

Borough of Jamesburg

Council Meeting Minutes

August 12, 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
Council member Ludas
Administrator Jawidzik
Attorney Raffetto

Those absent: Council member John Longo Jr.

Recognizing the Contributions and Service of Wolfgang Zehe to the Combined Land Use Board of the Borough of Jamesburg

Borough of Jamesburg
Combined Land Use Board
Resolution #10-09

Recognizing the Contributions and Service of Wolfgang Zehe to the Combined Land Use Board of the Borough of Jamesburg

WHEREAS, Wolfgang Zehe had served as a dedicated and valuable member of the Combined Land Use Board of the Borough of Jamesburg continuously for many years; and

WHEREAS, Wolfgang and his wife Lois were tragically killed in an automobile accident which occurred on March 26, 2009; and

WHEREAS, both Wolfgang and Lois also both served the Borough as active and involved members of the Senior Citizen Club; and

WHEREAS, Wolfgang's participation and involvement with the Land Use Board and both of their involvement in the Borough community will be sorely missed; and

WHEREAS, the Board never had the opportunity to thank Wolfgang for his dedicated service to it;

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Borough of Jamesburg that the Board recognizes its appreciation for Wolfgang's Zehe service for many years until his untimely death on March 26, 2009; and

BE IT FURTHER RESOLVED that the within resolution be forwarded to Borough Council with the request that the same be read at the next available Council meeting to further recognize Wolfgang Zehe's service to the community in general.

This is a resolution memorialization of an action taken by the Combined Land Use Board of the Borough of Jamesburg at a meeting held on April 9, 2009.

Mayoral Proclamation

Congratulating The ARC of Middlesex County on their 60th Anniversary

WHEREAS, the year 2009 celebrates the 60th Anniversary of The Arc of Middlesex County; and

WHEREAS, in 1949, grassroots efforts by parents of children with developmental disabilities led to the formation of The Arc of Middlesex County. Sixty years later, parents and families still play a major role in The Arc. They, along with volunteers, self-advocates, and the surrounding community, have contributed to our transformation into one of the most respected organizations working on behalf of individuals with disabilities and their families; and

WHEREAS, today The Arc serves over 400 individuals and families in Middlesex County through our residential, vocational, supported employment, family support, advocacy, and recreation programs; and

WHEREAS, on October 23rd, The Arc of Middlesex County will be holding a celebration in honor of our 60th Anniversary. This celebration will not only honor The Arc of Middlesex, but also celebrate those who have been of assistance along the way;

NOW, I, Mayor Anthony LaMantia of the Borough of Jamesburg do congratulate THE ARC OF MIDDLESEX COUNTY and join in celebrating six decades of hard work and dedication to individuals with developmental and other disabilities.

Amended 2009 Mayoral Appointments not requiring the Advice and Consent of the Borough Council

I, ANTHONY LAMANTIA, MAYOR DO HEREBY APPOINT THE FOLLOWING AS INDICATED:

- < *ALEXANDER KOGANOV* AS CLASS IV MEMBER OF THE LAND USE BOARD TO FILL THE UNEXPIRED TERM OF WOLFGANG ZEHE, SAID TERM EXPIRING DECEMBER 31, 2009.
- < *JON D. KELTY* AS ALTERNATE #2 TO THE LAND USE BOARD, TO FILL A TERM ENDING DECEMBER 31, 2009.

ORDINANCES – FIRST READING

ORDINANCE #16-09

AN ORDINANCE AUTHORIZING THE BOROUGH OF JAMESBURG TO ACCEPT THE DEDICATION OF A SANITARY SEWER EASEMENT UPON, OVER AND ACROSS THE PROPERTY KNOWN AS BLOCK 28, LOTS 1 AND 2.03

COUNCIL	MOTION	VOTE
Carpenter		Y
Deans		Y
Grimes	1st	Y
Longo		AB
Ludas	2nd	Y
White		Y

ORDINANCES - PUBLIC HEARING/SECOND READING:

The following ordinances were approved on first reading at the meeting of the Mayor and Council held on May 13, 2009, and published in the May 29, 2009 edition of the Cranbury Press. Copies have been posted on the municipal bulletin board and made available to the public since introduction.

ORDINANCE #14-09

AN ORDINANCE PROVIDING FOR THE REMEDIATION OF UNDERGROUND STORAGE TANK SITES AND APPROPRIATING THE SUM OF \$25,000 THEREFORE, AUTHORIZED IN AND BY THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

WHEREAS, the Mayor and 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 \$25,000 in Capital Improvement Fund.

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 the 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 Tanks sites, together with all items necessary, incidental or appurtenant thereto.

SECTION 3. The 2009 Capital Budget of the Borough of Jamesburg 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.

FIRST READING DATE: July 8, 2009

COUNCIL	MOTION	VOTE
Carpenter		Y
Deans		Y
Grimes		Absent
Longo	1st	Y
Ludas	2nd	Y
White		Y

DATE PUBLISHED IN THE CRANBURY PRESS: July 17, 2009

DATE PUBLIC HEARING HELD: August 12, 2009

DATE SECOND READING HELD: August 12, 2009

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Carpenter	1st	Y	2nd	Y	2nd	Y
Deans		Y		Y		Y
Grimes		Y	1st	Y	1st	Y
Longo		AB		AB		AB
Ludas		Y		Y		Y
White	2nd	Y		Y		Y

ORDINANCE #15-09

AN ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE SEWER SYSTEM AND APPROPRIATING THE SUM OF \$35,000 THEREFORE, 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 SEWER SYSTEM; AND

WHEREAS, THE BOROUGH OF JAMESBURG HAS \$35,000 IN THE SEWER CAPITAL IMPROVEMENT FUND.

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 SEWER 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 THE SEWER SYSTEM, TOGETHER WITH ALL ITEMS NECESSARY, INCIDENTAL OR APPURTENANT THERETO.

SECTION 3. THE 2009 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.

FIRST READING DATE: July 8, 2009

COUNCIL	MOTION	VOTE
Carpenter	2nd	Y
Deans		Y
Grimes		Absent
Longo	1st	Y
Ludas		Y
White		Y

DATE PUBLISHED IN THE CRANBURY PRESS: July 17, 2009

DATE PUBLIC HEARING HELD: August 12, 2009

DATE SECOND READING HELD: August 12, 2009

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Carpenter	1st	Y	1 st	Y	1st	Y
Deans		Y		Y		Y
Grimes		Y		Y		Y
Longo		AB		AB		AB
Ludas	2nd	Y	2nd	Y	2nd	Y
White		Y		Y		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 #154-08-12-09**

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL
July 8, 2009

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

RESOLUTION #155-08-12-09**

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:

Tax Collector	June, 2009
Sewer Administrator	June, 2009
Finance	June, 2009
Investment	June, 2009
Chief of Police	June and July, 2009
Library	May 18, 2009

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

RESOLUTION #156-08-12-09**

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 \$1,474,695.61.

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

RESOLUTION # 157-08-12-09**

REDEMPTIONS OF TAX LIENS

WHEREAS, the Tax Collector has confirmed receipt of payments in the aggregate amount of Two Thousand Seven-hundred Sixty-one dollars and ninety-three cents (\$2,761.93) as verified in the certification attached hereto; and

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

Tax Sale Certificate # 06-00001 amount \$1,717.53
 Tax Sale Certificate #06-00007 amount \$1,044.40

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 Two Thousand Seven-hundred Sixty-one dollars and ninety-three cents (\$2,761.93) to the lienholders specified on the attached certification.

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

RESOLUTION # 158- 08-12- 09**

RETURN OF PREMIUM ON A TAX SALE CERTIFICATE

WHEREAS, the Tax Collector has received premiums on the following Tax Sale Certificates:

Tax Sale Certificate #06-00001, \$100.00 premium being held by Park Finance, LLC and

Tax Sale Certificate #06-00007, \$100.00 premium being held by Park Finance, LLC;

WHEREAS, the aforementioned certificates have been redeemed;

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 return the premiums in the total amount of Two Hundred Dollars (\$200.00) to the aforementioned certificate holder.

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

RESOLUTION #159-08-12-09**

RESOLUTION AUTHORIZING A CHANGE ORDER (KNOWN AS CHANGE ORDER #1) TO THE CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND JADS CONSTRUCTION CO., INC. FOR THE HALF ACRE ROAD CURB AND SIDEWALK REPLACEMENT.

WHEREAS, DUE TO UNANTICIPATED CIRCUMSTANCES WHICH HAVE ARISEN DURING THE HALF ACRE ROAD CURB AND SIDEWALK REPLACEMENT., 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 JADS CONSTRUCTION CO., INC. AND

WHEREAS, THE PROPOSED CHANGE ORDER IS DESCRIBED IN MORE DETAIL IN THE ATTACHED FORM, LAST DATED BY BOROUGH ENGINEER ON JULY 1, 2009; AND

WHEREAS, THE PROPOSED CHANGE ORDER SHALL CHANGE THE AMOUNT OF THE ORIGINAL CONTRACT BY A DECREASE IN THE CONTRACT AMOUNT OF ONE THOUSAND, EIGHT HUNDRED FIFTY-TWO DOLLARS AND EIGHTEEN CENTS (\$1,852.18); 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 CHANGE ORDER (KNOWN AS CHANGE ORDER #1) WHICH SHALL BE CONSIDERED AN AMENDMENT TO THE ORIGINAL CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND JADS CONSTRUCTION CO., INC. FOR THE HALF ACRE ROAD CURB AND SIDEWALK REPLACEMENT 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. TERRENCE VOGT, BOROUGH ENGINEER
 - b. JADS CONSTRUCTION CO., INC.
 - c. DENISE JAWIDZIK, BOROUGH BUSINESS ADMINISTRATOR
 - d. FREDERICK C. RAFFETTO, ESQUIRE, BOROUGH ATTORNEY.

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

RESOLUTION #160-08-12-09**

APPOINT MEMBER TO THE LIBRARY BOARD OF TRUSTEES

I, ANTHONY LAMANTIA, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT THE FOLLOWING TO THE LIBRARY BOARD OF TRUSTEES FOR TERM AS SPECIFIED:

TOM GIBBONS TO FILL AN UNEXPIRED TERM TO EXPIRE DECEMBER 31, 2009

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

RESOLUTION #161-08-12-09**

RESOLUTION OPPOSING "FAST-TRACK" LEGISLATION ISSUED BY THE NEW JERSEY STATE LEGISLATURE

WHEREAS, the New Jersey State Legislature has promulgated many laws on a "fast-track" basis, especially as to fiscal matters: and

WHEREAS, the Township Council of the Borough of Jamesburg respectfully opposes such "fast-track" legislation on a number of grounds as follows:

1. due to the "fast-track" process, local governments do not have the appropriate amount of time to review and analyze such laws to determine their impact upon their respective municipalities; and
2. such "fast-track" enactments deny transparency in the governmental process, because the "fast-track" escalated time frame prevents the people and their local government representatives from having the time required to review and provide input as to the benefits or disadvantages of such laws being proposed, established and promulgated on an expedited basis, which laws directly affect such local governments and their constituents; and
3. "fast-track" legislation denies the very essence of democracy, which should ensure that the electorate and their duly elected local representatives shall be informed and take part in the process of the establishment of laws being promulgated by the State; and
4. "fast-track" legislation is counter to the interest of "home-rule" wherein constituent parts of a state should have greater self-government within its local sphere under the administrative purview of the state government with informed consent as to the statutory and procedural requirements being enacted; and

WHEREAS, the Borough of Jamesburg further respectfully requests that the Legislature take note of the fact that, in many cases, local governments are sometimes at odds with the state as to fiscal issues, with the result that fiscal legislation enacted by the state may interfere and even harm the budgetary processes of local governments, which processes are especially demanding during our state and country's current financial situation.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Jamesburg, County of Middlesex and State of New Jersey, that the Mayor and Borough Council hereby respectfully opposes the establishment and promulgation of legislation on a "fast-track" basis for the reasons set forth hereinabove, and further respectfully requests that the New Jersey State Legislature consider abandoning such "fast-track" process in the interests of its local governments and their constituents; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be certified and forwarded to Senator William Baroni, Assemblywoman Linda R. Greenstein, and Assemblyman Wayne P. DeAngelo.

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

RESOLUTION #162-08-12-09**

AUTHORIZE CANCELLATION OF TAXES

WHEREAS, Block 73.04 Lot 23 qualifies as an exempt property as a 100% disabled veteran; and

WHEREAS, this property is erroneously listed as a taxable property in the 2009 Tax Duplicate, with taxes in the amount of \$8,588.53 due;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg, that the Tax Collector be and is hereby authorized to cancel the taxes due in the amount of \$8,588.53 for Block 73.04 Lot 23.

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

RESOLUTION #163-08-12-09**

RESOLUTION REQUESTING THE LEGISLATURE TO RESTRUCTURE AND BRING FAIRNESS TO TAX AND FRANCHISE FEES IMPOSED ON TELECOMMUNICATIONS AND CABLE TELECOMMUNICATIONS SERVICE PROVIDERS IN NEW JERSEY

WHEREAS, the convergence of telecommunications technologies and regulatory reform has blurred the distinctions among the service providers as each provides a full range of voice, data and video service; and

WHEREAS, the public rights-of-way are an asset held in trust for the people of the State of New Jersey by state and local government; and

WHEREAS, taxpayers are entitled to compensation when private corporations use the public rights-of-way to generate profits; and

WHEREAS, telecommunication providers including but not limited to, direct broadcast satellites, open video system and cable television, employing various technologies and offering multiple services, play an increasingly important role in the life of corporate and individual citizens in New Jersey; and

WHEREAS, tax and right-of-way franchise fee policies, however, should not bias competition among service providers nor distort the efficient use of public properties; and

WHEREAS, the current state system of compensation to municipalities for the use of the public rights-of-way distorts efficient use of these public assets; and

WHEREAS, comparable telecommunication competitors face major anomalies in financial obligations to municipalities and the state; and

WHEREAS, service revenue continues to shift from traditional telecommunication services, such as, local and long distance to advanced services such as wireless/mobile, cable, broadband, and high speed internet access. This shift will continue to intensify over the next decade, further distorting the financial obligations to the state among competing telecommunication service providers; and

WHEREAS, the current situation has proven inequitable, among telecommunication competitors or between taxpayer-owners of the rights-of-way and telecommunication companies.

NOW, THEREFORE, BE IT RESOLVED, the Borough of Jamesburg calls upon the State Legislature to restructure and bring fairness to tax and franchise fees imposed on telecommunication and cable telecommunication service providers in New Jersey; and

BE IT FURTHER RESOLVED, the Borough of Jamesburg calls upon the Legislature to ensure consumers of telecommunication services receive competitively priced, high quality services which are taxed equitably; and

BE IT FURTHER RESOLVED, the Borough of Jamesburg calls upon the legislature to ensure municipalities are held harmless from the shifts in consumption of telecommunication services from traditional services to more advanced services; and

BE IT FURTHER RESOLVED, the Borough of Jamesburg calls upon the legislature to ensure tax revenue associated with the provision of telecommunications services be paid directly from the service providers to the local governments; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to State Senator William Baroni, our Assembly representatives Assemblywoman Linda R. Greenstein and Assemblyman Wayne P. DeAngelo, the Governor of the State of New Jersey and the New Jersey State League of Municipalities.

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

****End of Consent Agenda**

RESOLUTION #164-08-12-09

AUTHORIZING AGREEMENT FOR PROFESSIONAL HISTORICAL ARCHITECTURAL SERVICES FOR THE PHASE I REHABILITATION OF THE BUCKELEW MANSION

WHEREAS, the Borough of Jamesburg has a need to retain an architect for Historical Architectural Services for the Phase I Rehabilitation of the Buckelew Mansion; and

WHEREAS, the Borough Purchasing Official 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 the completion of Phase I, and it may only be renewed upon further action of the Borough Council; and

WHEREAS, HMR Architects, P.A., 821 Alexander Road, Princeton, New Jersey 08540 has submitted a proposal for the Phase I Rehabilitation of the Buckelew Mansion; and

WHEREAS, the proposal is for an amount not to exceed \$65,000; 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, HMR Architects, P.A., 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 HMR Architects, P.A. 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 HMR Architects, P.A. 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 therefore, 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 HMR Architects, P.A. regarding the above-referenced Phase I Rehabilitation of the Buckelew Mansion.
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. HMR Architects, P.A.
 - b. Denise Jawidzik, Borough Administrator

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

Resolution # 164-08-12-09 was pulled off the Consent Agenda by Councilmember White for discussion. The Councilman asked if with the hiring of Historical Architect and will the project then move forward, he would like to be able to respond to resident's questions about the project.

Administrator Jawidzik responded that the DEP requested the Borough hire a Historical Architect, so that the project can move forward. This is an important step in the right direction.

RESOLUTION # 165-08-12-09

RESOLUTION ADOPTING AMENDED PERSONNEL POLICY

WHEREAS, in September 2003, the Mayor and Borough Council of the Borough of Jamesburg passed Resolution # 214-09-10-03, which adopted an amended personnel policy with respect to the employees of the Borough; and

WHEREAS, the personnel committee has reviewed said personnel policy and has recommended to the Mayor and Borough Council, that certain changes be made; and

WHEREAS, the Jamesburg governing body is desirous of adopting the amended personnel policy, pursuant to the recommendations of the personnel committee;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Jamesburg that the attached, amended personnel policy be and is hereby adopted.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Carpenter</i>		X			
<i>Deans</i>		X			
<i>Grimes</i>	1st	X			
<i>Longo</i>					AB
<i>Ludas</i>	2nd	X			
<i>White</i>		X			

Councilman Grimes stated that Resolution # 165-08-12-09 was necessary to adopt and update the Personnel Policy was which last revised in 2003. It was a key goal of Councilman Longo's to do this in 2009. There was a last minute correction made on page 15. None of the job descriptions were changed from the previous version but there were changes made in vacation and leave time. Councilman White asked if the personnel policy is reviewed annually and if not than how often is it done. Councilman Grimes responded that every 3+ years is a good time frame to review the policy. Administrator Jawidzik added that sections were added to set policy for issues that did not exist in 2003. Councilman White also asked questions regarding accrual of sick days and longevity

RESOLUTION #166-08-12-09

RESOLUTION AUTHORIZING A CHANGE ORDER (KNOWN AS CHANGE ORDER #1) TO THE CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND S & G PAVING, INC. FOR THE BIRCHWOOD ROAD/CEDAR LANE PROJECT

WHEREAS, due to unanticipated circumstances which have arisen during the Birchwood Road/Cedar Lane Project, the Borough Administrator has recommended a change order (known as change order #1) in order to amend the contract between the Borough of Jamesburg and S & G Paving, Inc.; and

WHEREAS, the proposed change order is described in more detail in the attached form, last dated by the engineer on August 12, 2009;

WHEREAS, the proposed change order shall change the amount of the original contract by an increase in the contract amount of FORTY-ONE THOUSAND, NINE HUNDRED FIFTY-TWO DOLLARS AND NO CENTS (\$41,952.00); and

WHEREAS, the proposed change order does exceed the twenty percent (20%) limitation imposed by law; and

WHEREAS the change order complies with NJSA 5:30-11.9 and the required certifications are attached to this resolution; and

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

1. That the Borough is authorized to enter into the attached change order (known as change order #1) which shall be considered an amendment to the original contract between the Borough of Jamesburg and S & G Paving, Inc. for the Birchwood Road/Cedar Lane Project.
2. That the Chief Financial Officer shall certify that there are sufficient funds to cover the amount of this change order.
3. That notice of this change order shall be advertised as per NJSA 5:30-11.9
4. That a certified copy of this resolution shall be provided to each of the following:
 - a. Terrence Vogt, Borough Engineer
 - b. S & G Paving, Inc.
 - c. Denise Jawidzik, Borough Administrator

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

Administrator Jawidzik explained that Resolution # 166-08-12-09 reflects left over grant monies which will enable the Borough to do this additional paving work as part of the Birchwood Road/ Cedar Lane project.

DISCUSSION

Letter from The Presbyterian Church of Jamesburg requesting signage

Mayor LaMantia explained that he had spoken with members of the Jamesburg Combined Land Use Board and the sign ordinances that are in place were written to control signage and to prevent the borough from becoming unsightly due to excessive signage. He knows that the Presbyterian Church is a valuable part of the community and also does a lot of good works, but if we open the door with their request how do we shut it to other groups. Excessive signage can also negatively affect the sight triangle at intersections. The Mayor also mentioned that the Jamesburg Revitalization Coalition had been looking into doing multi directional group signs that would organize the signs and control clutter.

Councilman Grimes is fine with the church’s request, especially in light of their community involvement and feels that as long as the church pays for and erects signage that complies with DOT requirements it should not be a problem.

Councilman White understands the Mayor’s point of view especially that once you let one group do it they all will want to. But, this is a small town and it would be nice to allow it with controls in place and possibly a probationary period.

Mayor LaMantia said that would not be fair to the church once they have laid out all the money for the signs to be constructed and erected. The sign ordinances were enacted for a reason and the ordinances should be followed. Other groups have made similar requests in the past and were denied.

Council President Carpenter agreed with the Mayor and said that if this is allowed then other groups will come forward with requests.

It was determined through a Consensus Vote that a letter would be sent to the Presbyterian Church telling them that the Borough Council will follow the borough’s sign ordinances and will not allow the proposed signage to be erected.

Councilwoman Deans suggested that the letter could also mention some alternatives to the church.

Mayor said that the multi directional signs proposed by the Jamesburg Revitalization Coalition are a good idea but far in the future.

Council President Carpenter mentioned that these multi directional signs are currently in use in Hightstown.

The Mayor said that the church could reach out to groups such as the Chamber of Commerce, etc.

COUNCILMATIC COMMITTEE REPORTS

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

Police Committee

- Met with the Chief of Police prior to tonight's council meeting and all is quiet.
- Sergeant James Mennuti has been in contact with Dr. Verona to discuss school issues prior to opening day.
- Detective Kevin Wilson will again be leading the 6th grade D.A.R.E. program.

Library Committee

- The Library Board of Trustees appreciates the appointment of Tom Gibbons.
- The search committee is continuing to seek candidates to fill the position of Library Director upon Cindy Yasher's retirement.
- Thursday, August 13th the Friends of the Jamesburg Library are hosting a "Thank You Social" in honor of Bob Reid for his help installing programs in the Library's new computers.
- The Summer Remedial Program will conclude on August 20th with a visit by Assemblywoman Linda Greenstein who will read letters that the children wrote expressing their views and thoughts on the topics of the environment and pollution. The children, with Councilwoman Daria Ludas doing an outstanding job as the program's certified teacher, studied these topics.
- Monday, August 24th from 7:00PM to 8:00PM is Harry Potter Night at the Library. Special guest will be Reverend Gary Filson, dressed as a wizard, performing magic tricks.
- As part of the "Neighbor Helping Neighbor" program, introduced by Darren Larsen, the Library has offered the use of their computers for training to be held on Saturdays from 10:00AM to 12:00 noon.

Holiday/Patriotic Committee

- A new tree will be planted for the Holiday Tree Lighting to be held on December 9th at 6:30PM.
- The stage for the tree lighting has been reserved from the County but the cost has gone up to \$500.00 and donations are needed. Thank you to Mayor LaMantia for meeting with the Jamesburg Fire Department and for their donation of \$250.00 towards the rental cost.

Middlesex County Transportation Committee

- A South County Transit Study was recently conducted and results showed that future bus service is definitely warranted. Once the study report has been received, copies will be forwarded to the Mayor and Council. Some points from the study:
 - § The new Princeton University Hospital in Plainsboro will serve as a Bus Transfer Route.
 - § The 600 route from Trenton will expand its services along Route 1 to include the new hospital, Quakerbridge Mall, Marketplace in Princeton and other locations.
 - § The Middlesex County Bus Line, which services Jamesburg, will take riders to the new hospital and the Bus Transfer Route.

- Requested of; Bruce McCracken, Middlesex County Planning Board and Steve Fittante, Middlesex County Bus Lines whether the County would consider adding a stop at the Exit 8A Park & Ride for the bus servicing Jamesburg. Scheduling and funding is an issue but they have agreed to talk about the idea at their next scheduled meeting on Tuesday, September 22nd. Also suggested that a survey may be implemented to determine the interest of the riders using the Exit 8A Park & Ride.

Board of Education District Goals Meeting

- Attended meeting held on July 9th with Councilwoman Ludas.
- Purpose was to set goals for the districts' 2009-2010 school year, attendees discussed that these goals should emphasize the positives of the current programs and determine what should be continued and /or added.

Homeowner Relations Committee – Councilwoman Brenda Deans

- Information for Jamesburg Property Owners on Short Sales, Foreclosures and Pre-Foreclosures
- Banks are now entertaining short sales when homeowners are behind on their payments. In a short sale the bank agrees to sell the house for a price below what is owed on the mortgage. By utilizing a short sale, homeowners can often avoid foreclosure and salvage their credit rating.
- In the short term a short sale may affect the values of other homes in the area but values can return in time.
- In Jamesburg:
 - § Eight (8) homes sold as short sales in 2008-2009
 - § There are currently five (5) homes listed as short sales
 - § Nineteen (19) Jamesburg homes are in the pre-foreclosure stage
 - § Seventeen (17) borough homes were foreclosed in 2008-2009

Street Festival Committee & Committee on Finance and Budgeting – Councilman Brian Grimes

Street Festival Committee

- The committee will be making a decision on Friday, August 14th as to whether or not the Street Festival will be held.
- There has been no response to the donation letters that were sent out.
- Seven (7) vendors have been confirmed. The economy is to blame and the County Fair had noticeably less vendors this year.
- The committee has received a generous donation of port-a-potties.

Committee on Finance and Budgeting

- Will begin in the Fall to look at the budget for the next fiscal year. Please get all suggestions to the committee then.
- The Borough of Jamesburg will be debt free in 2010. The borough was very aggressive in paying back the debt on the Municipal Building.

Committee on Public Works – Councilman Russell White

- In early July there was a sewer collapse on Sedgewick Street.
- Also in July, a large Maple tree came down on Woodland Road due to a storm and caused a power outage. Power was restored to most users either later that night or early the next morning.
- The Christmas tree in Veteran's Park had to be cut down due to disease. It will be replaced in the Fall in the same location.

Education Committee – Councilwoman Daria Ludas

- Attended the Board of Education District Goals for 2009-2010 School Year meeting on July 9th with Council President Carpenter.
- The three (3) goals that the Jamesburg School District hopes to accomplish are:
 - § To raise standards for student achievement.
 - § Provide a safe, healthy environment for students and staff members.
 - § To develop and expand opportunities for greater involvement between the school community and the Borough.
- The Summer Academy held at JFK School went very well. The program had 125 students enrolled and it ended on July 31st.
- The Summer Program at GMB has also been well attended.
- Four (4) of the district's teachers attended the "School Wires" Technology Workshop.
- New student laptops are scheduled to arrive by the first week of school.
- Construction work on school facilities being done include new cabinetry and sinks installed at GMB and HVAC units are being replaced, heavy rains have caused delays.
- Teachers' contracts have been sent to the union and should be ratified in October.
- The Summer Remedial Program was a joint project of both the Library Committee and Education Committee. One of the stories that the children read was about the environment and pollution. The students then wrote letters to local legislators stating how they would protect the environment and stop pollution in Jamesburg. The program will conclude on August 20th with a visit by Assemblywoman Linda Greenstein who will read the letters that the children wrote. The letters will then be delivered to Trenton.

SERV

- The August meeting was cancelled and there are no issues currently open. The next meeting is scheduled for October 5th.

South Central Middlesex County Flood Control Commission

- August meeting was cancelled, but met briefly with John Ferguson, Assistant Coordinator of Middlesex County Emergency Management Services. He will be at the Borough Council meeting of September 9th to give a presentation.
- The next commission meeting is scheduled for September 8th.

Administrators Report – Denise Jawidzik

No report at this time

Mayor's Report – Mayor Anthony LaMantia

- An auditor from the State Department of Treasury came on July 28th to do an Affirmative Action audit on contracts issued within the past four (4) years. Everything was found to be in order and the Borough was deemed to be fully compliant. Thanks to Borough Administrator Denise Jawidzik for always making sure that these things are done correctly.
- Monroe Township recently won the "10 year old Middle Atlantic Regional Tournament" and is off to play in the 2009 CAL RIPKEN BASEBALL 10-YEAR-OLD WORLD SERIES in Colorado. Congratulations to Jamesburg resident and member of this championship team, Chris Perdoni III.

OPEN TO PUBLIC COMMENT:

Motion: Carpenter

Second: Ludas
All in Favor

Elliott Stroul – 110 Mendoker Drive

- Christmas Tree
- Presbyterian Church Signage
- Combined Monroe/ Buckelew Day at Dey Farm
- Farmers Market
- Bus Service

Thomas Van De Sande – 2 Fernwood Lane

- Birchwood Road/Cedar Lane Project
- Budget
- Size of Jamesburg's government

CLOSE PUBLIC COMMENT:

Motion: Carpenter
Second: White
All in Favor

ADJOURN: 7:45PM

Motion: Carpenter
Second: White
All in Favor

Lauren Vande Vaarst, RMC
Municipal Clerk