

Borough of Jamesburg

**Council Meeting
Minutes**

May 13, 2009

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. 10:5-3.1 et. seq. and N.J.A.C. 17:17. Also announced, in the event of a fire and pursuant to the NJ 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 the main hallway.

Flag Salute: Led by Mayor LaMantia

Roll Call: Present: Mayor LaMantia
Council President Carpenter
Council member Deans
Council member Grimes
Council member White*** After Resolution # 131-05-13-09
Council member Longo
Council member Ludas
Administrator Jawidzik
Attorney Raffetto

PUBLIC HEARING 2009 LOCAL MUNICIPAL BUDGET

Open to Public Comment:
Proposed by: Longo
Seconded by: Carpenter

No Public Comment

Closed to Public Comment:
Proposed by: Longo
Seconded by: Grimes

ORDINANCES – FIRST READING:

ORDINANCE #13-09

AN ORDINANCE PROVIDING FOR THE REMEDIATION OF UNDERGROUND STORAGE TANK SITES AND APPROPRIATING THE SUM OF \$50,000 THEREFORE, AUTHORIZED IN AND BY THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

COUNCIL	MOTION	VOTE
Carpenter		Y
Deans		Y
Grimes		Y
(Vacant)		
Longo	1st	Y
Ludas	2nd	Y

ORDINANCES - PUBLIC HEARING/SECOND READING:

The following ordinances were approved on first reading at the meeting of the Mayor and Council held on April 8, 2009, and published in the April 17, 2009 edition of the Cranbury Press. Copies have been posted on the municipal bulletin board and made available to the public since introduction.

ORDINANCE #11-09

AN ORDINANCE REGULATING REFUSE CONTAINERS AND DUMPSTERS IN THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

SECTION I. Purpose: An ordinance requiring dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or other discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system operated by the Borough of Jamesburg and/or the waters of the State so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions: For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of the Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4) – a conveyance or system of Conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Borough of Jamesburg or other public body, and is designed and used for collecting and conveying stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Refuse container – any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.
- d. Stormwater – means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.
- e. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION III. Prohibited Conduct: Any person who controls, whether owned, leases, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system operated by the Borough of Jamesburg.

SECTION IV. Exceptions to Prohibition:

- a. Permitted temporary demolition containers
- b. Litter receptacles (other than dumpsters or other bulk containers)
- c. Individual homeowner trash and recycling containers
- d. Refuse containers at facilities authorized to discharge stormwater associated with industrial activity under a valid NJPDES permit
- e. Large bulky items (e.g., furniture, bound carpet and padding)

SECTION V. Enforcement: This ordinance shall be enforced by the Police Department, Public Works Department or the Zoning Officer of the Borough of Jamesburg.

SECTION VI. Severability: Each section, subsection, sentence, clause and phrase of the ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this ordinance.

SECTION VII. Effective Date: This ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

FIRST READING DATE: April 8, 2009

COUNCIL	MOTION	VOTE
Carpenter	1 st	X
Deans		X
Grimes		X
Kostbar	2 nd	X
Longo		X
Ludas		X

DATE PUBLISHED IN THE CRANBURY PRESS: April 17, 2009

DATE PUBLIC HEARING HELD: May 13, 2009

DATE SECOND READING HELD: May 13, 2009

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Carpenter	2nd	Y	2nd	Y	2nd	Y
Deans		Y		Y		Y
Grimes		Y	1st	Y	1st	Y
(Vacant)						
Longo	1st	Y		Y		Y
Ludas		Y		Y		Y

ORDINANCE #12-09

AN ORDINANCE REGULATING PRIVATE STORM DRAIN INLET RETROFITTING IN THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

SECTION I. Purpose: An ordinance requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm system(s) operated by the Borough of Jamesburg so as to protect the health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions: For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of the Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4) – a conveyance or system of Conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Borough of Jamesburg or other public body, and is designed and used for collecting and conveying stormwater.

- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Storm drain inlet – an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.
- d. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION III. Prohibited Conduct: No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

- 1. Already meets the design standard below to control the passage of solid and floatable materials; or
- 2. Is retrofitted or replaced to meet the standard in Section V below prior to the completion of the project.

SECTION IV. Design Standard: Storm drain inlets identified in Section IV above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section V.3 below>

- 1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
 - b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater the 0.5 inches across the smallest dimension.

Examples of grate subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

- 2. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
- 3. This standard does not apply:
 - a. Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
 - b. Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - i. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
 - ii. A bar screen having a bar spacing of 0.5 inches.
 - c. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars; or
 - d. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C.7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

SECTION V. Enforcement: This ordinance shall be enforced by the Police Department, Public Works Department or the Zoning Officer of the Borough of Jamesburg.

SECTION VI. Severability: Each section, subsection, sentence, clause and phrase of the ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this ordinance.

SECTION VII. Effective Date: This ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

FIRST READING DATE: April 8, 2009

COUNCIL	MOTION	VOTE
Carpenter		X
Deans		X
Grimes		X
Kostbar	2 nd	X
Longo	1 st	X
Ludas		X

DATE PUBLISHED IN THE CRANBURY PRESS: April 17, 2009

DATE PUBLIC HEARING HELD: May 13, 2009

DATE SECOND READING HELD: May 13, 2009

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Carpenter		Y		Y		Y
Deans		Y		Y		Y
Grimes		Y	1st	Y	1st	Y
(Vacant)						

Longo	1st	Y		Y		Y
Ludas	2nd	Y	2nd	Y	2nd	Y

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. 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.

RESOLUTION #117-05-13-09**

RESOLUTION ACCEPTING MINUTES

BE IT RESOLVED, that the following minutes be and are hereby accepted and filed:

MAYOR AND COUNCIL
March 25, 2009

<u>COUNCIL</u>	<u>MOTION</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
<i>Carpenter</i>	1st	X			
<i>Deans</i>		X			
<i>Grimes</i>		X			
<i>(Vacant)</i>					
<i>Longo</i>		X			
<i>Ludas</i>	2nd	X			

RESOLUTION #118-05-13-09**

RESOLUTION ACCEPTING MINUTES

BE IT RESOLVED, that the following minutes be and are hereby accepted and filed:

MAYOR AND COUNCIL
April 8, 2009

<u>COUNCIL</u>	<u>MOTION</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
<i>Carpenter</i>	1st	X			
<i>Deans</i>		X			
<i>Grimes</i>		X			
<i>(Vacant)</i>					
<i>Longo</i>		X			
<i>Ludas</i>	2nd	X			

RESOLUTION #119-05-13-09**

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:

Chief of Police	March, 2009
Tax Collector	March, 2009
Sewer Administrator	March, 2009
Finance	March, 2009
Investment	March, 2009
Library	February 23, 2009

<u>COUNCIL</u>	<u>MOTION</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
<i>Carpenter</i>	1st	X			
<i>Deans</i>		X			
<i>Grimes</i>		X			
<i>(Vacant)</i>					
<i>Longo</i>		X			
<i>Ludas</i>	2nd	X			

RESOLUTION #120-05-13-09**

APPROVE PAYMENT OF VOUCHERS

WHEREAS, The Chief Financial 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 the Committee Chair, the Finance Chairperson, the Vendor, and the Chief Financial Officer, have all been obtained on each voucher 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 \$877,127.39.

<u>COUNCIL</u>	<u>MOTION</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
<i>Carpenter</i>	1st	X			
<i>Deans</i>		X			
<i>Grimes</i>		X			
<i>(Vacant)</i>					
<i>Longo</i>		X			
<i>Ludas</i>	2nd	X			

RESOLUTION #121-05-13-09**

RESOLUTION AUTHORIZING THE DISPOSITION OF SURPLUS PROPERTY

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-36, provides for the disposition of personal property owned by a municipality; and

WHEREAS, there are vehicles which are public property which are no longer needed by the Borough of Jamesburg; and

WHEREAS, the Borough of Jamesburg will participate in an auction to be conducted in conjunction with the participants in the Cooperative Pricing System of Mercer/Middlesex No. 61

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Mayor and Council of the Borough of Jamesburg that items of personal property contained on the list below are hereby declared surplus property and are no longer needed for public use;

BE IT FURTHER RESOLVED, that the Borough Purchasing Official is hereby authorized to dispose of the property in accordance with the law by participating in the online auction on May 26, 2009 at the Plainsboro Department of Public Works.

2001 Ford Crown Victoria 2FAFP71W51X187178

<u>COUNCIL</u>	<u>MOTION</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
<i>Carpenter</i>	1st	X			
<i>Deans</i>		X			
<i>Grimes</i>		X			
<i>(Vacant)</i>					
<i>Longo</i>		X			
<i>Ludas</i>	2nd	X			

RESOLUTION #122-05-13-09**

AUTHORIZING SUBMISSION OF GRANT APPLICATION AND AUTHORIZING THE MAYOR TO EXECUTE THE GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE WEST RAILROAD AVENUE RECONSTRUCTION PROJECT

WHEREAS, the Borough of Jamesburg wishes to apply to the New Jersey Department of Transportation for Municipal Aid 2010 Grant Funds through the N.J.D.O.T. Electronic SAGE Program; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Jamesburg, County of Middlesex, New Jersey formally approves the grant application for the West Railroad Avenue Reconstruction Project.

BE IT FURTHER RESOLVED, that the Mayor and the Borough Administrator are hereby authorized to submit an electronic grant application identified as MA-2010-Jamesburg Borough – 00083.

BE IT FURTHER RESOLVED, that the Mayor and Borough Administrator are hereby authorized to sign the grant agreement on behalf of the Borough of Jamesburg and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

<u>COUNCIL</u>	<u>MOTION</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
<i>Carpenter</i>	1st	X			
<i>Deans</i>		X			
<i>Grimes</i>		X			
<i>(Vacant)</i>					
<i>Longo</i>		X			
<i>Ludas</i>	2nd	X			

RESOLUTION #123-05-13-09**

APPROVE RAFFLE LICENSE

WHEREAS, an application has been submitted by the Jamesburg Elks #2180, Inc. for a on-premises Instant Raffle; and

WHEREAS, the Clerk's office is in receipt of the appropriate fees for the aforementioned license.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that Raffle License #RA-09-02 be and is hereby approved in the name of Jamesburg Elks #2180

<u>COUNCIL</u>	<u>MOTION</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
<i>Carpenter</i>	1st	X			
<i>Deans</i>		X			
<i>Grimes</i>		X			
<i>(Vacant)</i>					
<i>Longo</i>		X			
<i>Ludas</i>	2nd	X			

RESOLUTION # 125-05-13-09**

RESOLUTION ACCEPTING THE INTERLOCAL SERVICE AGREEMENT BETWEEN THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AND THE BOROUGH OF JAMESBURG FOR THE PROVISION OF YARD WASTE RECYCLING SERVICES

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1 et seq. permits municipalities of the State of New Jersey to enter into contracts with other governmental entities for the joint provision of municipal services; and

WHEREAS, the Mayor and Council of the Borough of Jamesburg have determined that it is in the best interest of Jamesburg to enter into an Interlocal Services Agreement with the Middlesex County Improvement Authority for the provision of yard waste recycling services; and

WHEREAS, the service to be provided by Middlesex County Improvement Authority to the Borough of Jamesburg is detailed in the attached agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg as follows:

1. The Borough of Jamesburg does hereby enter into an agreement with Middlesex County Improvement Authority for the provision of yard waste recycling services.
2. The Mayor and Borough Clerk are hereby authorized to execute the attached agreement.
3. An executed copy of the agreement along with the authorizing resolution shall be forwarded to the Middlesex County Improvement Authority.

<u>COUNCIL</u>	<u>MOTION</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
<i>Carpenter</i>	1st	X			
<i>Deans</i>		X			
<i>Grimes</i>		X			
<i>(Vacant)</i>					
<i>Longo</i>		X			
<i>Ludas</i>	2nd	X			

RESOLUTION # 126-05-13-09**

REDEMPTIONS OF TAX LIENS

WHEREAS, the Tax Collector has confirmed receipt of payments in the aggregate amount of One Thousand Nine-hundred Thirty-six dollars and twenty-four cents (\$1,936.24) as verified in the certification attached hereto; and

WHEREAS, this payment has been made for the redemption of the following:

Tax Sale Certificate # 07-00003, amount \$968.14
Tax Sale Certificate # 08-00015, amount \$968.10

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 total amount of One Thousand Nine-hundred Thirty-six dollars and twenty-four cents (\$1,936.24) to the lienholders specified on the attached certification.

<u>COUNCIL</u>	<u>MOTION</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
<i>Carpenter</i>	1st	X			
<i>Deans</i>		X			
<i>Grimes</i>		X			
<i>(Vacant)</i>					
<i>Longo</i>		X			
<i>Ludas</i>	2nd	X			

RESOLUTION #128-05-13-09**

RESOLUTION SUPPORTING THE NEW JERSEY SENATE BILL NO. S-1622 AND URGING THE PASSAGE OF SAME BY THE NEW JERSEY LEGISLATURE AND GOVERNOR JON. S. CORZINE

WHEREAS, THE HONORABLE SENATOR RONALD L. RICE ON OR ABOUT MAY 15, 2008 INTRODUCED SENATE BILL NO. S-1622 CONCERNING AFFORDABILITY CONTROLS ON AFFORDABLE HOUSING UNITS ("AFFORDABLE HOUSING UNITS") UNDER THE JURISDICTION OF THE COUNCIL ON AFFORDABLE HOUSING ("COAH") FOR ADOPTION BY THE NEW JERSEY LEGISLATURE; AND

WHEREAS, SENATE BILL NO. S-1622 IS CURRENTLY PENDING BEFORE THE NEW JERSEY LEGISLATURE; AND

WHEREAS, SENATE BILL NO. S-1622 IS DESIGNED TO SAFEGUARD THE AFFORDABILITY CONTROLS FOR AFFORDABLE HOUSING UNITS IN THE EVENT OF A FORECLOSURE PROCEEDING AND THE ENTRANCE OF A JUDGMENT OF FORECLOSURE AGAINST AN AFFORDABLE HOUSING UNIT BY: (1) PROHIBITING OR GREATLY REDUCING A LENDER'S ABILITY TO REMOVE AFFORDABILITY CONTROLS FROM AFFORDABLE HOUSING UNITS; (2) IN CASES WHERE PROPERTIES MAY BE REMOVED AS AFFORDABLE HOUSING UNITS, PROVIDING FOR PROCEDURES ALLOWING STATE OR MUNICIPAL GOVERNMENTS TO KEEP SUCH PROPERTIES AS AFFORDABLE HOUSING UNITS; (3) PROVIDING THAT DEED RESTRICTIONS RECORDED IN CONNECTION WITH A PROPERTY FOR WHICH A CREDIT AGAINST THE FAIR SHARE OBLIGATION WAS GRANTED SHALL NOT EXPIRE, EXTINGUISH OR BE REMOVED PRIOR TO THE PERIOD OF TERMINATION FOR SUCH RESTRICTION, AS A RESULT OF SUCH PROPERTY'S SALE THROUGH FORECLOSURE PROCEEDINGS BY ANY CREDITOR; (4) PROVIDING THAT THE NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY SHALL ADOPT OR MODIFY ITS REGULATIONS TO PROVIDE THAT ANY HOUSING UNIT FINANCED IN WHOLE OR PART THROUGH THE ALLOCATION OF LOW-INCOME TAX CREDITS BY COAH SHALL HAVE IN PLACE AFFORDABILITY CONTROLS THAT MAY NOT BE EXTINGUISHED PRIOR TO THE STATED PERIOD OF TERMINATION FOR SUCH CONTROLS, AS A RESULT OF THE SALE OF ANY UNIT THROUGH FORECLOSURE PROCEEDINGS BY ANY CREDITOR; AND (5) PROVIDING THAT A THIRTY (30) DAY NOTICE OF INTENT TO FORECLOSE TO BE SENT TO THE CLERK OF A MUNICIPALITY WHEREIN SUCH AFFECTED AFFORDABLE HOUSING UNIT IS LOCATED; AND

WHEREAS, THROUGHOUT THE STATE OF NEW JERSEY AND THE NATION, THERE IS ECONOMIC STRIFE AND TURMOIL RESULTING IN A GREAT NUMBER OF FORECLOSURE FILINGS, INCLUDING FILINGS AGAINST UNITS DESIGNATED AS AFFORDABLE HOUSING UNITS UNDER THE PROVISIONS OF COAH; AND

WHEREAS, EVERY MUNICIPALITY WITHIN THE STATE OF NEW JERSEY HAS A CONSTITUTIONAL OBLIGATION TO PROVIDE ITS FAIR SHARE OF AFFORDABLE HOUSING; AND

WHEREAS, CONSIDERABLE MUNICIPAL RESOURCES ARE REGULARLY SPENT TO MEET EACH MUNICIPALITY'S CONSTITUTIONAL OBLIGATION TO PROVIDE AFFORDABLE HOUSING; AND

WHEREAS, THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG FINDS THAT IN LIGHT OF THE TREMENDOUS RESOURCES THAT THE BOROUGH OF JAMESBURG HAS SPENT AND WILL CONTINUE TO SPEND TO MEET ITS AFFORDABLE HOUSING OBLIGATIONS, THAT AN INJUSTICE WOULD RESULT IF AFFORDABILITY CONTROLS PERTAINING TO AFFORDABLE HOUSING UNDER COAH'S JURISDICTION WERE TERMINATED DUE TO A FORECLOSURE PROCEEDING AND THE ENTRANCE OF A JUDGMENT OF FORECLOSURE; AND

WHEREAS, THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG FINDS THAT IT IS IN THE BEST INTEREST OF THE RESIDENTS OF THE BOROUGH OF JAMESBURG, THAT SENATE BILL S-1622 BE ADOPTED INTO LAW AS SOON AS POSSIBLE IN ORDER TO PREVENT THE LOSS OF AFFORDABLE HOUSING UNDER THE JURISDICTION OF COAH.

NOW, THEREFORE, BE IT RESOLVED, THAT THE GOVERNING BODY OF THE BOROUGH OF JAMESBURG STRONGLY URGES THE NEW JERSEY STATE LEGISLATURE AND GOVERNOR JON S. CORZINE TO PASS AND ADOPT INTO LAW, SENATE BILL NO. S-1622, AS SOON AS POSSIBLE TO PREVENT THE LOSS OF AFFORDABLE HOUSING UNDER THE JURISDICTION OF COAH; AND

BE IT FURTHER RESOLVED, THAT COPIES OF THIS RESOLUTION BE FORWARDED TO GOVERNOR JON S. CORZINE, SENATE PRESIDENT RICHARD J. CODEY, SENATE MINORITY LEADER THOMAS H. KEAN, ASSEMBLY SPEAKER JOSEPH J. ROBERTS, ASSEMBLY MINORITY LEADER ALEX DECROCE, SENATOR RONALD L. RICE, OUR OWN SENATOR BARONI, AND ASSEMBLY MEMBERS GREENSTEIN AND DEANGELO AND THE NEW JERSEY STATE LEAGUE OF MUNICIPALITIES.

<u>COUNCIL</u>	<u>MOTION</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
<i>Carpenter</i>	1st	X			
<i>Deans</i>		X			
<i>Grimes</i>		X			
<i>(Vacant)</i>					
<i>Longo</i>		X			
<i>Ludas</i>	2nd	X			

RESOLUTION #129-05-13-09**

APPROVE JUKE BOX, POOL TABLE AND VENDING MACHINE LICENSES

WHEREAS, AN APPLICATION HAS BEEN SUBMITTED BY LIMITED FOR A JUKE BOX LICENSE, A POOL TABLE LICENSE AND A VENDING MACHINE LICENSE BY JAMESBURG ELKS #2180; 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 JUKE BOX LICENSE # JB-09-04, POOL TABLE LICENSE # PT-09-01 AND VENDING MACHINE LICENSE # VM-09-04, BE AND ARE HEREBY APPROVED IN THE NAME OF JAMESBURG ELKS #2180.

<u>COUNCIL</u>	<u>MOTION</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
<i>Carpenter</i>	1st	X			
<i>Deans</i>		X			
<i>Grimes</i>		X			
<i>(Vacant)</i>					
<i>Longo</i>		X			
<i>Ludas</i>	2nd	X			

RESOLUTION #130-05-13-09**

RESOLUTION OF THE BOROUGH OF JAMESBURG TO ENDORSE THE MIDDLESEX COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT

WHEREAS, it is the desire of the governing body of the Borough of Jamesburg to use the C.D.B.G. Grant for Borough improvement projects; and

WHEREAS, the Middlesex County Housing & Community Development Program has received additional federal funds for 2008 through Economic Stimulus Program;

WHEREAS, the Middlesex County Housing and Community Development Program requires the governing body to declare, by resolution, how the grant monies are to be utilized; and

WHEREAS, the Borough of Jamesburg will use this year's grant monies for the Half Acre Road curb and sidewalk project in the amount of \$12,738.00.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that the 2008 C.D.B.G. Grant be allocated for the Half Acre Road curb and sidewalk project in the amount of \$12,738.00.

<u>COUNCIL</u>	<u>MOTION</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
<i>Carpenter</i>	1st	X			
<i>Deans</i>		X			
<i>Grimes</i>		X			
<i>(Vacant)</i>					
<i>Longo</i>		X			
<i>Ludas</i>	2nd	X			

RESOLUTION #124-05-13-09

RESOLUTION AUTHORIZING THE BOROUGH OF JAMESBURG TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994, C.72

WHEREAS, the State of New Jersey has not certified the final amounts of state aid, Jamesburg is unable to adopt the 2009 Municipal Budget and therefore Middlesex County is unable to certify a tax rate for the Borough of Jamesburg, the tax collector will be unable to mail 2009 tax bills on a timely basis; and

WHEREAS, The Jamesburg Chief Financial Officer/Tax Collector has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and has signed the certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Jamesburg, County of Middlesex, New Jersey as follows:

1. The Jamesburg Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Borough for the third installment of 2009 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy for 2009 is hereby set at \$12,398,054.55
3. In accordance with law, the third installment of 2009 taxes shall not be subject to interest until the later of August 11, 2009 or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date in which interest may begin to accrue.

<u>Council</u>	<u>Motion</u>	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>	<u>Absent</u>
<i>Carpenter</i>	2nd	X			
<i>Deans</i>		X			
<i>Grimes</i>		X			
<i>(Vacant)</i>					
<i>Longo</i>		X			
<i>Ludas</i>	1st	X			

RESOLUTION # 127-05-13-09

RESOLUTION ACCEPTING THE INTERLOCAL SERVICE AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX AND THE BOROUGH OF JAMESBURG TO CREATE AND PARTICIPATE IN "THE MIDDLESEX COUNTY LAW ENFORCEMENT INFORMATION SHARING SYSTEM"

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1 et seq. permits municipalities of the State of New Jersey to enter into contracts with other governmental entities for the joint provision of municipal services; and

WHEREAS, the Mayor and Council of the Borough of Jamesburg have determined that it is in the best interest of Jamesburg to enter into an Interlocal Services Agreement with the County of Middlesex; for the creation of and participation in "The Middlesex County Law Enforcement Information Sharing System"

WHEREAS, the service to be provided by the County of Middlesex to the Borough of Jamesburg is detailed in the attached agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg as follows:

1. The Borough of Jamesburg does hereby enter into an agreement with the County of Middlesex; for the creation of and participation in "The Middlesex County Law Enforcement Information Sharing System".
2. The Mayor and Borough Clerk are hereby authorized to execute the attached agreement.

3. An executed copy of the agreement along with the authorizing resolution shall be forwarded to the County of Middlesex.

<u>COUNCIL</u>	<u>MOTION</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
<i>Carpenter</i>		X			
<i>Deans</i>		X			
<i>Grimes</i>	1st	X			
<i>(Vacant)</i>					
<i>Longo</i>	2nd	X			
<i>Ludas</i>		X			

RESOLUTION #131-05-13-09

WHEREAS, Democrat Council member, Otto Kostbar submitted his resignation from Borough Council, effective May 13, 2009; and

WHEREAS, Mr. Kostbar was a candidate of a political party and in accordance with N.J.S.A. 40A:16-1 et seq., the Municipal Vacancy Law, the Municipal Committee of that political party has fifteen (15) days following the occurrence of the vacancy to present the Governing Body with the names of three (3) prospective nominees to fill the vacancy; and

WHEREAS, The Municipal Democratic Committee has submitted the following three names to fill the vacancy until December 31, 2011;

Russell White

Vincent Yearwood

Elio (Mike) Principato ;and

WHEREAS, the Borough Council, within the thirty (30) days following the vacancy, as specified in the Municipal Vacancy Law, N.J.S.A. 40A:16-1, et seq., has determined to appoint _____ to fill the vacancy:

NOW, THEREFORE, BE IT RESOLVED that _____, effective immediately, be appointed as a member of the Borough Council of the Borough of Jamesburg for the unexpired term of Otto Kostbar, said term to expire December 31, 2011.

<u>Council</u>	<u>Motion</u>	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>	<u>Absent</u>
<i>Carpenter</i>	1st	X			
<i>Deans</i>		X			
<i>Grimes</i>		X			
<i>(Vacant)</i>					
<i>Longo</i>		X			
<i>Ludas</i>	2nd	X			

The Borough Council received and reviewed information on all the proposed candidates. The candidates that were present at the meeting, Russell White and Vincent Yearwood, were invited to speak to the Borough Council. Council President Carpenter asked each of the candidates to respond to a question regarding what they would like to bring to the town and/or improve about the town.

The Borough Attorney explained that the vacancy will be temporarily filled until the next General Election in November. The winner would be sworn in immediately after that election and serve the remainder of the unexpired term through 12/31/2011. Councilwoman Deans asked the Borough Attorney for some clarification on filling the vacancy. Councilman Grimes asked the Attorney what happens if the candidate selected is Mr. White because he is already on the June Primary ballot. The Attorney responded that if Mr. White wins in the June Primary, he would then have to decide whether to run for the unexpired term or for the full 3-year term in November's General Election.

COUNCILMATIC COMMITTEE REPORTS

Police Committee & Holiday/Patriotic Committee – Council President Barbara Carpenter

Police Committee

- April- increase in number of Tickets issued
- Missing 9 year old child
- Hot Dog Vendors
- Bike Patrol

Library

- Damaged Air Conditioning Unit
- Assembly Bill A-3753 and Senate Bill S-2775 for library funding
- US Census Bureau – holding Q&A sessions for the public
- Free Interview Techniques program for residents sponsored by The Williamsburg Group
- Friends of the Library Yard Sale

- Announced Board of Trustees next meeting date
- Presenting Friends of the Library Academic Achievement Award to Jamesburg Senior at Monroe Township High School
- Presenting Friends of the Library Academic Achievement Award to 8th grade student at GMB Middle School

Patriotic Committee

- Announced next Meeting date
- American Legion Star Post 127 and Boy Scout Troop 54 will place flags on Veteran's gravesites and also wreaths at various sites
- Color Guard from VFW Post 262- Monroe Township will be presenting Gun Salute during Memorial Day Ceremony
- Fundraising for 2010 Memorial Day Parade

Tree lighting Ceremony 2009

- Tentative Date - Wednesday, December 9, 2009 at 6:30PM
- GMB Middle School Chorus and Band will perform

Homeowner Relations Committee – Councilwoman Brenda Deans

- Chamber of Commerce will run Mortgage Programs
- Commented on need for additional Committee assignment

Street Festival Committee – Councilman Brian Grimes

- Date set for Sunday, 9/20/09
- Announced next committee meeting date
- Donation letters are going out
- Vendors are starting to sign up
- Commented on Senate & Assembly Library Bills, Parade and Marching Band

Committee on Finance and Budgeting – Mayor Anthony LaMantia

- State is currently not approving Budgets – may not receive approval until July

Committee on Personnel/Negotiations and Buildings/Grounds – Councilman John Longo

Personnel

- Personnel Policy Manual – review by Council
- Expecting Manual to be ready for vote by July/August

Buildings and Grounds

- Waiting for comments from NJ Historical Preservation Department on plans for Buckelew House, so work can begin
- DPW is working on Veterans Park to have it ready for the Memorial Day Parade- new soil, mulch and flowers
- Commented on excellence Music Programs at Jamesburg schools, Parade and Marching Band

Education Committee – Councilwoman Daria Ludas

- School Budget passed
- Board of Education held Reorganization
- In April, State Commission of Education recognized Jamesburg School District as having passed in all essential areas and is now considered a High Performing District
- Upcoming school events for May
- Summer program received grant totaling \$18,508.00
- Announced next committee meeting date
- MCIA have grant monies available for Solar Energy projects

Administrators Report – Denise Jawidzik

- DOT has notified us that we are being awarded a \$269,000 grant for Harrison and Sedgwick Street improvements. This is one of the highest dollar amounts for a grant that we have received through the NJDOT's "Safe Routes to School Program".
- Hillside Avenue storm sewer repairs are complete.
- Streetscape Phase IV Project began on May 12, 2009.
- Half Acre Road Project is scheduled to begin on May 26th and the Birchwood/Cedar Project is scheduled to begin in mid-June.
- Met with Mr. Van De Sande regarding the budget and addressed all of his questions and concerns.

Mayor's Report – Mayor Anthony LaMantia

- Commended Police and Fire Departments and 1st Aid Squad on their professionalism when the 9 year old child was missing
- Fundraising Pasta Dinner to be held at Firehouse for Avon Walk for Breast Cancer on June 6th from 4:30PM to 8:30PM

Discussion: Proposed Ordinance Change R75 Zone District – Mayor Anthony LaMantia

The land use board has asked for a consensus of council that the intent of the land use ordinance is to grandfather existing number of units only and that any increase in occupancy for multi-dwelling units must apply for a use variance.

Motion: Longo
Second: Carpenter
All in Favor

OPEN TO PUBLIC COMMENT:

Motion: Longo
Second: Carpenter
All in Favor

Elliott Stroul – 110 Mendoker Drive

- Time and Date of Interview Techniques program
- Otto Kostbar
- Town wide Yard Sale- Saturday, May 16th
- Mortgage Committee
- Clock at TD Bank
- High School Bands
- Christmas Tree

CLOSE PUBLIC COMMENT

Motion: Longo
Second: Carpenter
All in Favor

ADJOURN: 7:50PM

Motion: Carpenter
Second: Grimes
All in Favor

Lauren Vande Vaarst, RMC
Municipal Clerk