

Borough of Jamesburg

Council Meeting Minutes

December 16, 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 member Deans
Council member Grimes
Council member Longo
Council member Ludas
Administrator Jawidzik

Absent: Council President Carpenter
Attorney Raffetto

Public Hearing: Comcast's Application for Renewal of Municipal Consent
Rob Clifton, Area Director of Government & Community Affairs
Comcast Cable

Mr. Clifton made the following presentation on Comcast's renewal application:

- At the end of a 3-year federally mandated process.
- Current Certificate of Approval, which was for a 15 year time frame, expires on June 19, 2010. Cable operators in the State of NJ must receive approval from the municipalities that they operate within in order to receive a Certificate of Approval from the Board of Public Utilities.
- The renewal agreement covers Right of Way ordinances and is not a contract nor does it give Comcast exclusivity.
- The Renewal Application must be judged on four (4) criteria only:
 - § Operator has complied with material terms of existing agreement.
 - § Quality of service has been reasonable.
 - § The operator must demonstrate that they have the financial, legal and technical capability to provide the services stated.
 - § Is franchise renewal proposal reasonable to meet the future needs of the municipality.
- Two (2) areas that cannot be considered by the borough while considering renewal, are:
 - § Rates
 - § Programming
- Borough has to issue an ordinance approving the renewal or a denial. The time frame for this is somewhat flexible and Comcast and the Borough have not even begun negotiations at this time.

Motion to Open to Public Comment

Proposed by: Longo
Seconded by: Grimes
All in Favor

Motion to Close to Public Comment

Proposed by: Longo
Seconded by: Grimes
All in Favor

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 #194-12-16-09**

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL
November 11, 2009

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

RESOLUTION #195-12-16-09**

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	October, 2009 and November, 2009
Sewer Administrator	October, 2009 and November, 2009
Finance	October, 2009 and November, 2009
Investment	October, 2009 and November, 2009
Chief of Police	October, 2009 and November, 2009

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

RESOLUTION #196-12-16-09**

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 \$925,226.32.

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

RESOLUTION #197-12-16-09**

AUTHORIZE REFUNDS OF TAX OVERPAYMENTS

WHEREAS, overpayments of taxes have been received by the Tax Collector's office in the aggregate amount of Fourteen Thousand Seven Hundred Twenty-eight dollars and Ninety-nine cents (\$14,728.99); and

WHEREAS, these payments have been certified by 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 make such refunds and the Chief Financial Officer is hereby directed to issue such checks in accordance with the certification(s) attached hereto.

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

RESOLUTION # 198-12-16-09**

REDEMPTIONS OF TAX LIENS

WHEREAS, the Tax Collector has confirmed receipt of payments in the aggregate amount of Five Thousand Six Hundred Twenty-five dollars and Thirty-one cents (\$5,625.31) as verified in the certification attached hereto; and

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

Tax Sale Certificate # 08-00025	Amount \$ 393.59
Tax Sale Certificate # 09-00015	Amount \$ 492.63
Tax Sale Certificate # 08-00012	Amount \$ 796.99
Tax Sale Certificate # 09-00041	Amount \$ 430.34
Tax Sale Certificate # 09-00046	Amount \$ 484.69
Tax Sale Certificate # 09-00042	Amount \$ 207.11
Tax Sale Certificate # 09-00014	Amount \$1,896.92
Tax Sale Certificate # 08-00021	Amount \$ 923.04

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 Five Thousand Six Hundred Twenty-five dollars and Thirty-one cents (\$5,625.31) to the lienholders specified on the attached certification.

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

RESOLUTION # 199-12-16- 09**

RESOLUTION AUTHORIZING TRANSFERS IN THE 2009 MUNICIPAL BUDGET

WHEREAS, pursuant to N.J.S.A. 40A:4-58, appropriation transfers are allowable during the last two months of a fiscal year; and

WHEREAS, it is deemed necessary that said transfers be done through various accounts.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg, County of Middlesex, New Jersey, that the following transfers be made in the 2009 budget appropriations.

<u>CURRENT FUND</u>		
<u>FROM</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
115.027	Legal OE	\$10,000
210.094	Liability Insurance	\$4,500
225.116	Unemployment	\$5,500
340.011	Animal Control S&W	\$1,000
446.070	Gas - Oil	\$2,000
446.117	Gas – Natural Gas	\$2,000
<u>TO</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
240.014	Police S&W - Overtime	\$20,000
340.046	Animal Control – Contractual Serv	\$1,000
430.071	Electricity	\$2,000
435.075	Street Lighting	\$2,000

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

RESOLUTION #200-12-16-09**

AUTHORIZE DEFERMENT OF 2009 LOCAL SCHOOL TAXES AS PROMULGATED BY THE DIVISION OF LOCAL GOVERNMENT SERVICES

WHEREAS, the Borough Council of the Borough of Jamesburg, County of Middlesex, State of New Jersey desires to increase the 2009 deferred School Taxes as promulgated by the Division of Local Government Services;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Borough Council of the Borough of Jamesburg, County of Middlesex, State of New Jersey to increase the 2009 deferred School Taxes as follows:

	<u>FROM</u>	<u>TO</u>	<u>INCREASE</u>
LOCAL DISTRICT SCHOOL TAX	\$3,080,006.50	\$3,230,000.00	\$149,993.50

BE IT FURTHER RESOLVED, that the Municipal Clerk of the Borough of Jamesburg be directed the file three certified copies of this resolution with the Division of Local Government Services.

<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>	2nd	X			
<i>Longo</i>		X			
<i>Ludas</i>	1st	X			
<i>Vacant</i>					

RESOLUTION #201-12-16-09**

RESOLUTION ACCEPTING THE INTERLOCAL SERVICE AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX AND THE BOROUGH OF JAMESBURG FOR THE PROVISION OF PUBLIC HEALTH 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 has determined that it is in the best interest of Jamesburg to enter into an Interlocal Services Agreement with the County of Middlesex for the provision of public health services; and

WHEREAS, the service to be provided by Middlesex County 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 for the provision of public health 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 County of Middlesex Public Health Department.

<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>	2nd	X			
<i>Longo</i>		X			
<i>Ludas</i>	1st	X			
<i>Vacant</i>					

RESOLUTION #202-12-16-09**

SET DATE OF 2010 BOROUGH COUNCIL REORGANIZATION MEETING

BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg, County of Middlesex, State of New Jersey, that the Reorganization Meeting of the Borough Council for the year 2010, will be held at the Borough Hall, 131 Perrineville Road, Jamesburg, New Jersey and shall be held on the date set forth below; and

BE IT FURTHER RESOLVED, that the time set for said meeting is 7:00pm:

Reorganizaion – January 6, 2010

BE IT FURTHER RESOLVED, that the Municipal Clerk is directed to advertise notice of Reorganization Meeting in accordance with the Open Public Meetings Act of 1974 and that said notice shall be posted on the Municipal bulletin board.

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

RESOLUTION #203-12-16-09**

RESOLUTION OF THE BOROUGH OF JAMESBURG APPROVING PAYMENT CERTIFICATE #3 (FINAL) FOR THE BIRCHWOOD ROAD/CEDAR LANE PROJECT

WHEREAS, THE CONTRACTOR, S & G PAVING, INC., HAS SUBMITTED AS-BUILT QUANTITIES FOR THE BIRCHWOOD ROAD/CEDAR LANE 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 DECEMBER 2, 2009, IN THE AMOUNT OF TWO THOUSAND NINE HUNDRED TWENTY-ONE DOLLARS AND FOURTEEN CENTS (\$2,921.14); AND

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE PAYMENT CERTIFICATE #3 (FINAL) IN THE AMOUNT OF TWO THOUSAND NINE HUNDRED TWENTY-ONE DOLLARS AND FOURTEEN CENTS (\$2,921.14) BE HEREBY AUTHORIZED FOR PAYMENT TO S & G PAVING, INC.

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

****End of Consent Agenda**

RESOLUTION #204-12-16-09

RESOLUTION CANCELING 2009 APPROPRIATION BALANCE

WHEREAS, the Borough of Jamesburg adopted its budget July 8, 2009; and

WHEREAS, it has been determined that certain 2009 appropriation balances may be cancelled as they are no longer required;

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

1. That the following 2009 appropriation balance is no longer necessary:

Sewer – Sewerage Disposal Charge	\$20,000.00
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2. That two certified copies of this resolution be filed with the Director of the Division of Local Government Services.
3. That the municipal clerk forward a certified copy of this resolution to the following:
 - a. Chief Financial Officer
 - b. Borough Auditor

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

COUNCILMATIC COMMITTEE REPORTS

Homeowner Relations Committee – Councilwoman Brenda Deans

- Go Green Energy Cost Saving Forum was held in Borough Hall on Saturday, November 21, 2009, and was well attended but had hoped for an even better turnout.
- Freeholder H. James Polos was the keynote speaker.
- PSE&G, NJ Clean Energy, One Change Porch Light and Solargy all participated.
- Presently green education and job training programs that may benefit Jamesburg residents.
- There is possibly ARRA stimulus funding available to the Borough for green technology.

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

Fall Festival Committee

- No report at this time.

Committee on Finance and Budgeting

- State has suspended all State Aid payments that were due to municipalities this month. Jamesburg was due a little over \$7,000.00. The State has done this in order to balance their budget. The State is constitutionally mandated to have a balanced budget which they have not done for the past few years.
- At this time we are not at liberty to discuss salary increases for noncontractual employees because of questionable State Aid for 2010.
- The Borough will have no debt service for 2010 and will put together a balanced budget but this might change due fluctuations in State Aid.
- The NJ League of Municipalities went on record as being in disagreement with the State's decision to suspend State Aid.

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

Personnel/Negotiations

- There are no personnel issues to report.

Buckelew House

- Grub Associates was out yesterday and today at Buckelew House doing its work on the archeological study so that we can prepare the bids for Phase I of the restoration.
- The Architect and Engineer are coordinating the completion of the plans and specifications before we go out to bid within the next month.
- As previously indicated, HPO/DEP will be given a set of the plans and specifications.
- Bidders on the project must have experience with this type of work.
- We anticipate opening the bids in late January/early February and are on track to begin work as soon as the weather permits.
- Once we have gone out to bid then I will begin looking for additional grant monies to keep the project going.

- The Cultural Heritage Commission has returned artifacts that belong to the Buckelew House, which had been on display at Rutgers, they will be stored with the Borough for the time being.

Jamesburg/Monroe Area Chamber of Commerce

- Held last weeks meet and greet at the local PNC Bank.
- Their first Holiday Party was held on December 14th at the Forsgate Country Club.

Combined Land Use Board

- The Combined Land Use Board, as required by the Municipal Land Use Law, is currently reviewing its Master Plan and completing a re-examination report that will become part of the Master Plan. This document outlines the Combined Land Use Board's goals and policies.
- As Chairman, I plan on having the report ready for the Combined Land Use Board's review at their January 14, 2010 meeting.
- Three (3) drafts of the report have already been completed in house in order to save money, and the fourth draft is being worked on by Anna Wainwright, a certified Planner with the Borough's engineering firm of Remington, Vernick & Vena. Once this has been reviewed and edited it will go to the Combined Land Use Board for final review and comment. Upon approval a copy will be provided to the Borough Council.
- I would like to thank my fellow committee members, George Zelasko and Jon Kelty for their assistance on this project,

Education Committee – Councilwoman Daria Ludas

- At the last Board of Education meeting, it was announced that both GMB and JFK schools test scores have showed growth in some areas for Math and Language Arts.
- The H1N1 Flu Vaccine Clinics went very well.
- The State is still considering regionalization of certain school districts and we will have to wait and see what happens with the incoming administration.
- The school district is looking to purchase more Smart Boards and also the Genesis software program to generate report cards and grade books.
- The 2nd Marking Period Awards ceremony will be held on December 17, 2009, to be followed by the BOE meeting
- The next Superintendent's Forum will be held on January 5, 2010 and the topic will be School Crisis.

SERV

- The December 7th meeting was canceled due to the State SERV Director having to attend an out of state conference.
- The Commissions next meeting will be February 8, 2010 at 5:30PM here at Borough Hall.

Administrator's Report– Denise Jawidzik

- The USEPA has awarded Jamesburg a \$146,000 grant for sewer rehabilitation and for the Lake Street Sewer Relocation Project. This is a matching fund grant and we will be using sewer capital improvement funds for the match.
- Jamesburg was awarded \$80,000 from the Middlesex County Sustainable Economic Growth Improvement Fund for the Streetscape Phase V project which will continue the improvements on West Railroad Avenue.

Mayor's Report– Mayor Anthony LaMantia

- The Borough of Jamesburg's annual Reorganization meeting will be held on Wednesday, January 6, 2010 at 7:00PM.
- The H1N1 Vaccine Clinics went very well, and the total vaccinated was a little over 190 students. Of that approximately 90 students under 10 years old came in

back for their 2nd round of the vaccine. I want to thank Denise Jawidzik, Business Administrator; the Jamesburg Fire Department and Office of Emergency Management for their assistance with these clinics.

- I will be providing all council members with a copy of Assembly Bill A3119, proposed by Robertson and Wisniewski, regarding consolidation to read. The basis of this Bill is that it will allow the State to balance their budget on the backs of the taxpayers.

OPEN TO PUBLIC COMMENT:

Motion: Grimes

Second: Longo

All in Favor

Elliott Stroul – 110 Mendoker Drive

- Memorial Day Parade Committee
- Jamesburg Civic Association Holiday Party - Citizen Awards presented to
- Annual Christmas Carriages - \$350.00 proceeds donated to Deacon Food Pantry
- Holiday Tree Lighting
- DPW – Leaf Collection

CLOSE PUBLIC COMMENT:

Motion: Grimes

Second: Ludas

All in Favor

ADJOURN: 7:25PM

Motion: Ludas

Second: Grimes

All in Favor

Lauren Vande Vaarst, RMC
Municipal Clerk