

**BOROUGH OF JAMESBURG  
COUNCIL MEETING MINUTES  
DECEMBER 22, 2010**

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**CALL TO ORDER:** Council President Longo called the meeting to order and announced that same is being held pursuant to the Open Public Meetings Act of 1974 and all provisions of that Act have been met. Any contracts awarded tonight require the contractor to comply with N.J.S.A.10:5-31 et.seq. and N.J.A.C. 17:27. Also announced, in the event of a fire and pursuant to the N.J. Uniform Fire Code, that the members of the audience are requested to take notice of the exits at the front and rear of the Council Chambers as well as in the main hallway.

**FLAG SALUTE:** Led by Council President Longo

**ROLL CALL:**

Present: Council President Longo  
Council Member Busco  
Council Member Carpenter  
Council Member Deans  
Council Member Ludas  
Council Member Newton  
Administrator Jawidzik  
Attorney Raffetto

Absent: Mayor LaMantia

**1<sup>ST</sup> PUBLIC HEARING – AGENDA ITEMS ONLY – EXCLUDES ORDINANCES (they have their own public hearing):** Members of the public wishing to address the Mayor and Borough Council must approach the podium and state their name and address for the record. There is a five (5) minute time limit for all comments and questions.

**MOTION TO OPEN PUBLIC COMMENT**

Proposed By: Council Member Ludas  
Seconded By: Council Member Carpenter  
All in favor.

Mr. Tom Van De Sande of 2 Fernwood Lane inquired as to whether there was a contract associated with Resolution 201-12-22-10. Administrator Jawidzik addressed.

**MOTION TO CLOSE PUBLIC COMMENT**

Proposed By: Council Member Deans  
Seconded By: Council Member Newton  
All in favor.

**ORDINANCES – THIRD READING BY TITLE –TABLED FROM NOVEMBER 10, 2010 HEARING :**The following ordinances were approved on first reading at the meeting of the Mayor and Council held on October 13, 2010, and published in the October 22, 2010 edition of the Cranbury Press. The public hearing was conducted on November 10, 2010. Copies have been posted on the municipal bulletin board and made available to the public since introduction.

**ORDINANCE #14-10**

AN ORDINANCE PROVIDING FOR AMENDMENTS AND THE IMPLEMENTATION OF DESIGN  
STANDARDS TO THE MASTER PLAN OF THE BOROUGH OF JAMESBURG, IN THE COUNTY OF  
MIDDLESEX, STATE OF NEW JERSEY

Proposed Ordinance Changes  
and Architectural Design Standards

Borough of Jamesburg, New Jersey

September – 2010

Prepared by:

Borough of Jamesburg Land Use Board

John Longo, Jr.

John Walker

With the technical Assistance of

Remington, Vernick Engineering/Planners

Jeff Staiger, P.E., P.P., Alan Dittenhofer, P.E., CME, P.P.

Anna R. Wainright, P.P., A.I.C.P.

The Borough of Jamesburg recently adopted the Master Plan Re-exam identifying goals and objectives and changes which are necessary to the promotion of positive future development, and the preservation of sound architecturally aesthetic design features on all development within Jamesburg and especially within its business districts.

The Borough recognizes patterns of changes in development which have resulted in the loss of historical architectural design features, and the creation of undesirable non-compatible and sometimes visually unattractive street frontages, which results in a decline in property values and the prosperity of the business and residential community as a whole. The Borough desires to reinstate architectural reviews and standards on all new development, renovations, and/or changes in use which would affect the outside appearance of any structure within the Borough and especially the Business Districts.

Examples of undesirable changes which have affected the visual landscape of the Downtown Business Districts, are, loss of streetfront windows in exchange for long blank solid walls, diverse incompatible signage, and inconsistent building façade changes resulting in the loss of a visually cohesive downtown area. The Borough desires to bring back its Historic Downtown Village identity and encourage the investment, reinvestment and consumer confidence it once enjoyed.

Additionally, the Borough recognizes that the over-development of multiple dwelling units in the Business Districts, has resulted in overcrowding, loss of consumer parking, disrepair, and absentee landlords. The Borough no longer wishes to allow the new development of residential units within the Business Districts, as there exists sufficient and appropriate multi-family and single family residential housing throughout the Borough, within the residential zones.

**In accordance with the recommendations and goals and objectives of the Borough of Jamesburg Master Plan Re-Exam, the following ordinance changes are proposed:**

27-26 Uses Requiring Site Plan Approval.

All proposed changes to buildings and structures within the CBD, RB, NC, PO/R, and O, Districts requiring a zoning and/or building permit, require site plan approval. All applicants for aforementioned activities must provide plans and descriptions to the Architectural Review Committee (ARC) of the Borough of Jamesburg Combined Land Use Board, where upon an exemption from Site Plan Approval may be requested and thereby may be granted at the sole discretion of the ARC. All development activities in all other zones, except the following shall require site plan approval.

~~All activities except the following shall require site plan approval:~~

- A. The construction, customary use, and modification of single-family detached dwelling units.
- B. Accessory structures such as private garages, swimming pools, and storage sheds which are incidental to single-family dwellings.

- C. Fences; provided that the fence does not violate a condition of prior variance approval, and further provided that if the proposed fence is to be located on a site developed for nonresidential use, the fence shall not alter the means of ingress and egress as approved by the Combined Land Use Board.
- D. Paving of an unpaved driveway on property developed for single-family dwellings; provided that the paving shall not violate a condition of a prior variance approval.
- E. Construction which is determined by the Zoning Officer to constitute ordinary repairs, as defined by the State of New Jersey Department of Community Affairs Uniform Construction Code.
- F. A proposed development involving ~~a change in use or occupancy but not affecting existing circulation, drainage, building arrangements, landscaping, buffering, lighting, off street parking, and other considerations of site plan review.~~ Involves normal maintenance or replacement such as a new roof, painting, new siding or similar activity.
- G. Interior alterations or work on exterior building facades, windows or roofing. However, issuance of a building permit for the work in no way limits the Borough's authority to require future site plan approval based upon the proposed use of the building.
- H. Any change in the occupancy of a building or the utilization of a building or land which does not require more off-street parking spaces than the previous use based upon parking requirements in the Borough's Land Development Ordinance.
- I. ~~Any structure or use for which a site plan review application was made to the Combined Land Use Board prior to the effective date of this Ordinance under Borough Ordinances and regulation then in effect superseded by this Ordinance and that is developed in accordance with an approval of such application heretofore given by the Combined Land Use Board pursuant to said prior Ordinances and regulations for which a building permit is on file with the Construction Official as to the effective date of this Ordinance.~~ Soil disturbance of less than one hundred (100) cubic yards in total and regardless of the time span required to accomplish the proposed disturbance, except that nothing shall be constructed to prevent the otherwise lawful excavation or cutting, stripping, or other change in the existing configuration of the land for the following purposes and no others;
  - 1) Gardening for noncommercial purposes.
  - 2) Horticultural uses when in accordance with accepted practices approved by the County Soil Conservation District.
  - 3) The construction or reconstruction of curbs, sidewalks, private residential driveways, drainage systems, and other utility service connections, provided that all other Borough, County, and State approvals have been received.
  - 4) Installation, removal, replacement or maintenance of landscaping, including trees, shrubs, flowers, and cover where the existing land contours are not changed by more than one (1) foot.

Site plans for uses of all property, except individual single-family detached residences and those exemptions listed above, shall in addition to conforming to any and all regulations pertaining thereto that are specifically set forth in this Ordinance, be reviewed and approved by the ARC and

the Combined Land Use Board prior to this issuance of a zoning permit. In considering any site plan, the Combined Land Use Board shall be governed by the objectives and standards contained within ~~this Ordinance~~ the Revised General Ordinances and the Master Plan and/or Re-exam(s) of the Borough of Jamesburg.

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#### 27-162 Architectural Review Committee

The Combined Land Use Board of the Borough of Jamesburg shall appoint three (3) members including the Mayor or Mayor Designee to the Architectural Review Committee (ARC), who's duty it is to review all proposals for any changes in use or building renovations in all applications submitted to the Borough that are located in the CBD, RB, NC, PO/R, and O, Districts and all site plan and subdivision applications submitted to the Combined Land Use Board for approval.

##### A. Development within the CBD, RB, NC, PO/R, and O, Districts

1. All applications for development within the CBD, RB, NC, PO/R, and O, Districts which require a zoning and/or building permit, must include detailed plans and descriptions to be submitted to the ARC for review, as a condition of completeness prior to public hearing before the Combined Land Use Board.
2. The ARC shall review same plans and descriptions and determine compliance with the Architectural Design Standards as specified in §27-148.
3. The ARC shall also review all requests for waiver of site plan approval, and shall have sole discretionary power of determination in this regard.
4. All applications must be reviewed by the ARC and recommendations forwarded to the Land Use Board Secretary within 45 days of submission of a complete application, or within an otherwise agreed upon timeframe which has been submitted in writing by the applicant.

##### B. Development in all other Districts

1. All developments in all other Districts within the Borough requiring site plan or subdivision approval, shall be reviewed by the ARC for compliance with Architectural Standards as defined in §27-148 and the Borough Master Plan.

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#### 27-148 ~~Central Business District~~ Architectural Design Standards

The Central Business District (CBD) zone, which is divided in half by railroad tracks and Railroad Avenue, is the historical commercial center of the Borough of Jamesburg. Design standards are necessary to preserve and enhance the built environment in the CBD zone. The Borough recognizes patterns of architectural and façade changes which have resulted in the loss of architectural design integrity and the historic visual appeal which once was Jamesburg's built landscape. The Borough desires to reinstate architectural standards on all new development, renovations, and/or changes in use which would affect the outside appearance of any structures. The following guidelines and standards shall be used to prepare and review the physical,

visual, and spatial character and overall appearance of all site plan applications and all for development in relation to the CBD, RB, NC, PO/R, and O, Business Districts.

A. Design Guidelines

1. Consideration of context. The design of a building or structure shall be undertaken with clear and reasonable regard for adjacent and nearby buildings, setbacks, streetscapes, open spaces, and site improvements.
2. Continuation of design elements. Existing architectural and urban design elements shall be used as guidelines in the overall design of a building or structure. The physical, visual, and spatial characteristics of immediate and nearby buildings or structures shall be reinforced through the use of architectural and urban design elements to achieve a coherent; organized, development pattern within a block's area.
3. Restoration of facades. Building facades should be restored and improved to the original design, which recreates the physical charm of ~~older~~ historical building designs, such as Federal, Greek Revival, and Victorian designs like the Buckelew House Museum.
4. Ground floor uses. Ground floor uses of buildings are encouraged to be uses which generate the greatest amount of pedestrian activity, such as retail, restaurants, or service uses. Blank facades and solid walls ~~should be avoided~~ on any street frontage is prohibited.
5. Architectural drawings and/or renderings, subdivisions, and site plans of all development applications within ~~the CBD~~ all Districts shall be submitted to the Architectural Review Committee (ARC) and the Combined Land Use Board for review with the provisions of Article XIX, and this subsection. Architectural drawings and/or renderings shall also include all proposed signage, lighting, landscaping, and containers for storage of refuse and recyclable materials.

B. Design Standards

1. Building Mass. The massing and height of the building shall be similar to the ones that make up the rest of the street.
  - a. No structure shall be greater in height or mass than the average of buildings within 200 feet in either direction on the same side of the street.
2. Building Proportion. The relationship of the building's height to width in the front facade should be proportioned to the same as nearby buildings.
  - a. No structure shall be greater in building proportion than that of the average of all buildings within 200 feet in either direction on the same side of the street.
3. Architectural Elements. The elements in the facade, such as windows, doors, sidelights, and projections from it, should be proportional in height and width both from within themselves and in relationship to the supporting wall as others in the streetscape.

4. Building Materials. The use of building materials, their texture, and color should be visually compatible with adjacent and nearby buildings, and reflect historical design elements such as brick, wood shingles, columns and cornices.
5. Signage. Signs should be uniform in height, color, typeface, and material, when included within one cohesive development, office complex, or shopping center. Signs in all business districts should be designed to the furthest extent feasible to be aesthetically pleasing and reflect historical design features such as wood carved and wall projected “shingle” hanging signs.
6. Landscape Elements. Landscape elements, such as individual trees and tree masses, and other materials should be compatible with existing views from the street. Shade and flowering trees next to the curb line and at other locations ~~should be~~ are encouraged. Streetscape design elements such as large flower pots, and planters should be added at the base of windows or in areas not obstructing the sidewalk.
7. The ARC and Combined Land Use Board shall review each application for compliance with ~~Article X~~, Article XIX and all other applicable ordinances and provisions.

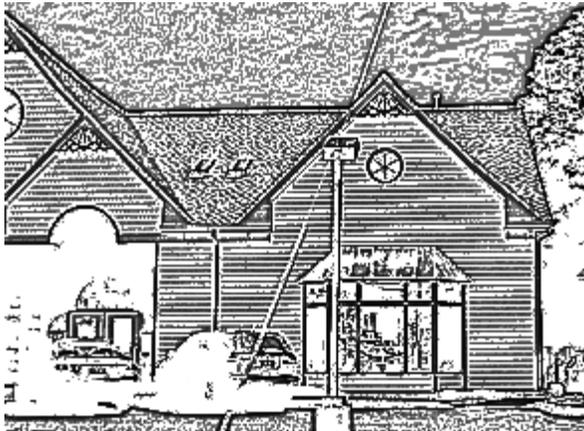
#### C. Business Districts Design Standards

1. All proposed renovations and façade changes require site plan approval within the CBD, RB, NC, PO/R, and O, Business Districts, unless otherwise waived by the Architectural Review Committee (ARC).
2. All building facades and structures within business districts are encouraged to be designed and renovated in accordance with the following standards:
  - a. Windows and entrances on all street frontages.
  - b. Awnings over windows along all street frontages.
  - c. Added design elements such as cornices, balusters, columns, parapets, french balconies, and similar design features are encouraged on all levels of facades facing any public right of way or street.
  - d. Decorative façade shingling and gingerbread wood trim is highly desirable and encouraged.
  - e. Colors and materials should be mindful of surrounding neighborhoods and should be designed in character with the surrounding buildings.
3. The following design elements or treatments are discouraged in all Business Districts and are prohibited on new construction:
  - a. Back lit plastic panel signs.
  - b. Signs that exceed 10% of the overall building façade.
  - c. Walls on street frontages without windows and entrances.
  - d. Excessive window signs and windows blocked by internal furniture.

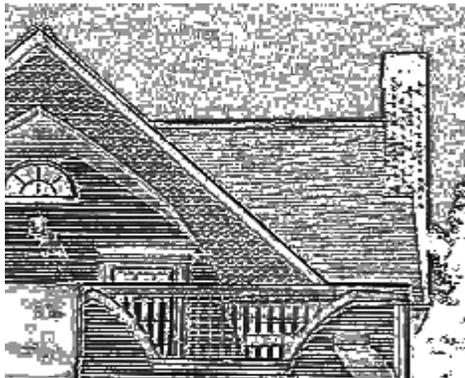
4. The following design elements or treatments are prohibited in all Business Districts:
  - a. No business or commercial structure shall be designed to reduce or eliminate window areas facing any street or right of way.
  - b. No business or commercial structure shall increase the number of units or square footage of any residential dwelling units within a structure.
  - c. All signage shall be in accordance with the sign standards as prescribed in subsection 27-139, and in no circumstance shall any signage be painted on the façade of the structure.
  - d. No new commercial development shall be designed without a minimum of 45% of the frontage wall area being windows or glass.
  - e. No new commercial development shall install security fencing or metal gates across the front of the façade or along a public right of way.

EXHIBIT 27-148. D

The following are examples of Architectural Design features and treatments encouraged in all districts:



Peaked and gabled roofs with gingerbread molding and stylized window treatments.



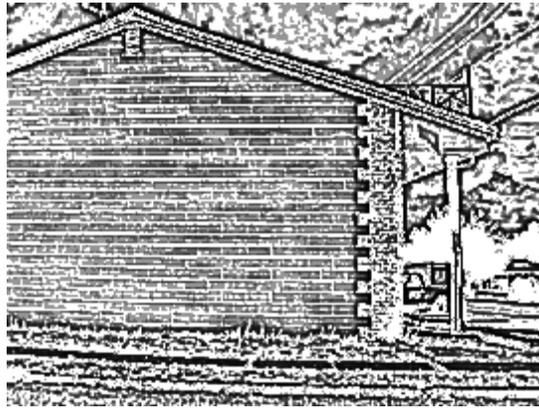
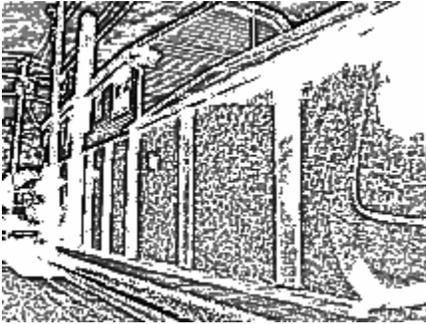
Decorative scalloped shingling, feature French balcony, and stylized window treatments.



Awnings, columns, porches, dormers.

#### EXHIBIT 27-148.E

The following are examples of façade treatments discouraged and prohibited on new construction:



Solid blank wall facades along streets and right of ways.

#### ARTICLE X CBD CENTRAL BUSINESS DISTRICT ZONE

##### 27-61 Statement of Intent.

The CBD Zone is intended to encourage retail sales, ~~and~~ personal services, and other commercial activity oriented to pedestrian shopping on the ground floor. ~~and other commercial activity and residential use on the upper floors.~~ Design standards set forth in ~~Section 27-143~~ Article XIX shall be followed to ensure integrated and compatible design with respect to the relationship and location of buildings, architectural facade design, circulation, walkways, landscape amenity, and buffer features.

##### 27-62 Permitted Uses.

In the Central Business District zone, no building, structure or premises shall be used, and no

building or structure shall be erected or structurally altered, except for the following permitted uses:

- A. Retail stores, including but not limited to the sale of antiques, art, dry goods, variety and general merchandise, clothing, fabrics, floor covering, food, books, hardware, hobby and art supplies, garden supplies, flowers, drugs, handicraft art, household supplies or furnishings, pets, sale or repair of jewelry, sporting goods, watches and clocks, optical goods, musical, professional and office supplies.
- B. Personal services, including but not limited to barbershops, hairdressers, cleaning and pressing establishments, photographers, funeral homes, shoe repairs, tailors, newspaper, printers, frame shops, laundromats and travel agencies.
- C. Professional and private offices, including but not limited to real estate, accounting, insurance, architects, psychologists and lawyers.
- D. Medical offices and facilities, including but not limited to doctor, dentist and veterinary offices, chiropractors and psychiatrists.
- E. Financial institutions, including but not limited to bank, savings and loan associations, credit unions and other financial institutions.
- F. Restaurants, including drive-in or take-out ~~and fast food~~.
- G. Hotels and motels.
- H. Shopping centers.
- I. Funeral homes.
- J. Public parks, playground, buildings, structures and uses owned and operated by the Borough of Jamesburg.

~~27-63 Mixed Residential and Non-Residential Use:~~

~~The following regulations shall apply to existing dwelling units on the second or third floor of a principal building:~~

- ~~A. — The habitable floor area devoted to residential use(s) shall not exceed two thirds (2/3) of the total habitable floor area of the building or structure containing said residential uses(s).~~
- ~~B. — Any single dwelling unit shall have a minimum of six (600) square feet of habitable floor area.~~

27-64 63 Accessory Uses.

The following accessory uses, subject to the requirements of Article XVI, shall be permitted in this zone:

- A. Parking lots provided that:

- 1) There is no automotive service or repair.
  - 2) The lot will not increase traffic congestion in the streets abutting the property.
  - 3) Whenever feasible cross access easements and shared parking lots are required to meet minimum off street parking requirements.
- B. Fences and Walls, subject to the requirements of Section 27-101.
- C. Signs, subject to the requirements of Section 27-139.

27-~~65~~ 64 Conditional Uses.

The following conditional uses shall be permitted in the zone:

- A. Earth terminal or earth terminal antennae, subject to the requirements of Section 27-112.
- B. Public utility installations, subject to the requirements of Section 27-113.
- C. Childcare centers, subject to the requirements of Section 27-114.

27-66 65 Area and Bulk Regulations.

<b>Table 9</b> <b>Regulations for;the CBD Zone, _</b>		
REQUIREMENTS	BULK STANDARDS	
	SINGLE FAMILY	COMMERCIAL/ MIXED-USE
Minimum lot area <del>per dwelling unit or site area</del>	<del>7,500 sq. ft.</del>	2,500 sq. ft.
Minimum lot width	<del>60 ft.</del>	25 ft.
Minimum lot depth	<del>100 ft.</del>	100 ft.
Maximum height	<del>2 1/2 stories or 35 ft.</del>	3 stories or 45 ft.
Minimum depth of front yard	<del>20 ft.</del>	10 ft.
Minimum aggregate width of side yards	<del>20 ft.</del>	0 ft. unless adjacent to a residential use then 20 ft is required.
Minimum width of each side yard	<del>10 ft.</del>	0 ft unless adjacent to a residential use or zone then 10 ft. is required
Minimum depth of rear yard	<del>25 ft.</del>	15 ft.
Maximum lot building coverage	<del>25%</del>	65%
Maximum lot impervious coverage	<del>50%</del>	95%

ORDINANCE #14-10

AN ORDINANCE PROVIDING FOR AMENDMENTS AND THE IMPLEMENTATION OF DESIGN STANDARDS TO THE MASTER PLAN OF THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

**RECORD OF VOTE**

FIRST READING DATE: 10/13/10

<b>COUNCIL</b>	<b>MOTION</b>	<b>VOTE</b>
Council President Longo	<b>1st</b>	<b>Aye</b>
Council Member Busco		<b>Aye</b>
Council Member Carpenter		<b>Aye</b>
Council Member Deans	<b>2nd</b>	<b>Aye</b>
Council Member Ludas		<b>Aye</b>
Council Member Newton		<b>Absent</b>

DATE PUBLISHED IN THE CRANBURY PRESS: October 22, 2010

DATE PUBLIC HEARING HELD: November 10, 2010

DATE SECOND READING HELD: November 10, 2010

<b>COUNCIL</b>	<b>Motion to Open</b>	<b>2<sup>nd</sup></b>	<b>Motion to Close</b>	<b>2<sup>nd</sup></b>	<b>Motion to Adopt</b>	<b>2<sup>nd</sup></b>	<b>Motion to Table</b>	<b>2<sup>nd</sup></b>	<b>Vote to Table</b>
Council President Longo	x		x		x				<b>Aye</b>
Council Member Busco						x			<b>Aye</b>
Council Member Carpenter									<b>Aye</b>
Council Member Deans									<b>Aye</b>
Council Member Ludas		x		x				x	<b>Aye</b>
Council Member Newton							x		<b>Aye</b>

**MOTION TO DISCUSS**

Proposed By: Council Member Carpenter

Seconded By: Council Member Newton

All in favor.

Council Members discussed the various considerations with tabling Ordinance #14-10 until some time in 2011. Borough Attorney Raffetto counseled that the Ordinance would die if tabled and would need to be reintroduced in 2011.

**MOTION TO RE-INTRODUCE ORDINANCE PROVIDING FOR AMENDMENTS AND THE IMPLEMENTATION OF DESIGN STANDARDS TO THE MASTER PLAN OF THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY IN 2011**

Proposed By: Council Member Carpenter  
 Seconded By: Council Member Deans

<b>COUNCIL</b>	<b>MOTION</b>	<b>VOTE</b>
Council President Longo		<b>Aye</b>
Council Member Busco		<b>Aye</b>
Council Member Carpenter	<b>1st</b>	<b>Aye</b>
Council Member Deans	<b>2nd</b>	<b>Aye</b>
Council Member Ludas		<b>Aye</b>
Council Member Newton		<b>Aye</b>

**ORDINANCES – SECOND READING BY TITLE –PUBLIC HEARING**

The following ordinances were approved on first reading at the meeting of the Mayor and Council held on November 10, 2010, and published in the November 19, 2010 edition of the Cranbury Press. Copies have been posted on the municipal bulletin board and made available to the public since introduction.

**ORDINANCE #16-10**

**AN ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS ENERGY EFFICIENT EQUIPMENT AND APPROPRIATING THE SUM OF \$20,000 THEREFORE, AUTHORIZED IN AND BY THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY**

**WHEREAS**, the Borough of Jamesburg, in the County of Middlesex, New Jersey has determined to acquire various equipment; and

**WHEREAS**, the Borough of Jamesburg has \$20,000 in the 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 purchase described in Section 2 of this ordinance is hereby authorized as a General Capital purchase to be undertaken in and by the Borough of Jamesburg, County of Middlesex, New Jersey.

SECTION 2. The acquisition hereby authorized to be undertaken consists of the purchase of various equipment including but not limited to:

- a. Energy efficient equipment and upgrades
- b. Any capital equipment so determined as to be necessary

together with all items necessary, incidental or appurtenant thereto.

SECTION 3. The 2010 General 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.

**RECORD OF VOTE**

FIRST READING DATE: 11/10/10

<b>COUNCIL</b>	<b>MOTION</b>	<b>VOTE</b>
Council President Longo	<b>1st</b>	<b>Aye</b>
Council Member Busco		<b>Aye</b>
Council Member Carpenter		<b>Aye</b>
Council Member Deans	<b>2nd</b>	<b>Aye</b>
Council Member Ludas		<b>Aye</b>
Council Member Newton		<b>Aye</b>

DATE PUBLISHED IN THE CRANBURY PRESS: November 19, 2010

DATE PUBLIC HEARING HELD: December 22, 2010

DATE SECOND READING HELD: December 22, 2010

<b>COUNCIL</b>	<b>Motion to Open</b>	<b>2<sup>nd</sup></b>	<b>Motion to Close</b>	<b>2<sup>nd</sup></b>	<b>Motion to Adopt</b>	<b>2<sup>nd</sup></b>	<b>VOTE</b>
Council President Longo							<b>Aye</b>
Council Member Busco							<b>Aye</b>
Council Member Carpenter		<b>X</b>	<b>X</b>		<b>X</b>		<b>Aye</b>
Council Member Deans							<b>Aye</b>
Council Member Ludas							<b>Aye</b>
Council Member Newton	<b>X</b>			<b>X</b>		<b>X</b>	<b>Aye</b>

**PUBLIC HEARING:**

- Ms. Shannon Spillane inquired about the availability of a list of equipment covered by this Ordinance. Administrator Jawidzik addressed.
- Mr. Tom Van De Sande of 2 Fernwood Lane commented in favor of the Ordinance.

**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 an\*\* 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 #191-12-22-10\*\***  
**RESOLUTION ACCEPTING MINUTES**

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

MAYOR AND COUNCIL

NOVEMBER 10, 2010

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President Longo</i>			X			
<i>Council Member Busco</i>			X			
<i>Council Member Carpenter</i>		X	X			
<i>Council Member Deans</i>			X			
<i>Council Member Ludas</i>	X		X			
<i>Council Member Newton</i>			X			

**RESOLUTION #192-12-22-10\*\***  
**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:

Sewer Administrator	October/November 2010
Tax Collector	October/November 2010
Tax Sale Report	October/November 2010
Finance	October/November 2010
Investments	October/November 2010
Chief of Police	October/November 2010
Library	N/A
Zoning Officer	October/November 2010

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President Longo</i>			X			
<i>Council Member Busco</i>			X			
<i>Council Member Carpenter</i>		X	X			
<i>Council Member Deans</i>			X			
<i>Council Member Ludas</i>	X		X			
<i>Council Member Newton</i>			X			

**RESOLUTION #193-12-22-10\*\***  
**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 \$1,555,401.29

<b>COUNCIL</b>	<b>MOTION</b>	<b>2ND</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<i>Council President Longo</i>			<b>X</b>			
<i>Council Member Busco</i>			<b>X</b>			
<i>Council Member Carpenter</i>		<b>X</b>	<b>X</b>			
<i>Council Member Deans</i>			<b>X</b>			
<i>Council Member Ludas</i>	<b>X</b>		<b>X</b>			
<i>Council Member Newton</i>			<b>X</b>			

**RESOLUTION # 194-12-22-10\*\***  
**REDEMPTIONS OF TAX LIENS**

**WHEREAS**, the Tax Collector has confirmed receipt of payments in the aggregate amount of two thousand seventy five dollars and seven cents (\$2,075.07) as verified in the certification attached hereto; and

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

Tax Sale Certificate # C-043 – Hoffman, Block 75.01, Lot# 338	Amount \$701.47
Tax Sale Certificate #C-066 – CCTS Block 73, Lot#4	Amount \$507.29
Tax Sale Certificate # Hoffman, Block 73.01, Lot 14	Amount \$866.31
TaxSale Certificate #C-245 – Hoffman, Block 75.01, Lot 338	Amount \$1,857.80
TaxSale Certificate #C-91 – Hoffman, Block 75.01, Lot 338	Amount \$502.13
TaxSale Certificate– Sehgel, Block 27, Lot 10	Amount \$322.10
	Total: \$4,757.10

**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 \$4,757.10 to the lien holder specified on the attached certification.

<b>COUNCIL</b>	<b>MOTION</b>	<b>2ND</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<i>Council President Longo</i>			<b>X</b>			
<i>Council Member Busco</i>			<b>X</b>			
<i>Council Member Carpenter</i>		<b>X</b>	<b>X</b>			
<i>Council Member Deans</i>			<b>X</b>			
<i>Council Member Ludas</i>	<b>X</b>		<b>X</b>			
<i>Council Member Newton</i>			<b>X</b>			

**RESOLUTION # 195-12-22-10\*\***

**RETURN OF PREMIUM ON A TAX SALE CERTIFICATE**

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

Tax Sale Certificate #10-00036, \$100.00 premium being held by CCTS and

**WHEREAS**, the aforementioned certificate 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 premium in the total amount of One Hundred Dollars (\$100.00) to the aforementioned certificate holder.

<b>COUNCIL</b>	<b>MOTION</b>	<b>2ND</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<i>Council President Longo</i>			<b>X</b>			
<i>Council Member Busco</i>			<b>X</b>			
<i>Council Member Carpenter</i>		<b>X</b>	<b>X</b>			
<i>Council Member Deans</i>			<b>X</b>			
<i>Council Member Ludas</i>	<b>X</b>		<b>X</b>			
<i>Council Member Newton</i>			<b>X</b>			

**RESOLUTION #196-12-22-10\*\***

**Resolution of The Borough of Jamesburg Approving Final Payment For The SRTS JFK Elementary School Improvement Project**

**WHEREAS**, the Contractor, Fernandes Construction, Inc., has submitted the final payment request for the SRTS JFK Elementary School Improvement Project; and

**WHEREAS**, the Borough Engineer has reviewed said quantities and is in agreement with same; and

**WHEREAS**, the Engineer recommends the approval of the final payment, dated November 3 2010, in the amount of two thousand, one hundred and thirty-seven dollars and ninety-nine cents (\$2,137.99),

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Jamesburg that the final payment in the aggregate amount of two thousand, one hundred and thirty-seven dollars and ninety-nine cents (\$2,137.99), be hereby authorized for payment to Fernandes Construction, Inc.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President Longo</i>			X			
<i>Council Member Busco</i>			X			
<i>Council Member Carpenter</i>		X	X			
<i>Council Member Deans</i>			X			
<i>Council Member Ludas</i>	X		X			
<i>Council Member Newton</i>			X			

**RESOLUTION #197-12-22-10\*\***

**RELEASE OF PERFORMANCE BOND OF FERNANDES CONSTRUCTION, INC. BEING HELD FOR THE SRTS JFK ELEMENTARY SCHOOL IMPROVEMENT PROJECT IN EXCHANGE FOR THE MAINTENANCE BOND**

**WHEREAS**, the Borough of Jamesburg is in possession of a Performance Bond Fernandes Construction, Inc. for the SRTS JFK Elementary School Improvement Project; and

**WHEREAS**, Fernandes Construction, Inc. has submitted Maintenance Bond # 26351 with The Service Insurance Company, Inc. being the surety, in the amount of one hundred six thousand, eith hundred ninety-nine dollars and fifty cents (\$106,899.50); and

**WHEREAS**, the Borough Attorney and the Borough Engineer have given approval of the form and content of the aforementioned Maintenance Bond.

**NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED**, by the Mayor and Council of the Borough of Jamesburg, that the Borough Clerk is hereby authorized to accept the aforementioned Maintenance Bond and release the Performance Bond held for the SRTS JFK Elementary School Improvement Project.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President Longo</i>			X			
<i>Council Member Busco</i>			X			
<i>Council Member Carpenter</i>		X	X			
<i>Council Member Deans</i>			X			
<i>Council Member Ludas</i>	X		X			
<i>Council Member Newton</i>			X			

**RESOLUTION #198-12-22-10\*\***

**RESOLUTION ACCEPTING THE INTERLOCAL AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX DEPARTMENT OF HEALTH AND THE BOROUGH OF JAMESBURG FOR THE PROVISION OF PUBLIC HEALTH SERVICES AND AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE SAID AGREEMENT.**

**WHEREAS**, THE INTERLOCAL SERVICES ACT, N.J.S.A. 40:8A-1 et seq. PERMITS MUNICIPALITIES OF STATE OF NEW JERSEY TO ENTER INTO CONTRACTS WITH OTHER MUNICIPALITIES AND COUNTIES FOR THE JOINT PROVISION OF MUNICIPAL SERVICES; AND

**WHEREAS**, THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG HAS DETERMINED THAT IT IS IN THE BEST INTERESTS OF THE BOROUGH TO ENTER INTO AN INTERLOCAL SERVICES AGREEMENT WITH THE COUNTY OF MIDDLESEX HEALTH DEPARTMENT FOR SERVICES RELATING TO PUBLIC HEALTH; AND

**WHEREAS**, THE AFOREMENTIONED SERVICE WILL BE PROVIDED, AS STATED IN DETAIL IN THE AGREEMENT ATTACHED HERETO,

**NOW, THEREFORE, BE IT RESOLVED**, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG AS FOLLOWS:

1. THE BOROUGH OF JAMESBURG DOES HEREBY ENTER INTO AN AGREEMENT WITH MIDDLESEX COUNTY DEPARTMENT OF HEALTH FOR THE PROVISION OF SERVICES RELATING TO PUBLIC HEALTH SERVICES.
2. THE MAYOR AND BOROUGH CLERK ARE HEREBY AUTHORIZED TO EXECUTE THE AGREEMENT WITH MIDDLESEX COUNTY, ATTACHED HERETO.
3. THAT THE BOROUGH CLERK BE AND IS HEREBY DIRECTED TO FORWARD A DULY AUTHENTICATED COPY OF THIS RESOLUTION TO THE COUNTY OF MIDDLESEX, DEPARTMENT OF HEALTH.

<b>COUNCIL</b>	<b>MOTION</b>	<b>2ND</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<i>Council President Longo</i>			<b>X</b>			
<i>Council Member Busco</i>			<b>X</b>			
<i>Council Member Carpenter</i>		<b>X</b>	<b>X</b>			
<i>Council Member Deans</i>			<b>X</b>			
<i>Council Member Ludas</i>	<b>X</b>		<b>X</b>			
<i>Council Member Newton</i>			<b>X</b>			

**RESOLUTION #199-12-22-10\*\***

**AUTHORIZE DEFERMENT OF 2010 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 2010 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	\$3,230,000.00	\$3,355,000.00	\$125,000.00

**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.

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President Longo</i>			X			
<i>Council Member Busco</i>			X			
<i>Council Member Carpenter</i>		X	X			
<i>Council Member Deans</i>			X			
<i>Council Member Ludas</i>	X		X			
<i>Council Member Newton</i>			X			

**RESOLUTION #200-12-22-10\*\***  
**AUTHORIZE REFUNDS OF TAX OVERPAYMENTS**

**WHEREAS**, overpayments of taxes have been received by the Tax Collector's office in the aggregate amount of Twenty-One Thousand Fifty-Two dollars and Thirteen cents (\$21,052.13); 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	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President Longo</i>			X			
<i>Council Member Busco</i>			X			
<i>Council Member Carpenter</i>		X	X			
<i>Council Member Deans</i>			X			
<i>Council Member Ludas</i>	X		X			
<i>Council Member Newton</i>			X			

**RESOLUTION # 203-12-22-10\*\***  
**AUTHORIZING PROPERTY TAX DEDUCTION FOR A SENIOR CITIZEN DEDUCTION**

**WHEREAS**, the Tax Collector has confirmed receipt of an executed tax deduction on dwelling house of qualified New Jersey Resident for a senior citizen deduction in the amount of \$250.00 for the year 2010 pertaining to Block 47.06 and Lot 16

**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 \$250.00 to the property owner of Block 47.06 and Lot 16. pursuant to the attached certification executed by the Tax Assessor.

<b>COUNCIL</b>	<b>MOTION</b>	<b>2ND</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<i>Council President Longo</i>			<b>X</b>			
<i>Council Member Busco</i>			<b>X</b>			
<i>Council Member Carpenter</i>		<b>X</b>	<b>X</b>			
<i>Council Member Deans</i>			<b>X</b>			
<i>Council Member Ludas</i>	<b>X</b>		<b>X</b>			
<i>Council Member Newton</i>			<b>X</b>			

**NON-CONSENT RESOLUTIONS:**

**RESOLUTION #201-12-22-10**  
**RESOLUTION CANCELING 2010 APPROPRIATION BALANCE**

WHEREAS, the Borough of Jamesburg adopted its budget July 28, 2010; and

WHEREAS, it has been determined that certain 2010 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 2010 appropriation balance is no longer necessary:

MTMUA Interlocal – Contractual Services \$61,000.00

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

<b>COUNCIL</b>	<b>MOTION</b>	<b>2ND</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<i>Council President Longo</i>			<b>X</b>			
<i>Council Member Busco</i>			<b>X</b>			
<i>Council Member Carpenter</i>	<b>X</b>		<b>X</b>			
<i>Council Member Deans</i>			<b>X</b>			
<i>Council Member Ludas</i>		<b>X</b>	<b>X</b>			
<i>Council Member Newton</i>			<b>X</b>			

**RESOLUTION #202-12-22-10**  
**APPOINT BOROUGH CLERK**

I, ANTHONY LAMANTIA, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT KATHLEEN M. CAPRISTO, AS A PART-TIME BOROUGH CLERK FOR \$25.00 PER HOUR, FOR A ONE YEAR TERM OF WHICH HER TERM IS TO EXPIRE ON DECEMBER 21, 2011

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Council President Longo</i>			X			
<i>Council Member Busco</i>	X		X			
<i>Council Member Carpenter</i>			X			
<i>Council Member Deans</i>			X			
<i>Council Member Ludas</i>		X	X			
<i>Council Member Newton</i>			X			

**COUNCILMATIC COMMITTEE REPORTS:**

- COMMITTEES ON PERSONNEL and BUILDINGS & GROUNDS  
Council President Longo read a prepared statement.
- POLICE COMMITTEE/ COMMISSIONER  
Council Member Ludas read the November Police report statistics.
- HOMEOWNER RELATIONS COMMITTEE  
Chairperson - VACANT
- PUBLIC EVENTS COMMITTEE  
Council Member Carpenter reported on the Christmas Tree Lighting event; the Memorial day Parade and gave a report on the Library.
- COMMITTEE ON PUBLIC WORKS  
Council Member Busco reported that the leaf pick-ups were still underway.
- COMMITTEE ON EDUCATION  
Council Member Newton reported on his attendance at the December 16, 2010 Board of Education Meeting; the 8<sup>th</sup> Grade’s participation in a Cyberbullying Presentation and the addition of April 18, 2011 to the school calendar to make up for the December 7, 2010 emergency closing.
- ADMINISTRATOR’S REPORT  
Administrator Jawidzik reported on the acquisition of energy efficient equipment.
- MAYOR’S REPORT  
Mayor Anthony LaMantia – Absent – No Report

**2nd PUBLIC HEARING – NON-AGENDA ITEMS: Members of the public wishing to address the Mayor and Borough Council must approach the podium and state their name and address for the record. There is a five (5) minute time limit for all comments and questions.**

**MOTION TO OPEN PUBLIC COMMENT**

Proposed By: Council Member Newton  
Seconded By: Council Member Carpenter

- Mr. Elliot Stroul of 110 Mendoker Drive updated the Council and members of the public on several donations recently received.
- Mr. Tom Van De Sande of 2 Fernwood Lane inquired if copies of the PBA contract would be made available to the public prior to a vote. Council President Longo addressed. Mr. Van De Sande also asked for clarification of Council Member Ludas’ title as Police Commissioner.

**WITH NO FURTHER PUBLIC COMMENTS - MOTION TO CLOSE PUBLIC COMMENT**

Proposed By: Council Member Carpenter

Seconded By: Council Member Deans

All in favor.

**MOTION TO ADJOURN**

Proposed By: Council Member Newton

Seconded By: Council President Longo

All in favor.

**TIME OF ADJOURNMENT:** 7:50 PM

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Kathleen M. Capristo  
Acting Municipal Clerk  
Borough of Jamesburg