.00

**RETAIL FOOD HANDLING PERMIT**

PERMIT FOR ONE DAY EVENT- SALE OF NON-PACKAGED FOOD	\$ 10.00
PACKAGED FOOD SALES ONLY	\$ 45.00
ON-PREMISE PREPARATION OF FOOD	\$125.00
LATE FEE –per day, per license, after March 31	\$ 1.50

<b>RETURNED CHECK FEE:</b> per check, per return	\$20.00
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**STREET MAPS**

\$ 1.00

**STREET EXCAVATIONS**

THE APPLICANT SHALL BE CHARGED A FEE OF SEVENTY-FIVE DOLLARS (\$75.00) FOR EACH PERMIT, IN ADDITION TO A NON-REFUNDABLE ENGINEERING INSPECTION FEE TO BE PAID AT THE TIME OF APPLICATION, IN THE AMOUNT OF \$125.00. ANY PERMITTED STREET OPENING THAT IS NOT PROPERLY RESTORED, CAUSING THE NEED FOR RE-INSPECTION BY THE BOROUGH ENGINEER'S OFFICE SHALL BE BILLED AND ADDITIONAL \$125.00 FOR EACH RE-INSPECTION OF THE STREET OPENING.

SHOULD THE APPLICANT NOT HAVE A BOND FILED WITH THE BOROUGH OF JAMESBURG, THE APPLICANT SHALL POST A CASH OR CERTIFIED CHECK DEPOSIT ACCORDING TO THE FOLLOWING SCHEDULE:

A. UNIMPROVED ROADS OR UNPAVED SHOULDER PER SQUARE FOOT MINIMUM	\$ 6.00 \$325.00
B. IMPROVED STONE OR ROAD OIL PER SQUARE FOOT MINIMUM	\$ 6.00 \$325.00
C. PENETRATING MACADAM /SIMILAR SURFACE PER SQUARE FOOT MINIMUM	\$ 9.00 \$550.00
D. REINFORCED CONCRETE OR BITUMINOUS CONCRETE/ SIMILAR SURFACE PER SQUARE FOOT MINIMUM	\$ 9.00 \$550.00

WHERE THE EXCAVATION IS MADE IN A HEAVILY TRAVELED STREET OR WHERE FOR ANY REASON IT IS NECESSARY FOR THE BOROUGH TO STATION A POLICE OFFICER NEAR THE EXCAVATION TO DIRECT TRAFFIC, THE APPLICANT SHALL ALSO BE CHARGED AN AMOUNT OF \$42.50 PER HOUR TO COMPENSATE THE BOROUGH FOR THE COSTS OF STATIONING EACH POLICE OFFICER AT THE EXCAVATION PLUS AN ADDITIONAL \$7.50 TO COMPENSATE THE BOROUGH FOR ADMINISTRATIVE COSTS, WHICH INCLUDE, BUT ARE NOT LIMITED TO THE COST OF STATIONING A PATROL VEHICLE AT THE SITE, AS PER SECTION 2-30.16 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG (2000) AS AMENDED.

**SEWER CONNECTION INSPECTIONS**

ENGINEERING INSPECTION - BILLED @ \$60.00 PER HOUR WITH MINIMUM FEE OF \$500.00 TO BE SUBMITTED WITH APPLICATION. UNUSED PORTION OF FEE IS TO BE RETURNED TO APPLICANT AT COMPLETION OF WORK AND SETTLEMENT OF BILLING.

**SEWER CONNECTIONS**

APPLICATION FEE	\$50.00
DWELLINGS WITHIN THE BOROUGH OF JAMESBURG:	
SINGLE FAMILY DWELLING	\$ 500.00
TWO-FAMILY DWELLING SIDE-BY-SIDE	\$ 500.00
MULTI-FAMILY DWELLING, INCLUDING BUT NOT LIMITED TO GARDEN APARTMENTS	\$ 500.00
EACH ADDITIONAL UNIT AFTER THE FIRST SINGLE FAMILY LIVING UNIT	\$ 400.00
EACH TOWNHOUSE SINGLE-FAMILY DWELLING SIDE-BY-SIDE	\$ 500.00
PROFESSIONAL OFFICE BUILDING, INDUSTRIAL BUILDING AND ALL OTHER BUILDINGS NOT OTHERWISE PROVIDED FOR	\$ 500.00
EACH ADDITIONAL LAVATORY AFTER FIRST	\$ 300.00
LAUNDRY CLOTHES WASHING MACHINES, DOMESTIC, COMMERCIAL AND INDUSTRIAL	\$ 500.00
EACH ADDITIONAL WASHING MACHINE AFTER FIRST TWO WASHING MACHINES IN A SINGLE BUILDING STRUCTURE	\$ 50.00
EACH ADDITIONAL FIXTURE	\$ 8.00

(FIXTURES INCLUDE LAVATORIES, KITCHEN SINKS,  
SLOP SINKS, URINALS, BATH TUBS, SHOWER STALLS,  
LAUNDRY TUBS, FLOOR DRAINS, HOSE BIBB AND SUMP PUMPS)

FEE FOR A DWELLING OUTSIDE OF JAMESBURG TO BE TIED INTO THE BOROUGH'S SEWER SYSTEM.	\$ 800.00
<b>SOLICITORS, PEDDLERS, AUCTIONEERS</b>	\$ 50.00
<b>SIGNS - Fine for Violation of Sign Ordinance as per Borough Code Chapter 27, sec. 139</b>	<b>\$500.00</b>
<b>TATTOO LICENSE</b>	
INITIAL APPLICATION	\$500.00
ANNUAL RENEWAL OF LICENSE	\$150.00
<b>TAXIS license</b>	<b>\$80.00</b>
<b>TAX OFFICE:</b>	
TAX RECORD SEARCH (per year)	\$15.00
LIEN REDEMPTION CALCULATION	\$10.00
COMPUTER PRINT-OUTS (each block & lot)	\$ 1.00
USE OF DUPLICATE (MEMO) TAX BILL	\$ 5.00
ELECTRONIC FILE TRANSFER FEE – PER TRANSFER	\$10.00
TAX SALE NOTICE IN LIEU OF ADVERTISING	\$25.00
<b>TOWER'S LIST APPLICATION FEE</b>	<b>\$100.00</b>
<b>TRANSCRIPTS OF MEETINGS</b>	
DEPOSIT (PER MEETING)	\$100.00
<b>TRAVELING SHOWS, CARNIVALS, &amp; CIRCUSES</b>	
Traveling Show/Circus License (each day of performance)	\$ 25.00
Bond to be deposited at time of application	\$ 200.00
Carnival License(each day)	\$100.00
Bond to be deposited at time of application	\$1,000.00
<b>TWO HUNDRED FOOT LIST</b> per Block & Lot requested	<b>\$ 10.00</b>
<b>ZONING</b>	
1. APPLICATION FOR VARIANCE AS SET FORTH IN R.S. 40:55D-39a, APPEAL FROM ADMINISTRATIVE OFFICIAL OR AGENCY	\$25.00
2. APPLICATION FOR VARIANCE AS SET FORTH IN R.S. 40:55D-39b, SPECIAL EXCEPTION	\$30.00
3. APPLICATION FOR VARIANCE AS SET FORTH IN R.S. 40:55D-39c, HARDSHIP	\$30.00
4. APPLICATION FOR VARIANCE AS SET FORTH IN R.S. 40-55D-39d, SPECIAL REASONS.	\$150.00
5. ZONING PERMIT , FENCE OR POOL	\$25.00
6. ALL OTHER ZONING PERMITS	\$20.00
<b>ZONING MAP</b>	<b>\$10.00</b>
2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.	
3. This ordinance shall take effect January 1, 2008, following adoption and publication pursuant to law.	

Motion to Open to Public Comment on Ordinance #03-08

Proposed by: Jennings

Seconded by: Grimes

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

None Opposed, None Abstaining.

Public Comment on Ordinance #03-08

No members of the public wished to be heard on this ordinance.

Motion to Close to Public Comment on Ordinance #03-08

Proposed by: Jennings

Seconded by: Longo

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

None Opposed, None Abstaining.

Motion to Approve Ordinance #03-08 on Second Reading:

Proposed by: Longo

Seconded by: Jennings

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

None Opposed, None Abstaining.

**CONSENT AGENDA DEFINED:**

ALL MATTERS LISTED ON TONIGHT'S CONSENT AGENDA ARE TO BE CONSIDERED AS ONE VOTE BY THE BOROUGH COUNCIL AND WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED BELOW. ANY RESOLUTIONS LISTED ON THE AGENDA WITH \*\* NEXT TO THEIR RESPECTIVE NUMBER ARE TO BE CONSIDERED AS PART OF THE CONSENT AGENDA. THERE WILL BE NO DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

The whole of the Consent Agenda was approved on the following vote:

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

**RESOLUTIONS:**

**RESOLUTION #060-01-23-08\*\***

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL  
January 2, 2008

**RESOLUTION #061-01-23-08\*\***

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 Department	November 2007
Tax Collector	Report of Uncollectible Taxes
Tax Collector & Sewer Administrator	2007 Annual Report
Tax Collector	December 2007
Sewer Administrator	December 2007
Finance Officer	December 2007
Investment Report	December 2007
Library Board of Trustees Minutes	October 15, 2007
Library Board of Trustees Minutes	November 19, 2007

**RESOLUTION #062-01-23-08\*\***

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-01-08, #LL-02-08, #LL-03-08 AND #LL-04-08 BE AND ARE HEREBY APPROVED IN THE NAME OF BARCLAY VILLAGE LIMITED.

**RESOLUTION #063-01-23-08\*\***

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-05-08, #LL-06-08, #LL-07-08 AND #LL-08-08 BE AND ARE HEREBY APPROVED IN THE NAME OF CHERRY COURT APARTMENTS.

**RESOLUTION #064-01-23-08\*\***

RESOLUTION ACCEPTING LENGTH OF SERVICE AWARD PROGRAM LIST OF ACTIVE VOLUNTEER MEMBERS

**WHEREAS**, PURSUANT TO SECTION 16-3.7OF CHAPTER VXi (LENGTH OF SERVICE AWARDS PROGRAM) OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG, NEW JERSEY (2000)", THE EMERGENCY SERVICE ORGANIZATION (JAMESBURG VOLUNTEER FIRST AID SQUAD) IS TO CERTIFY A LIST OF ACTIVE VOLUNTEER MEMBERS WHO ARE ELIGIBLE TO PARTICIPATE IN THE PLAN TO THE PLAN ADMINISTRATOR; AND

**WHEREAS**, THE PLAN ADMINISTRATOR IS TO FORWARD SAID CERTIFIED LIST TO THE BOROUGH COUNCIL FOR APPROVAL; AND

**WHEREAS**, IN ACCORDANCE WITH THE AFOREMENTIONED CITATION, THE EMERGENCY SERVICE ORGANIZATION HAS CERTIFIED A LIST OF ELIGIBLE MEMBERS TO THE PLAN ADMINISTRATOR, A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF:

**NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED**, THAT THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG GRANT APPROVAL OF THE ATTACHED LIST OF ACTIVE VOLUNTEER MEMBERS OF THE JAMESBURG FIRST AID SQUAD FOR ELIGIBILITY IN THE LENGTH OF SERVICE AWARDS PROGRAM.

**RESOLUTION #065-01-23-08\*\***

**WHEREAS**, AN EMERGENT CONDITION HAS ARISEN WITH RESPECT TO CERTAIN MANDATORY EXPENSES DUE TO THE DELAY OF THE ADOPTION OF THE BUDGET, AND NO ADEQUATE PROVISION HAS BEEN MADE IN THE 2008 TEMPORARY APPROPRIATIONS FOR THE AFORESAID PURPOSE, AND N.J.S.A. 40A:4-20 PROVIDES FOR THE CREATION OF AN EMERGENCY TEMPORARY APPROPRIATION FOR THE PURPOSE OF THE ABOVE MENTIONED; AND

**WHEREAS**, THE TOTAL EMERGENCY TEMPORARY RESOLUTIONS ADOPTED IN THE YEAR 2008 PURSUANT TO THE PROVISIONS OF CHAPTER 96 P.L. 1951 (N.J.S.A. 40A:4-20) INCLUDING THIS RESOLUTION TOTAL \$2,639,007.00

**NOW, THEREFORE, BE IT RESOLVED**, BY THE GOVERNING BODY OF THE BOROUGH OF JAMESBURG, THAT IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A.40A:4-20 THAT AN

EMERGENCY TEMPORARY APPROPRIATION BE AND THE SAME IS HEREBY MADE FOR THE FOLLOWING INDICATED APPROPRIATIONS:

	Code	Salary/Wages	Code	Other Expenses	Total
General Admin.	100.011	\$4,000.00	100.021	\$10,000.00	\$14,000.00
Mayor & Council	110.012	\$20,000.00	110.03	\$1,000.00	\$21,000.00
Municipal Clerk	120.011	\$30,000.00	120.02	\$3,000.00	\$33,000.00
Financial Admin	130.011	\$35,000.00	130.02		\$35,000.00
Audit			135.049	\$10,500.00	\$10,500.00
Computerized Data Processing			140.02	\$4,000.00	\$4,000.00
Collection of Taxes	145.011	\$5,000.00	145.021	\$0.00	\$5,000.00
Assessment of Taxes	150.011	\$9,000.00	150.02	\$4,000.00	\$13,000.00
Legal Services	155.011	(\$5,100.00)	155.02	\$20,000.00	\$14,900.00
Dept. on Aging			164.024	\$2,000.00	\$2,000.00
Engineering Services			165.02	\$15,000.00	\$15,000.00
Planning Board	180.012	\$2,000.00	180.02	\$10,000.00	\$12,000.00
Zoning Officer	205.011	\$20,000.00	205.022	\$1,000.00	\$21,000.00
Liability Insurance			210.02	\$22,000.00	\$22,000.00
Workers Comp		0	215.116	\$73,450.00	\$73,450.00
Employee Group Insurance		0	220.092	\$160,000.00	\$160,000.00
Unemployment Insurance			225.02	\$10,000.00	\$10,000.00
Police	240.011	\$600,000.00	240.02	\$40,000.00	\$640,000.00
Office Emerg Mgmt			252.03	\$1,000.00	\$1,000.00
Fire Prevention	264.011	\$5,000.00	264.025	\$4,000.00	\$9,000.00
Municipal Prosecutor	275.012	\$5,000.00			\$5,000.00
Public Works	290.011	\$40,000.00	290.025	\$13,000.00	\$53,000.00
Solid Waste Removal		0	305.02	\$50,000.00	\$50,000.00
Bldgs & Grounds			310.024	\$18,000.00	\$18,000.00
Board of Health	330.011	\$7,000.00	330.02	\$14,000.00	\$21,000.00
Animal Control	340.011	\$8,000.00	340.02	\$500.00	\$8,500.00
Recreation		0	370.065	\$5,000.00	\$5,000.00
Library			390.02	\$90,000.00	\$90,000.00
Celebration Public Events			420.116	\$1,500.00	\$1,500.00
Electricity		0	430.071	\$15,000.00	\$15,000.00
Street Lighting		0	435.075	\$40,000.00	\$40,000.00
Telephone		0	440.02	\$15,000.00	\$15,000.00
Water & Sewer		0	445.072	\$4,000.00	\$4,000.00
Natural Gas		0	446.117	\$10,000.00	\$10,000.00
PERS			471.114	\$25,604.00	\$25,604.00
Social Security		0	472.115	\$90,000.00	\$90,000.00
PFRS			475.114	\$94,553.00	\$94,553.00
MCIA Recycling			482.02	\$40,000.00	\$40,000.00
Middlesex Cty SPCA			486.02	\$6,000.00	\$6,000.00
Third Party Billing			487.02	\$50,000.00	\$50,000.00
Municipal Court	490.011	\$40,000.00	490.022	\$3,000.00	\$43,000.00
Dispatch	491.011	\$120,000.00	491.026	\$40,000.00	\$160,000.00
MTMUA ILSA			492.02	\$111,000.00	\$111,000.00
Gasoline Interlocal		0	494.074	\$20,000.00	\$20,000.00
Public Defender	495.012	\$1,000.00			\$1,000.00
S.B. Computer ILSA			497.02	\$6,000.00	\$6,000.00
Landlord Trash			498.02	\$20,000.00	\$20,000.00
MCUA Solid Waste			500.02	\$70,000.00	\$70,000.00

<u>Sewer Operating</u>	<u>501.011</u>	<u>\$100,000.00</u>	<u>502.02</u>	<u>\$350,000.00</u>	<u>\$450,000.00</u>
		\$1,045,900.00		\$1,593,107.00	\$2,639,007.00

**BE IT FURTHER RESOLVED**, THAT SAID EMERGENCY TEMPORARY APPROPRIATION WILL BE PROVIDED FOR IN THE 2008 BUDGET OF THE BOROUGH OF JAMESBURG UNDER THE AFOREMENTIONED TITLES.

**FURTHER**, THAT A CERTIFIED COPY OF THIS RESOLUTION BE FORWARDED TO THE DIRECTOR OF LOCAL GOVERNMENT SERVICES.

**END OF CONSENT AGENDA**

**RESOLUTION #066-01-23-08**

**AUTHORIZING AGREEMENT FOR PROFESSIONAL LEGAL SERVICES –  
FREDERICK C. RAFFETTO, ESQ.**

**WHEREAS**, the Borough of Jamesburg has a need to retain an attorney to serve as the Borough Attorney for the year 2008 and to provide professional legal services relating to general municipal and litigation matters; and

**WHEREAS**, the Borough Administrator has determined and certified in writing that the value of this contract shall exceed \$17,500, and therefore the contract is subject to the provisions of the State's Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, et seq.; and

**WHEREAS**, the anticipated term of this contract is for one (1) year, and it may only be renewed upon further action of the Borough Council; and

**WHEREAS**, Frederick C. Raffetto, Esq., of the firm of Ansell Zaro Grimm & Aaron, 1500 Lawrence Avenue, Ocean, New Jersey, has submitted a proposal to perform the necessary legal services; and

**WHEREAS**, this contract is intended to be awarded as a "restricted" (or "non-fair and open") contract pursuant to and in accordance with the Local Unit Pay-to-Play Law; and

**WHEREAS**, Mr. Raffetto has completed and submitted a Business Entity Disclosure Certification pursuant to the Local Unit Pay-to-Play law (specifically, at N.J.S.A. 19:44A-20.8), which certifies that Mr. Raffetto has not made any reportable contributions to a political or candidate committee in the Borough of Jamesburg in the previous year, and that the contract will prohibit Mr. Raffetto from making any reportable contributions through the term of the contract; and

**WHEREAS**, the services to be provided are considered "professional services" under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

**WHEREAS**, the Local Public Contracts Law 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 Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

**WHEREAS**, the Borough Chief Financial Officer has certified to the availability of funds for this contract.

**NOW, THEREFORE, BE AND IT IS 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 Mayor is authorized to execute and the Borough Clerk to attest the attached Agreement between the Borough of Jamesburg and Frederick C. Raffetto, Esq. regarding the above-referenced professional legal services.
2. That this contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law 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 notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.

4. That this contract is being awarded as a "restricted" contract in accordance with the Local Unit Pay-to-Play Law, and the Business Disclosure Entity Certification, Determination of Value and other certifications required pursuant to same shall be placed on file with this Resolution.
5. That a certified copy of this Resolution shall be provided to each of the following:
  - a. Frederick C. Raffetto, Esquire
  - b. Denise Jawidzik, Borough Administrator

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

**RESOLUTION #067-01-23-08**

AUTHORIZING AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES

**WHEREAS**, the Borough of Jamesburg has a need to retain an engineer to serve as the Borough Engineer for the year 2008 and to provide professional engineering services; and

**WHEREAS**, the Borough Administrator has determined and certified in writing that the value of this contract shall exceed \$17,500, and therefore the contract is subject to the provisions of the State's Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, *et seq.*; and

**WHEREAS**, the anticipated term of this contract is for one (1) year, and it may only be renewed upon further action of the Borough Council; and

**WHEREAS**, Alan Dittenhofer of the firm of Remington, Vernick & Vena Engineers, has submitted a proposal to perform the necessary engineering services; and

**WHEREAS**, this contract is intended to be awarded as a "restricted" (or "non-fair and open") contract pursuant to and in accordance with the Local Unit Pay-to-Play Law; and

**WHEREAS**, Remington, Vernick & Vena Engineers has completed and submitted a Business Entity Disclosure Certification pursuant to the Local Unit Pay-to-Play law (specifically, at N.J.S.A. 19:44A-20.8), which certifies that Remington, Vernick & Vena Engineers has not made any reportable contributions to a political or candidate committee in the Borough of Jamesburg in the previous year, and that the contract will prohibit Remington, Vernick & Vena Engineers from making any reportable contributions through the term of the contract; and

**WHEREAS**, the services to be provided are considered "professional services" under the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*; and

**WHEREAS**, the Local Public Contracts Law 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 Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

**WHEREAS**, the Borough Chief Financial Officer has certified to the availability of funds for this contract.

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

6. That the Mayor is authorized to execute and the Borough Clerk to attest the attached Agreement between the Borough of Jamesburg and Remington, Vernick & Vena Engineers regarding the above-referenced professional engineering services.
7. That this contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law 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.
8. That notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.

9. That this contract is being awarded as a "restricted" contract in accordance with the Local Unit Pay-to-Play Law, and the Business Disclosure Entity Certification, Determination of Value and other certifications required pursuant to same shall be placed on file with this Resolution.
10. That a certified copy of this Resolution shall be provided to each of the following:
  - c. Remington, Vernick & Vena Engineers
  - d. Denise Jawdzik, Borough Administrator

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

**RESOLUTION #068-01-23-08**

RESOLUTION APPOINTING PRINCIPAL PUBLIC WORKS MANAGER

**WHEREAS**, IN PAST YEARS, IT HAS BEEN NECESSARY FOR THE BOROUGH OF JAMESBURG TO REQUEST EXEMPTIONS FROM THE REQUIREMENT OF APPOINTING A PRINCIPAL PUBLIC WORKS MANAGER, DUE TO NO EMPLOYEES HAVING BEEN QUALIFIED AS A CERTIFIED PUBLIC WORKS MANAGER; AND

**WHEREAS**, JOSEPH INTRAVARTOLA HAS COMPLETED THE NECESSARY COURSES, HAS SUCCESSFULLY PASSED THE STATE EXAMINATION AND HAS NOW OBTAINED A NEW JERSEY PUBLIC WORKS MANAGER CERTIFICATE;

**NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED** BY THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, NEW JERSEY, THAT JOSEPH INTRAVARTOLA IS APPOINTED AS THE PRINCIPAL PUBLIC WORKS MANAGER FOR THE BOROUGH OF JAMESBURG, EFFECTIVE IMMEDIATELY.

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

**RESOLUTION #069-01-23-08**

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 \$725,649.07.

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**

#### **LIBRARY COMMITTEE & HOLIDAY EVENTS/PATRIOTIC COMMITTEE**

Council member Carpenter reported that the Library Committee will next meet on February 11. The pending bill regarding library funding has a new number for this legislative session (A1567). Donations will be sought for this year's tree lighting. Council member Carpenter also reported on the 125<sup>th</sup> Annual Memorial Day parade which will be held on May 26, 2008. February 4 is the next meeting of the Patriotic Committee.

#### **COMMITTEE ON EDUCATION**

Councilmember Grimes reported on Dr. Verona's recently held community forum. Additionally, reported on the security protocol and cameras having been installed at the doors of the schools. Schools are now utilizing "Global connect" for emergency contact of parents.

#### **COMMITTEE ON PERSONNEL/NEGOTIATIONS**

Council member Jennings had no report for the open portion of the meeting.

#### **POLICE COMMITTEE/COMMISSIONER & COMMITTEE ON FINANCE & BUDGETING**

Councilmember Kostbar reported that the Police Committee met prior to this meeting where the committee discussed the new hire's attendance at the police academy and possible cuts in Police overtime for Public events. Council President Kostbar also reported on his attendance at the Middlesex County Transportation Coordinating Committee meeting where Freeholder Camille Ferricola announced that she would not be seeking re-election. Monmouth-Ocean-Middlesex (MOM) rail line meeting dates are to be announced. Mr. Kostbar also reported on his attendance at the C.D.B.G. grant meeting held the previous Saturday and the public hearing to be held on February 6.

#### **TECHNOLOGY COMMITTEE**

Council member Bodall reported that the 2008 updates to the Borough web page have been completed and reminded Council that the web site can be utilized for public service announcements. The SERV Committee will be meeting of February 4 at the Borough Hall.

#### **COMMITTEE ON BUILDINGS, GROUNDS**

Council member Longo reported that the Land Use Board held their Reorganization meeting. Peer review was held yesterday regarding the Buckelew House renovations and Middlesex County has been kept informed and feels the Borough is handling things properly. Mr. Longo thanked the D.P.W. for their assistance in picking up a donated piano and delivering it to Grace M. Breckwedel School. Dr. Verona was complimented on her diligence in getting programs up and running. The J.R.C. will be meeting next week. The 2<sup>nd</sup> Annual Hank Dobenski Scholarship fund raiser has begun - a fund raising dinner will be held at the Jamesburg Elks Lodge on March 9.

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

Mayor Anthony LaMantia reported that the Public Safety Committee will be meeting next month. Public Works is still collecting leaves and Christmas Trees. The Mayor also spoke about the M.O.M. rail line and recently issued reports on the line options.

Engineer Vogt reported that the Bids will be advertised next month for Streetscape III and William Street. Projects will begin in the spring.

**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: Kostbar

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

None Opposed, None Abstaining.

