

# BOROUGH OF JAMESBURG

## COUNCIL MEETING

### MINUTES – October 8, 2008

**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, 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 Carpenter  
Council member Grimes  
Council member Jennings  
Council member Longo  
Council member Ludas  
Attorney Raffetto  
Denise Jawidzik, Business Administrator

Those absent: None

**MAYORAL PROCLAMATION:** Proclaiming October 18, 2008 as Jamesburg Elks Lodge #2180 Day in the Borough of Jamesburg was announced.

#### **ORDINANCES – FIRST READING:**

##### **ORDINANCE #19-08**

AN ORDINANCE PROVIDING FOR IMPROVEMENTS TO HALF ACRE ROAD AND APPROPRIATING THE SUM OF \$43,200 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 MAKE IMPROVEMENTS TO HALF ACRE ROAD; AND

**WHEREAS**, THE BOROUGH OF JAMESBURG HAS BEEN APPROVED FOR \$43,200 IN FUNDING FROM THE MIDDLESEX COUNTY COMMUNITY DEVELOPMENT BLOCK 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 HALF ACRE ROAD, TOGETHER WITH ALL ITEMS NECESSARY, INCIDENTAL OR APPURTENANT THERETO.

SECTION 3. THE 2008 CAPITAL BUDGET OF THE BOROUGH OF JAMESBURG 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 ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE TERMS OF THIS ORDINANCE BE AND THE SAME ARE HEREBY REPEALED TO THE EXTENT OF THEIR INCONSISTENCY.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 on First Reading, Authorize Publication, and Set Public Hearing/Second Reading Date on Ordinance #19-08:

Proposed by: Carpenter

Seconded by: Kostbar

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

None Opposed, None abstaining.

**ORDINANCE #20-08**

ORDINANCE FOR DETERMINING POSITIONS ELIGIBLE FOR THE DEFINED CONTRIBUTION RETIREMENT PROGRAM

**WHEREAS**, THE STATE LEGISLATURE RECENTLY ADOPTED CHAPTER 92 OF THE LAWS OF 2007 (N.J.S. 43:15C-1 ET SEQ.) TO CREATE THE DEFINED CONTRIBUTION RETIREMENT PROGRAM TO PROVIDE RETIREMENT BENEFITS TO VARIOUS COUNTY AND MUNICIPAL OFFICIALS; AND

**WHEREAS**, N.J.S. 43:15C-2 REQUIRES THE GOVERNING BODY OF EACH COUNTY, MUNICIPALITY, AND OTHER LOCAL ENTITY TO ADOPT, AS APPROPRIATE, EITHER A RESOLUTION OR ORDINANCE TO DETERMINE THE POSITIONS THAT ARE SUBSTANTIALLY SIMILAR IN NATURE TO THE ADVICE AND CONSENT OF THE SENATE FOR APPOINTMENTS BY THE GOVERNOR OF THE STATE, PURSUANT TO GUIDELINES OR POLICY THAT SHALL BE ESTABLISHED BY THE LOCAL FINANCE BOARD IN THE DEPARTMENT OF COMMUNITY AFFAIRS, AND FOR WHICH OFFICIALS APPOINTED TO SUCH POSITIONS SHALL BE ELIGIBLE FOR AND SHALL PARTICIPATE IN THE DEFINED CONTRIBUTION RETIREMENT PROGRAM, SUBJECT TO THE PROVISIONS OF LAW; AND

**WHEREAS** THE BOROUGH OF JAMESBURG HAS CONSIDERED THE GUIDELINES ISSUES BY THE LOCAL FINANCE BOARD;

**THEREFORE, BE IT ORDAINED** BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT:

1. PURSUANT TO N.J.S. 43:15C-2, THE FOLLOWING POSITIONS ARE DEEMED TO BE ELIGIBLE FOR AND SHALL PARTICIPATE IN THE DEFINED CONTRIBUTION RETIREMENT PROGRAM:
  - a. BUSINESS ADMINISTRATOR
  - b. MUNICIPAL PROSECUTOR
  - c. MUNICIPAL COURT JUDGE
  - d. MUNICIPAL COURT ADMINISTRATOR
  
2. INDIVIDUALS SERVING IN THE FOLLOWING POSITIONS ARE EXEMPT FROM DEFINED CONTRIBUTION RETIREMENT PROGRAM MEMBERSHIP, PURSUANT TO N.J.S. 43:15C-2:
  - a. TAX COLLECTOR;
  - b. CHIEF FINANCIAL OFFICER;
  - c. CONSTRUCTION CODE OFFICIAL;
  - d. QUALIFIED PURCHASING AGENT;
  - e. TAX ASSESSOR;
  - f. REGISTERED MUNICIPAL CLERK;
  - g. LICENSED UNIFORM SUBCODE INSPECTOR;
  - h. PRINCIPAL PUBLIC WORKS MANAGER.

3. IF AN INDIVIDUAL IS APPOINTED TO ONE OF THE POSITIONS LISTED IN SECTION 1 AND THE INDIVIDUAL IS NOT SERVING IN A POSITION AS DESCRIBED IN SECTION 2 ABOVE, THE PENSION CERTIFYING OFFICER OF THE MUNICIPALITY MAY DETERMINE THAT THE INDIVIDUAL IS NOT REQUIRED TO JOIN THE DEFINED CONTRIBUTION RETIREMENT PROGRAM IF THAT INDIVIDUAL; 1. WAS AN ACTIVE PARTICIPANT IN THE PUBLIC EMPLOYEE RETIREMENT SYSTEM ON JULY 1, 2007 AND CONTINUOUSLY SINCE THAT TIME; OR 2. HAS BEEN APPOINTED PURSUANT TO A VALID PROMOTIONAL PROCESS; OR 3. IS APPOINTED ON A TEMPORARY, INTERIM, OR "ACTING" BASIS TO A POSITION REQUIRING STATE CERTIFICATION AS SET FORTH IN SECTION 2 HEREIN, AND IS IN PURSUIT OF THE REQUIRED CERTIFICATION; OR 4. MEETS SUCH OTHER EXCEPTIONS THAT MAY BE APPROVED BY THE LOCAL FINANCE BOARD OR THE DIVISION OF PENSIONS AND BENEFITS.

4. THIS ORDINANCE SHALL BE IMPLEMENTED, CONSTRUED AND SUBJECT TO THE AFORESAID CHAPTER 92 OF THE LAWS OF 2007 (N.J.S. 43:15C-1 ET SEQ.) AS AMENDED FROM TIME TO TIME, AND ANY REGULATIONS OR GUIDANCE DOCUMENTS FROM THE LOCAL FINANCE BOARD OR THE DIVISION OF PENSIONS AND BENEFITS.

5. SHOULD ANY PART OR PARTS OF THIS ORDINANCE BE HELD TO BE INVALID BY ANY COMPETENT COURT OF LAW, SUCH INVALIDITY SHALL ONLY AFFECT THE PART OR PARTS HELD TO BE INVALID, AND ALL OTHER PARTS SHALL REMAIN IN EFFECT.

6. A COPY OF THIS ORDINANCE SHALL BE FILED WITH THE DIRECTOR OF THE DIVISION OF PENSIONS & BENEFITS OF THE NEW JERSEY DEPARTMENT OF THE TREASURY.

7. THIS ORDINANCE SHALL TAKE EFFECT UPON ITS PASSAGE AND PUBLICATION AS REQUIRED BY LAW.

Motion to Approve on First Reading, Authorize Publication, and Set Public Hearing/Second Reading Date on Ordinance #20-08:

Proposed by: Carpenter

Seconded by: Jennings

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

None Opposed, None Abstaining.

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

THE FOLLOWING ORDINANCE WAS APPROVED ON FIRST READING AT THE MEETING OF THE MAYOR AND COUNCIL HELD ON SEPTEMBER 10, 2008, AND PUBLISHED IN FULL IN THE SEPTEMBER 19, 2008 EDITION OF THE CRANBURY PRESS. COPIES HAVE BEEN POSTED ON THE MUNICIPAL BULLETIN BOARD AND MADE AVAILABLE TO THE PUBLIC SINCE INTRODUCTION.

**ORDINANCE #18-08**

AN ORDINANCE PROVIDING FOR THE REMEDIATION OF UNDERGROUND STORAGE TANK SITES AND APPROPRIATING THE SUM OF \$25,000 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 REMEDIATE UNDERGROUND STORAGE TANK SITES; AND

**WHEREAS**, THE BOROUGH OF JAMESBURG HAS \$21,000 IN THE CAPITAL IMPROVEMENT FUND AND \$4,000 IN CAPITAL FUND BALANCE.

**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 REMEDIATION OF UNDERGROUND STORAGE TANK SITES, TOGETHER WITH ALL ITEMS NECESSARY, INCIDENTAL OR APPURTENANT THERETO.

SECTION 3. THE 2008 CAPITAL BUDGET OF THE BOROUGH OF JAMESBURG 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 Open to Public Comment on Ordinance #18-08

Proposed by: Longo

Seconded by: Grimes

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

None Opposed, None Abstaining.

Public Comment on Ordinance #18-08

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

Motion to Close to Public Comment on Ordinance #18-08

Proposed by: Jennings

Seconded by: Longo

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

None Opposed, None Abstaining.

Motion to Adopt Ordinance #18-08 on Second Reading:

Proposed by: Longo

Seconded by: Carpenter

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

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		X			
JENNINGS			X			
KOSTBAR		X	X			
LONGO			X			
LUDAS			X			
MAYOR LAMANTIA						

**RESOLUTIONS:**

**RESOLUTION #194-10-08-08\*\***

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:

Tax Collector	August 2008
Finance Officer	August 2008
Investment Report	August 2008
Library Board of Trustees	July 21, 2008

**RESOLUTION #195-10-08-08\*\***

REDEMPTIONS OF TAX LIEN

**WHEREAS**, THE TAX COLLECTOR HAS CONFIRMED RECEIPT OF PAYMENT IN THE AMOUNT OF FOURTEEN THOUSAND FIFTEEN DOLLARS AND FIFTY-SEVEN CENTS (\$14,015.57)AS VERIFIED IN THE CERTIFICATION ATTACHED HERETO; AND

**WHEREAS**, THIS PAYMENT HAS BEEN MADE FOR THE REDEMPTION OF THE TAX SALE CERTIFICATE 07-00010.

**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 A CHECK THE AMOUNT OF FOURTEEN THOUSAND FIFTEEN DOLLARS AND FIFTY-SEVEN CENTS (\$14,015.57), TO THE LIEN-HOLDER SPECIFIED IN THE ATTACHED CERTIFICATION.

**RESOLUTION #196-10-08-08\*\***

AUTHORIZE REFUNDS OF TAX OVERPAYMENTS

**WHEREAS**, OVERPAYMENTS OF TAXES, HAVE BEEN RECEIVED BY THE TAX COLLECTORS OFFICE IN THE AGGREGATE AMOUNT OF FOUR THOUSAND FORTY-ONE DOLLARS AND EIGHTY-NINE CENTS (\$4,041.89); AND

**WHEREAS**, THESE PAYMENTS HAVE BEEN PROVEN TO THE TAX COLLECTOR AS OVERPAYMENTS;

**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 FOUR THOUSAND FORTY-ONE DOLLARS AND EIGHTY-NINE CENTS (\$4,041.89), IN ACCORDANCE WITH THE CERTIFICATION(S) ATTACHED HERETO.

**RESOLUTION #197-10-08-08\*\***

RESOLUTION REVISING A CHANGE ORDER (KNOWN AS CHANGE ORDER #1) TO THE CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND LANCHA CONSTRUCTION INC., FOR THE IMPROVEMENTS TO MAPLE DRIVE, CEDAR LANE, AND FERNWOOD LANE PROJECT.

**WHEREAS**, DUE TO UNANTICIPATED CIRCUMSTANCES WHICH HAVE ARISEN DURING THE IMPROVEMENTS TO MAPLE DRIVE, CEDAR LANE, AND FERNWOOD LANE PROJECT, 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 LANCHA CONSTRUCTION INC. AND

**WHEREAS**, A CHANGE ORDER AS DESCRIBED ON A FORM LAST DATED BY BOROUGH ENGINEER ON JULY 24, 2008 WAS APPROVED BY THE BOROUGH COUNCIL ON AUGUST 13, 2008 IN AN AMOUNT OF FIVE THOUSAND, FIVE HUNDRED FIFTEEN DOLLARS AND SEVENTY CENTS (\$5,515.70) AND MUST NOW BE REVISED; AND

**WHEREAS**, THE REVISED CHANGE ORDER SHALL ALTER THE AMOUNT OF THE ORIGINAL CONTRACT BY AN INCREASE IN THE CONTRACT AMOUNT OF SIX THOUSAND, SEVEN HUNDRED FIFTEEN DOLLARS AND SEVENTY CENTS (\$6,715.70), ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00) MORE THAN PREVIOUSLY APPROVED; 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 REVISED CHANGE ORDER (KNOWN AS CHANGE ORDER #1) WHICH SHALL BE CONSIDERED AN AMENDMENT TO THE ORIGINAL CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND LANCHA CONSTRUCTION, INC. FOR THE IMPROVEMENTS TO MAPLE DRIVE, CEDAR LANE, AND FERNWOOD LANE PROJECT.

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. LANCHA CONSTRUCTION, INC.
- c. DENISE JAWIDZIK, BOROUGH BUSINESS ADMINISTRATOR
- d. FREDERICK C. RAFFETTO, ESQUIRE, BOROUGH ATTORNEY.

**RESOLUTION #198-10-08-08\*\***

RESOLUTION OF THE BOROUGH OF JAMESBURG APPROVING PAYMENT CERTIFICATE #3 (FINAL) FOR THE MAPLE DRIVE, CEDAR LANE, AND FERNWOOD LANE IMPROVEMENT PROJECT

**WHEREAS**, THE CONTRACTOR, LANCHA CONSTRUCTION, INC., HAS SUBMITTED AS-BUILT QUANTITIES FOR THE MAPLE DRIVE, CEDAR LANE, AND FERNWOOD LANE IMPROVEMENT PROJECT; AND

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

**WHEREAS**, THE ENGINEER RECOMMENDS THE APPROVAL OF PAYMENT CERTIFICATE #3 (FINAL), DATED SEPTEMBER 12, 2008, IN THE AMOUNT OF FOUR THOUSAND, ONE HUNDRED FIFTY DOLLARS AND FORTY CENTS (\$4,150.40): AND

**NOW, THEREFORE, BE IT RESOLVED**, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT PAYMENT CERTIFICATE #3 (FINAL) IN THE AMOUNT OF FOUR THOUSAND, ONE HUNDRED FIFTY DOLLARS AND FORTY CENTS (\$4,150.40) BE HEREBY AUTHORIZED FOR PAYMENT TO LANCHA CONSTRUCTION, INC.

**RESOLUTION #199-10-08-08**

RELEASE OF PERFORMANCE BOND OF LANCHA CONSTRUCTION CORP. BEING HELD FOR THE IMPROVEMENTS TO MAPLE DRIVE, CEDAR LANE AND FERNWOOD LANE PROJECT.

**WHEREAS**, THE BOROUGH OF JAMESBURG IS IN POSSESSION OF A PERFORMANCE BOND FROM LANCHA CONSTRUCTION CORP. FOR THE IMPROVEMENTS TO MAPLE DRIVE, CEDAR LANE AND FERNWOOD LANE PROJECT; AND

**WHEREAS**, LANCHA CONSTRUCTION CORP, INC. HAS SUBMITTED MAINTENANCE BOND NUMBER #22037 THE SERVICE INSURANCE COMPANY BEING THE SURETY, IN THE AMOUNT OF ONE HUNDRED FORTY-EIGHT THOUSAND SEVEN HUNDRED TWENTY DOLLARS AND SIXTEEN CENTS (\$148,720.16) 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 IMPROVEMENTS TO MAPLE DRIVE, CEDAR LANE, AND FERNWOOD LANE PROJECT.

**RESOLUTION #200-10-08-08\*\***

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 \$734,472.82

**END OF CONSENT AGENDA**

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**RESOLUTION #201-10-08-08**

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL  
September 10, 2008

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

**RESOLUTION #202-10-08-08**

RESOLUTION AUTHORIZING ENGINEER TO PREPARE APPLICATION AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE THE APPLICATION FOR N.J.D.O.T. LOCAL AID INFRASTRUCTURE FUNDING FOR PREPARATION OF CATEGORICAL EXCLUSION DETERMINATION REQUEST FOR SAFE ROUTES TO SCHOOLS PROJECT.

**WHEREAS**, THE ENGINEER HAS RECOMMENDED THAT THE MAYOR AND COUNCIL APPLY TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR LOCAL AID INFRASTRUCTURE FUNDING FOR THE PREPARATION OF A CATEGORICAL EXCLUSION DETERMINATION REQUEST FOR THE SAFE ROUTES TO SCHOOLS PROJECT; AND

**WHEREAS**, THE MAYOR AND COUNCIL HAVE CONSIDERED THIS RECOMMENDATION:

**NOW, THEREFORE, BE IT RESOLVED**, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE BOROUGH ENGINEER BE AND IS HEREBY AUTHORIZED TO PREPARE THE APPLICATIONS FOR N.J.D.O.T. LOCAL AID INFRASTRUCTURE FUNDING AVAILABLE TO MUNICIPALITIES AND TO SUBMIT SAME TO THE DISTRICT LOCAL AID OFFICE WITHIN THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE PREPARATION OF CATEGORICAL EXCLUSION DETERMINATION REQUEST FOR THE SAFE ROUTES TO SCHOOLS PROJECT.

**BE IT FURTHER RESOLVED**, THAT THE MAYOR IS AUTHORIZED TO SIGN AND THE MUNICIPAL CLERK TO ATTEST THE AFORESAID APPLICATIONS UPON THEIR COMPLETION BY THE BOROUGH ENGINEER.

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

**COUNCILMATIC COMMITTEE REPORTS**

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

Council member Carpenter reported that the Library Board of Trustees will next meet on October 20. Mrs. Carpenter will also be attending the Elks Lodge Annual Charity Ball for Special Needs Children, as well as the Patriotic Committee meeting on October 27<sup>th</sup> and the Transportation Coordinating Committee meeting on October 28. Reminder was given to all that the Annual Tree Lighting will be held on December 3, 2008 at Veterans Park.

#### COMMITTEE ON EDUCATION

Councilmember Grimes announced that Beaver Brook Run will be holding a community wide yard sale on October 11. The Street Fair Committee will hold a meeting on October 28. At the September 25 Board of Education meeting, the Dr. Piegari, County Superintendent of Schools informed the Board that Jamesburg is requested to contribute \$3,000 annually to a program pertaining to school vulnerability to threats. The program was originally funded through a grant, but funding has dried up and each Board of Education is being asked to contribute to keep the program going. Dr. Piegari further informed that the State Commissioner of Education has ordered that studies be conducted into the consolidation of K-8<sup>th</sup> grade districts with surrounding K-12<sup>th</sup> grade districts. Jamesburg and Monroe are to perform a study regarding a merger by a deadline of March 2010. Under current law, a referendum must be conducted in order for a consolidation of districts to take place – however, legislation can be amended to remove that provision and allow the State Commissioner of Education to impose a merger of the districts. The cost of the study is to be borne by Monroe and Jamesburg, even though neither district is initiating the study, but the State is. Council member Grimes also reported that the Jamesburg Superintendent will be holding her next Superintendent's Forum on October 21, regarding data and testing. The Board of Education has also been informed of another unfunded State mandate – a full-time pre-school will need to be instituted but the date for implementation of that has not been set yet. Council expressed displeasure with the State for their unrealistic expectations and further discussed the consolidation study being mandated, the costs of the study and possible merger, as well as where those funds will come from.

#### COMMITTEE ON PERSONNEL/NEGOTIATIONS

Council member Jennings reported that the committee is attempting to set up negotiations with the Department of Public Works.

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

Councilmember Kostbar reported that the budget process has started. Tonight's agenda contained an ordinance appropriating the C.D.B.G. grant funds for the Half Acre Road Improvement Project, which is expected to be done in the spring. Council member Kostbar reported on the matter complaints of loitering in the downtown area and the steps being taken by the Police Department as well as the Court to alleviate the situation.

#### TECHNOLOGY COMMITTEE - vacancy

#### COMMITTEE ON BUILDINGS, GROUNDS

Council member Longo reported that the Land Use Board will be meeting October 9. Also reported on a meeting held with a State representative regarding a possible matching funds grant for the Buckelew House renovations. A decision will probably not be made until June, after which the legislature and Governor would need to approve the funding. Staff shortages at the State level are causing delays for design approvals already submitted on the project. Council member Longo also reported that the fall mums have been planted in town and also thanked the contributors for the upcoming scarecrow decorating contest.

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

Mayor Anthony LaMantia requested Council member Ludas take over the SERV Committee meetings – Council member Longo will assist with the transition since he participated on the committee in the past. The Jamesburg Fire Prevention Bureau will be holding their annual Fire Prevention week, this week, October 5-11. On October 18<sup>th</sup>, pumpkins will be distributed for the annual pumpkin fest, which will be held on October 25. Mayor LaMantia asked for support of the Fire Department Ladies Auxiliary who will be holding a fundraising pasta dinner on October 17. The new crossing lights have been installed downtown and are easily seen by motorists. The annual Walk Your Child to School Day was held on Monday, October 6. A Borough resident, student of Monroe High School, will be taking part in an ambassador program and will be the student ambassador to China. As part of that program, the student will travel to China and is currently raising funds for the expensive trip. Mayor LaMantia informed Council of his receipt of a letter thanking all who gave assistance during the fire at Quarry Cove residences on August 25. The Mayor also asked that Council reach out to the Borough's representatives, expressing opposition to the "Wrongful Death" bill (A1158) that would greatly increase the Borough's liability costs. The League of Municipalities has already expressed their opposition.

Council member Grimes inquired whether the Borough has received any notification regarding State Aid for next year's budget – Council member Kostbar informed him that the Borough has not and probably will not until closer to the deadline for budget introduction.

**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, Jennings, Kostbar, Longo, Ludas.

None Opposed, None Abstaining.

**PUBLIC COMMENT:**

Elliot Stroul – 110 Mendoker Drive

- Farmers Market has raise funds to contribute\$100.00 to the Patriotic Committee
- The Farmers Market is completed for the year.
- Issue with traffic and speeders
- Has received thank you e-mails for the Farmers Market

Carol Hetzell – 36 Woodland Road

- Inquired about an Interlocal agreement with Monroe Township for library services
- Inquired whether a minimum number of users would be required by Monroe Township under an Interlocal agreement.

Tom van der Sand – 2 Fernwood Lane

- Stated that a study was performed in 1994 or 1995 about merging Jamesburg and Monroe Schools.
- Inquired whether the wording of the referendum for the maintenance of the library has been worded yet.
- Inquired about the difference in costs to the Borough to use Monroe Township's library, requesting an exact cost savings figure.
- Stated that the Borough should not depend on any State Aid and should calculate the budget using zero as a State aid amount.

**MOTION TO CLOSE TO PUBLIC COMMENT:**

PROPOSED BY: Carpenter

SECONDED BY: Kostbar

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

None Opposed, None Abstaining.

**MOTION TO ADJOURN:**

PROPOSED BY: Longo

SECONDED BY: Grimes

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

None Opposed, None Abstaining.

**TIME OF ADJOURNMENT:**

\_\_\_\_ 7:49 \_\_\_\_ PM