

**BOROUGH OF JAMESBURG
COUNCIL MEETING
MINUTES
FEBRUARY 9, 2011**

CALL TO ORDER: Mayor Anthony LaMantia will call the meeting to order and announce 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: To be led by Mayor LaMantia

ROLL CALL:

Mayor LaMantia
Council President Kostbar
Council Member Busco
Council Member Carpenter
Council Member Deans
Council Member Ludas – Arrived at 6:30 PM
Council Member Newton
Administrator Jawidzik
Borough Attorney Raffetto

BUDGET WORKSHOP:

Mayor LaMantia explained to all present that this was a workshop to discuss the budget and that nothing was being voted on or adopted. Council President Kostbar stated that the Finance Committee has held extensive meetings with the goal of keeping any tax increase as low as possible. Mr. Kostbar reviewed several specific line item considerations including increases in health benefit costs, dispatch and DPW contracts, and pension costs. Mr. Kostbar further noted areas that were being considered to save costs such as shared services agreements for animal control and dispatch services as well as possible cuts in the registrar's office. Mr. Kostbar reiterated the need to balance cost cutting with quality of service and public safety. Ms. Jawidzik reported that tax collections are very good. Mr. Kostbar reported that police overtime is down and that some capital purchases will be delayed. Mr. Kostbar noted that due to the recent collapse of the dispatch equipment, some capital expenses will be incurred. Ms. Jawidzik explained the details surrounding the need to reject Ordinance #03-11 and introduce a new Ordinance #04-11 which reflects \$82,000 in the capital improvement fund. Council Member Deans reiterated that the goal of the council is for a zero tax increase this year.

Council President Kostbar reported that it is the Personnel Committee’s desire to interview all employees and professionals to get to know them better. Mr. Kostbar noted that they have not had an opportunity to meet with Mr. Rafetto and would like to make a motion to adopt this resolution with a term to expire March 9, 2011.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar	X		X			
Council Member Busco			X			
Council Member Carpenter		X	X			
Council Member Deans			X			
Council Member Ludas			X			
Council Member Newton			X			

1ST 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.

- Mr. Tom Van de Sande, 2 Fernwood Lane. Mr. Van de Sande asked for clarification of resolutions #61 and #66. Administrator Jawidzik and Mayor LaMantia addressed. Mr. Van de Sande also asked for clarification regarding the resolutions relating to animal control services.
- Chief Horvath, Jamesburg, NJ. Chief Horvath offered his thoughts regarding the potential change to dispatch services. The Chief detailed the history of the dispatch services in Jamesburg and outlined the duties and responsibilities of the dispatch personnel as well as the police secretary. The Chief encouraged the Mayor and Council to consider the names and faces of the employees potentially impacted by moving to a shared services agreement with another town. Council Member Newton inquired as to whether there were shared services opportunities for Jamesburg. The Chief reported that they were looking at other possibilities but at present there was nothing concrete. Council President Kostbar inquired about the need to hire an additional person if we ceased in-house dispatch services. The Chief reported that an additional hire would be necessary. Mayor LaMantia asked if a new phone system would need to be installed. The Chief reported that this would be necessary. Council Member Deans inquired as to the number and type of calls dispatch handles. Chief Horvath detailed the call volume.
- Mr. Brian Taylor, 11 Hillside Avenue, Mr. Taylor inquired as to the impact of safety for residents and officers in the event that dispatch was disbanded. Chief Horvath responded outlining the changes that would result in overall procedures.
- Mr. Joseph Intravartola, Jamesburg, NJ. Mr. Intravartola, referencing the potential inter-local agreement with Helmetta, reported that he was not contacted by anyone to discuss his willingness to take a pay cut or explore ways to save the town money. Council Member Carpenter suggested that Resolution #080-02-09-11 – Accepting Interlocal Agreement – Animal Control Services be tabled in order to give the council an opportunity to speak with Mr. Intravartola. Council President interjected that he agreed with Ms. Carpenter’s suggestion.
- Mr. Emilio Caprio, 68 West Railroad Avenue. Mr. Caprio asked for clarification of what was just discussed regarding animal control services. Council President Kostbar explained the need for the council to explore all possible options to save money without compromising quality of services. Mr. Caprio commented that he felt Mr. Intravartola is best suited to provide animal control services to the town of Jamesburg.

MOTION TO OPEN PUBLIC COMMENT

Proposed By: Council President Kostbar
Seconded By: Council Member Carpenter
All in favor.

MOTION TO CLOSE PUBLIC COMMENT

Proposed By: Council President Kostbar
Seconded By: Council Member Busco
All in favor.

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 January 5, 2011, and published in the January 21, 2011 and January 28, 2011 editions of the Cranbury Press. Copies have been posted on the municipal bulletin board and made available to the public since introduction.

ORDINANCE #01-11

AN ORDINANCE AMENDING AND SUPPLEMENTING THE SCHEDULE OF FEES FOR THE BOROUGH OF JAMESBURG

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT	AYES	NAYS
Council President Kostbar			X		X		X	
Council Member Busco							X	
Council Member Carpenter		X					X	
Council Member Deans						X	X	
Council Member Ludas	X						X	
Council Member Newton				X			X	

ORDINANCE #02-11

AN ORDINANCE AMENDING CHAPTER XV (SEWERS) OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG, (2000)”

- Mr. Tom Van de Sande, 2 Fernwood Lane. Mr. Van de Sande asked questions regarding the rate increase. Administrator Jawidzik addressed.
- Shannon Spillane, 29A Lincoln Avenue. Ms. Spillane inquired as to what will happen to the bills once the debt is finally satisfied. Administrator Jawidzik addressed noting that barring any changes by future councils, the bills will be reduced.

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT	AYES	NAYS
Council President Kostbar	X						X	
Council Member Busco							X	
Council Member Carpenter				X			X	
Council Member Deans							X	
Council Member Ludas		X	X				X	
Council Member Newton					X		X	

ORDINANCE #03-11

AN ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT AND APPROPRIATING THE SUM OF \$150,000 THEREFORE, AUTHORIZED IN AND BY THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

COUNCIL	MOTION TO REJECT	OPEN	MOTION	CLOSE	MOTION	ADOPT	AYES	NAYS
Council President Kostbar							X	
Council Member Busco							X	
Council Member Carpenter	1 ST						X	
Council Member Deans							X	
Council Member Ludas	2nd						X	
Council Member Newton							X	

#081-02-09-11 Cancellation of Unexpended Balances of Improvement Authorizations

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar	X		X			
Council Member Busco			X			
Council Member Carpenter		X	X			
Council Member Deans			X			
Council Member Ludas			X			
Council Member Newton			X			

#082-02-09-11 Temporary Capital Budget

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar	X		X			
Council Member Busco			X			
Council Member Carpenter		X	X			
Council Member Deans			X			
Council Member Ludas			X			
Council Member Newton			X			

ORDINANCES – FIRST READING BY TITLE (Public Hearing set for March 9, 2011)

ORDINANCE #04-11

AN ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT AND APPROPRIATING THE SUM OF \$82,000 THEREFORE, AUTHORIZED IN AND BY THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar	X		X			
Council Member Busco			X			
Council Member Carpenter		X	X			
Council Member Deans			X			
Council Member Ludas			X			
Council Member Newton			X			

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.

CONSENT RESOLUTIONS:

RESOLUTION - #052-02-09-11** Accept Minutes of December 22, 2010

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

MAYOR AND COUNCIL

DECEMBER 22, 2010

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar			X			
Council Member Busco			X			
Council Member Carpenter	X		X			
Council Member Deans			X			
Council Member Ludas		X	X			
Council Member Newton			X			

RESOLUTION - #053-02-09-11** Accept Minutes of January 5, 2011

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

MAYOR AND COUNCIL

JANUARY 5, 2011

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar			X			
Council Member Busco			X			
Council Member Carpenter	X		X			
Council Member Deans			X			
Council Member Ludas		X	X			
Council Member Newton			X			

RESOLUTION - #054-02-09-11**

Redemption of Tax Liens

REDEMPTION OF TAX LIENS

WHEREAS, the Tax Collector has confirmed receipt of payments in the aggregate amount five thousand, one hundred ninety-four dollars and thirty-eight cents (\$5,194.38) as verified in the certification attached hereto; and

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

Tax Sale Certificate # 10-00039	\$325.99
Tax Sale Certificate # 10-00025	\$1,302.91
Tax Sale Certificate #10-00004	\$1,355.50
Tax Sale Certificate #10-00042	\$818.78
Tax Sale Certificate #08-00011	\$677.38
Tax Sale Certificate #10-00015	\$713.82
TOTAL	\$5,194.38

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, one hundred ninety-four dollars and thirty-eight cents (\$5,194.38) to the lien holders specified on the attached certification.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar			X			
Council Member Busco			X			
Council Member Carpenter	X		X			
Council Member Deans			X			
Council Member Ludas		X	X			
Council Member Newton			X			

RESOLUTION - #055-02-09-11**

Authorize Refund of Sewer Overpayment

AUTHORIZE REFUND OF SEWER OVERPAYMENT

WHEREAS, an overpayment of a sewer payment has been received by the Sewer Administrator's office in the amount of four hundred, fifty-eight dollars and twenty-six cents (\$458.26); and

WHEREAS, these payments have been certified by the Sewer Administrator as overpayments;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that the Sewer Administrator 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 MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar			X			
Council Member Busco			X			
Council Member Carpenter	X		X			
Council Member Deans			X			
Council Member Ludas		X	X			
Council Member Newton			X			

RESOLUTION - #056-02-09-11** Approve Payment of Vouchers

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 \$803,846.08.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar			X			
Council Member Busco			X			
Council Member Carpenter	X		X			
Council Member Deans			X			
Council Member Ludas		X	X			
Council Member Newton			X			

RESOLUTION - #057-02-09-11** Accepting Monthly and Annual Reports

RESOLUTION ACCEPTING MONTHLY AND ANNUAL 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:

Report of the Sewer Administrator	December 2010
Report of the Tax Collector	December 2010
Finance Report	December 2010
Investment Report	December 2010
Tax Collector and Sewer Administrator Report	2010 Annual Report
Report of Uncollected Taxes	2010 Annual Report

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar			X			
Council Member Busco			X			
Council Member Carpenter	X		X			
Council Member Deans			X			
Council Member Ludas		X	X			
Council Member Newton			X			

RESOLUTION - #058-02-09-11**

Redemption of Tax Liens

REDEMPTIONS OF TAX LIENS

WHEREAS, the Tax Collector has confirmed receipt of payments in the aggregate amount six thousand, eight hundred and nine dollars and sixty-nine cents (\$6,809.69) as verified in the certification attached hereto; and

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

Tax Sale Certificate # 10-00032	\$505.91
Tax Sale Certificate # 10-00049	\$504.24
Tax Sale Certificate #10-00045	\$814.53
Tax Sale Certificate #10-00030	\$814.53
Tax Sale Certificate #10-00035	\$712.25
Tax Sale Certificate #10-00002	\$1,220.39
Tax Sale Certificate #10-00028	\$814.53
Tax Sale Certificate #10-00013	\$608.78
Tax Sale Certificate #10-00018	\$814.53
TOTAL	\$6,809.69

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 six thousand, eight hundred and nine dollars and sixty-nine cents (\$6,809.69) to the lien holders specified on the attached certification.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar			X			
Council Member Busco			X			
Council Member Carpenter	X		X			
Council Member Deans			X			
Council Member Ludas		X	X			
Council Member Newton			X			

APPROVE EMERGENCY TEMPORARY APPROPRIATIONS

WHEREAS, an emergent condition has arisen with respect to certain mandatory expenses due to the delay of the adoption of the budget and no adequate provision has been made in the 2011 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2011 pursuant to the provisions of Chapter 96 P.L. 1951(N.J.S.A. 40A:4-20) including this resolution total \$ \$546,981.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg, that in accordance with the provisions of N.J.S.A.40A:4-20 that emergency temporary appropriations be and the same is hereby made for the following appropriations:

Data Processing	01-20-140-000-020	\$4,000.00
PERS Pension	01-36-471-000-020	\$94,592.00
PFRS Pension	01-36-475-000-020	\$353,389.00
Workers Comp	01-23-215-000-020	\$50,000.00
Natural Gas	01-31-446-000-020	\$5,000.00
Social Security	01-36-472-000-020	\$40,000.00

BE IT FURTHER RESOLVED, that said emergency temporary appropriation will be provided for in the 2011 budget of the Borough of Jamesburg under the aforementioned titles.

FURTHER, that a certified copy of this resolution be forwarded to the Director of the Division of Local Government Services.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar			X			
Council Member Busco			X			
Council Member Carpenter	X		X			
Council Member Deans			X			
Council Member Ludas		X	X			
Council Member Newton			X			

RESOLUTION ACCEPTING MONTHLY AND ANNUAL 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:

Report of the Sewer Administrator	January 2010
Report of the Tax Collector	January 2010
Finance Report	January 2010
Investment Report	January 2010
Utilization of Sick and Vacation Time	January 2010

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar			X			
Council Member Busco			X			
Council Member Carpenter	X		X			
Council Member Deans			X			
Council Member Ludas		X	X			
Council Member Newton			X			

RESOLUTION - #065-02-09-11**

Redemption of Tax Liens

REDEMPTIONS OF TAX LIENS

WHEREAS, the Tax Collector has confirmed receipt of payments in the aggregate amount one thousand, seven hundred, seventy-four dollars and fifty-nine cents (\$1,774.59) as verified in the certification attached hereto; and

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

Tax Sale Certificate # 10-00027	\$325.35
Tax Sale Certificate # 10-00014	\$221.38
Tax Sale Certificate #10-00009	\$1,227.86
TOTAL	\$1,774.59

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that the Tax Collector be and is hereby authorized to issue checks in the total amount of one thousand, seven hundred, seventy-four dollars and fifty-nine cents (\$1,774.59) to the lien holders specified on the attached certification.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar			X			
Council Member Busco			X			
Council Member Carpenter	X		X			
Council Member Deans			X			
Council Member Ludas		X	X			
Council Member Newton			X			

RESOLUTION - #066-02-09-11**

Accepting Length of Service Award Program List for 2010

RESOLUTION ACCEPTING LENGTH OF SERVICE AWARD PROGRAM LIST OF ACTIVE VOLUNTEER MEMBERS FOR 2010

WHEREAS, pursuant to Section 16-3.7OF Chapter VXI (Length of Service Awards Program) of the "Revised General Ordinances of the Borough of Jamesburg, New Jersey (2000)", the Emergency Service Organization (Jamesburg Volunteer First Aid Squad) is to certify a list of active volunteer members who are eligible to participate in the plan to the Plan Administrator; and

WHEREAS, the Plan Administrator is to forward said certified list to the Mayor and Council for approval; and

WHEREAS, in accordance with the aforementioned citation, the Emergency Service Organization has certified a list of eligible members to the Plan Administrator, a copy of which is attached hereto and made a part hereof.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, that the Mayor and Council of the Borough of Jamesburg grant approval of the attached list of active volunteer members of the Jamesburg Volunteer First Aid Squad for eligibility in the Length of Service Awards Program.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar			X			
Council Member Busco			X			
Council Member Carpenter	X		X			
Council Member Deans			X			
Council Member Ludas		X	X			
Council Member Newton			X			

RESOLUTION - #078-02-09-11** Approve Payment of Vouchers

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 \$803,846.08.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar			X			
Council Member Busco			X			
Council Member Carpenter	X		X			
Council Member Deans			X			
Council Member Ludas		X	X			
Council Member Newton			X			

NON-CONSENT RESOLUTIONS:

#050-02-09-11 Authorizing Agreement for Professional Auditing Services

AUTHORIZING AGREEMENT FOR PROFESSIONAL AUDITING SERVICES

WHEREAS, the Borough of Jamesburg has a need to retain an auditor to serve as the Borough Auditor for the year 2011 and to provide professional auditing services; and

WHEREAS, the 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, Wiss & Company LLP has submitted a proposal to perform the necessary auditing services; and

WHEREAS, this contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(I), because auditing services are a recognized profession licensed and regulated by law; and

WHEREAS, Wiss & Company LLP 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 Wiss & Company LLP 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 Wiss & Company LLP 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 Wiss & Company LLP regarding the above-referenced professional auditing services.
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 a certified copy of this Resolution shall be provided to each of the following:
 - a. Wiss & Company LLP
 - b. Denise Jawidzik, Borough Administrator

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar		X	X			
Council Member Busco			X			
Council Member Carpenter	X		X			
Council Member Deans			X			
Council Member Ludas			X			
Council Member Newton			X			

#059-02-09-11

Accepting Interlocal Agreement - Chlorofluorcarbons Recovery

RESOLUTION ACCEPTING THE INTERLOCAL AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX AND THE BOROUGH OF JAMESBURG FOR THE PROVISION OF CHLOROFLUORCARBONS RECOVERY 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 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 FOR SERVICES RELATING TO CHLOROFLUORCARBONS RECOVERY FROM RESIDENTIALLY DISCARDED APPLIANCES; AND

WHEREAS, THE AFOREMENTIONED SERVICE WILL BE PROVIDED, AS STATED IN DETAIL IN THE AGREEMENT ATTACHED HERETO, AT NO COST.

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 FOR THE PROVISION OF SERVICES RELATING TO CHLOROFLUORCARBONS RECOVERY FROM RESIDENTIALLY DISCARDED APPLIANCES.
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.

Borough Attorney Rafetto noted that there is updated language for use with inter-local agreements. Mr. Rafetto agreed to provide.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar			X			
Council Member Busco		X	X			
Council Member Carpenter	X		X			
Council Member Deans			X			
Council Member Ludas			X			
Council Member Newton			X			

RESOLUTION OF THE BOROUGH OF JAMESBURG APPROVING PAYMENT OF CERTIFICATE #6 BUCKELEW MANSION REHABILITATION PROJECT

WHEREAS, the Contractor, WU & Associates Inc., has submitted a partial payment Certificate No.6 for the Buckelew Mansion Rehabilitation 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 #6, dated December 21, 2010, in the amount of one hundred and thirty-seven thousand, three hundred two dollars and ninety cents (\$137,302.90),

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that Payment Certificates No. 6 in the aggregate amount of one hundred and thirty-seven thousand, three hundred two dollars and ninety cents (\$137,302.90) be hereby authorized for payment to WU & Associates Inc.

Council Member Carpenter inquired as to the status of the improvement project.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar			X			
Council Member Busco		X	X			
Council Member Carpenter			X			
Council Member Deans			X			
Council Member Ludas	X		X			
Council Member Newton			X			

RESOLUTION ACCEPTING THE INTERLOCAL AGREEMENT BETWEEN THE BOROUGH OF HELMETTA AND THE BOROUGH OF JAMESBURG FOR THE PROVISION OF ANIMAL CONTROL 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 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 INTEREST OF THE BOROUGH TO ENTER INTO AN INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH OF HELMETTA FOR SERVICES RELATING TO ANIMAL CONTROL; 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 THE BOROUGH OF HELMETTA FOR THE PROVISION OF SERVICES RELATING TO ANIMAL CONTROL.

2. THE MAYOR AND BOROUGH CLERK ARE HEREBY AUTHORIZED TO EXECUTE THE AGREEMENT WITH THE BOROUGH OF HELMETTA, ATTACHED HERETO.

4. THAT THE BOROUGH CLERK BE AND IS HEREBY DIRECTED TO FORWARD A DULY AUTHENTICATED COPY OF THIS RESOLUTION TO THE BOROUGH OF HELMETTA.

COUNCIL MEMBER	MOTION TO TABLE	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar		X	X			
Council Member Busco			X			
Council Member Carpenter	X		X			
Council Member Deans			X			
Council Member Ludas			X			
Council Member Newton			X			

#062-02-09-11 Authorizing Execution of Revised Agreement with Monroe Community Church

RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE REVISED LEASE AGREEMENT BETWEEN THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AND MONROE COMMUNITY CHURCH.

WHEREAS, RESOLUTION #190-11-10-10 AUTHORIZING THE BOROUGH OF JAMESBURG TO ADVERTISE FOR AND ACCEPT BIDS FOR THE LEASING OF A PORTION OF CERTAIN BOROUGH-OWNED REAL PROPERTY LOCATED AT 139 STEVENS AVENUE, WAS ADOPTED ON NOVEMBER 10, 2010; AND

WHEREAS, JANUARY 3, 2011 WAS THE DEADLINE FOR THE SUBMISSION OF BIDS AND ONLY ONE BID WAS RECEIVED BY THIS DEADLINE; SAID BID BEING FROM MONROE COMMUNITY CHURCH AND IS HEREBY ATTACHED; AND

WHEREAS, ON JANUARY 5, 2011 THE BOROUGH COUNCIL OF THE BOROUGH OF JAMES BURG CONSIDERED AND ADOPTED RESOLUTION #51-01-05-11 AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE THE LEASE AGREEMENT BETWEEN THE BOROUGH OF JAMESBURG AND MONROE COMMUNITY CHURCH WITH THE REVISIONS RELATING TO OCCUPANCY AND LEASE TERMINATION INCLUDED; AND

WHEREAS, A NEW LEASE AGREEMENT HAS BEEN PREPARED AND IS ATTACHED HERETO; AND

NOW, THEREFORE, BE IT RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY THAT THE BOROUGH COUNCIL AUTHORIZES THE MAYOR AND MUNICIPAL CLERK TO EXECUTE THE REVISED ATTACHED LEASE AGREEMENT BETWEEN THE BOROUGH OF JAMESBURG AND MONROE COMMUNITY CHURCH.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar			X			
Council Member Busco		X	X			
Council Member Carpenter			X			
Council Member Deans			X			
Council Member Ludas	X		X			
Council Member Newton			X			

#067-02-09-11

Appoint Borough Bond Counsel

RESOLUTION APPOINTING BOROUGH BOND COUNSEL

I, MAYOR ANTHONY LAMANTIA, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT THE FIRM OF McLAUGHLIN, GELSON, D'APOLITO & STAUFFER, LLC AS THE BOROUGH BOND COUNSEL, FOR A TERM TO EXPIRE MARCH 9, 2011 OR UNTIL A SUCCESSOR IS DULY APPOINTED AND QUALIFIED.

Motion to adopt for a term to expire on March 9, 2011.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar	X		X			
Council Member Busco			X			
Council Member Carpenter			X			
Council Member Deans			X			
Council Member Ludas		X	X			
Council Member Newton			X			

#068-02-09-11

Appoint Borough Labor Attorney

I, ANTHONY LAMANTIA, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT RICHARD J. SHAKLEE, ESQ., OF THE FIRM MCLAUGHLIN GELSON, D'APOLITO & STAUFFER, LLC L.L.C., AS BOROUGH LABOR ATTORNEY, FOR A TERM TO EXPIRE MARCH 9, 2011, OR UPON A SUCCESSOR BEING DULY APPOINTED AND QUALIFIED.

Motion to adopt for a term to expire on March 9, 2011.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar	X		X			
Council Member Busco			X			
Council Member Carpenter			X			
Council Member Deans			X			
Council Member Ludas		X	X			
Council Member Newton			X			

#069-02-09-11

Appoint Borough Engineer

I, ANTHONY LAMANTIA, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT THE FIRM REMINGTON, VERNICK AND VENA ENGINEERS, AS BOROUGH ENGINEER FOR A TERM TO EXPIRE DECEMBER 31, 2011 OR UPON A SUCCESSOR BEING DULY APPOINTED AND QUALIFIED.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar	X		X			
Council Member Busco			X			
Council Member Carpenter			X			
Council Member Deans			X			
Council Member Ludas			X			
Council Member Newton		X	X			

#070-02-09-11 Appoint Sewer Administrator – Kelly Taylor

I, ANTHONY LAMANTIA, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT KELLY TAYLOR, AS BOROUGH SEWER ADMINISTRATOR FOR A TERM TO EXPIRE DECEMBER 31, 2011, OR UNTIL A SUCCESSOR IS DULY APPOINTED AND QUALIFIED.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar	X		X			
Council Member Busco			X			
Council Member Carpenter			X			
Council Member Deans			X			
Council Member Ludas		X	X			
Council Member Newton			X			

#071-02-09-11 Appoint Assistant to Chief Financial Officer – Kelly Taylor

I, ANTHONY LAMANTIA, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT KELLY TAYLOR AS ASSISTANT TO THE CHIEF FINANCIAL OFFICER, FOR A TERM EXPIRING DECEMBER 31, 2011.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar			X			
Council Member Busco			X			
Council Member Carpenter	X		X			
Council Member Deans			X			
Council Member Ludas			X			
Council Member Newton		X	X			

#072-02-09-11 Appoint Assistant to Tax Collector

I, ANTHONY LAMANTIA, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT KELLY TAYLOR AS ASSISTANT TO THE TAX COLLECTOR OF THE BOROUGH OF JAMESBURG, HER TERM EXPIRING DECEMBER 31, 2011, OR UNTIL A SUCCESSOR IS DULY APPOINTED AND QUALIFIED.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar			X			
Council Member Busco			X			
Council Member Carpenter	X		X			
Council Member Deans			X			
Council Member Ludas		X	X			
Council Member Newton			X			

#073-02-09-11 Appoint Animal Control Officer – Joseph Intravatola

I, MAYOR ANTHONY LAMANTIA, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT JOSEPH INTRAVARTOLA AS ANIMAL CONTROL OFFICER FOR THE BOROUGH OF JAMESBURG, FOR A TERM TO EXPIRE MARCH 9, 2011 OR UNTIL A SUCCESSOR IS DULY APPOINTED AND QUALIFIED.

Motion to adopt for a term to expire on March 9, 2011.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar		X	X			
Council Member Busco			X			
Council Member Carpenter	X		X			
Council Member Deans			X			
Council Member Ludas			X			
Council Member Newton			X			

#074-02-09-11 Appoint Administrative Assistant – Tanya Panucci

I, MAYOR ANTHONY LAMANTIA, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT TANYA ROLLAND AS ADMINISTRATIVE ASSISTANT TO THE BOROUGH OF JAMESBURG, FOR A TERM TO EXPIRE DECEMBER 31, 2011 OR UNTIL A SUCCESSOR IS DULY APPOINTED AND QUALIFIED.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar			X			
Council Member Busco			X			
Council Member Carpenter	X		X			
Council Member Deans			X			
Council Member Ludas			X			
Council Member Newton		X	X			

#075-02-09-11 Authorize Agreement for Professional Bond Counsel

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE FINANCING OF CAPITAL IMPROVEMENTS IN ACCORDANCE WITH THE ATTACHED AGREEMENT (CONTRACT AWARDED WITHOUT COMPETITIVE BIDDING PURSUANT TO THE LOCAL PUBLIC CONTRACTS

LAW, N.J.S.A. 40A:11-1 et seq.), AUTHORIZED BY THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY.

WHEREAS, THERE EXISTS A NEED FOR SPECIALIZED SERVICES IN CONNECTION WITH THE AUTHORIZATION AND THE ISSUANCE OF BONDS AND OTHER OBLIGATIONS AND OTHER MATTERS RELATING TO CAPITAL FINANCING BY THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (HEREIN THE BOROUGH); AND

WHEREAS, SUCH SPECIALIZED LEGAL SERVICES CAN BE PROVIDED ONLY BY A RECOGNIZED BOND COUNSEL FIRM, AND THE FIRM OF McLAUGHLIN GELSON, D'APOLITO AND STAUFFER, L.L.C., OF WALL, NEW JERSEY, ARE SO RECOGNIZED BY THE FINANCIAL COMMUNITY; AND

WHEREAS, THE SERVICES TO BE PERFORMED ARE PROFESSIONAL SERVICES AS DEFINED IN THE LOCAL PUBLIC CONTRACTS LAW, N.J.S.A. 40A:11-2(6), AND THEREFORE ARE EXCEPTED FROM THE LOCAL PUBLIC CONTRACTS LAW REQUIREMENTS FOR COMPETITIVE BIDDING, PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(I); AND

WHEREAS, THE LOCAL PUBLIC CONTRACTS LAW, N.J.S.A. 40A:11-5(1)(a)(I), REQUIRES THE PUBLIC ADVERTISEMENT OF NOTICE WITH RESPECT TO CONTRACTS FOR PROFESSIONAL SERVICES AWARDED WITHOUT COMPETITIVE BIDS; AND

WHEREAS, FUNDS ARE AVAILABLE FOR THIS PURPOSE.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AS FOLLOWS:

1. THAT THE BOROUGH COUNCIL AWARDS THE CONTRACT WHICH IS ANNEXED HERETO, TO THE LAW FIRM OF McLAUGHLIN GELSON, D'APOLITO AND STAUFFER, L.L.C. FOR BOND COUNSEL SERVICES TO THE BOROUGH IN CONNECTION WITH THE FINANCING OF CAPITAL PROJECTS.

2. THAT THE MAYOR, ON BEHALF OF THE BOROUGH, IS HEREBY AUTHORIZED AND DIRECTED TO EXECUTE THE CONTRACT AND THE CLERK IS HEREBY AUTHORIZED AND DIRECTED TO ATTEST TO THE EXECUTION OF SAID CONTRACT FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE PREPARATION OF ALL BOND ORDINANCES AND THE AUTHORIZATION AND ISSUANCE OF ALL BONDS, BOND ANTICIPATION NOTES, TAX ANTICIPATION NOTES OR SIMILAR OBLIGATIONS AND RELATED MATTERS OF CAPITAL AND DEBT FINANCING BY THE BOROUGH.

3. THAT NO APPROPRIATION OF FUNDS IS REQUIRED AT THIS TIME, PAYMENT COMING FROM THE PROCEEDS OF THE SALE OF BONDS, BOND ANTICIPATION NOTES AND TAX ANTICIPATION NOTES OR SIMILAR OBLIGATIONS OR FROM CAPITAL AUTHORIZATIONS OR OTHER APPROPRIATE BUDGETED ITEMS IN ACCORDANCE WITH THE ATTACHED CONTRACT.

4. THAT THIS CONTRACT IS AWARDED WITHOUT COMPETITIVE BIDDING AS A PROFESSIONAL SERVICE UNDER THE PROVISIONS OF THE LOCAL PUBLIC CONTRACTS LAW, N.J.S.A. 40A:11-5(1)(a)(I), BECAUSE LEGAL SERVICES ARE A RECOGNIZED PROFESSION LICENSED AND REGULATED BY LAW.

5. THAT A NOTICE IN ACCORDANCE WITH THIS RESOLUTION AND LOCAL PUBLIC CONTRACTS LAW, SHALL BE PUBLISHED IN THE OFFICIAL NEWSPAPER OR NEWSPAPERS OF THE BOROUGH.

6. THAT AN EXECUTED COPY OF THE CONTRACT BETWEEN THE BOROUGH AND McLAUGHLIN GELSON, D'APOLITO, AND STAUFFER, LLC, AND A COPY OF THIS RESOLUTION SHALL BE FILED IN THE OFFICE OF THE CLERK AND BE AVAILABLE THERE FOR PUBLIC INSPECTION IN ACCORDANCE WITH LAW.

7. THAT THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

Motion to adopt for a term to expire on March 9, 2011.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar	X		X			
Council Member Busco			X			
Council Member Carpenter			X			
Council Member Deans			X			
Council Member Ludas			X			
Council Member Newton		X	X			

#076-02-09-11

Authorize Agreement for Professional Labor Counsel

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE BOROUGH OF JAMESBURG AND RICHARD J. SHAKLEE, ESQ.

WHEREAS, A RESOLUTION HAS BEEN ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG APPOINTING RICHARD J. SHAKLEE, ESQ. TO SERVE AS LABOR ATTORNEY FOR THE BOROUGH OF JAMESBURG; AND

WHEREAS, THE MAYOR IS AUTHORIZED TO ENTER INTO AND EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR THE SERVICES AND COMPENSATION OF THE LABOR ATTORNEY FOR THE TERM OF JANUARY 1, 2011 TO DECEMBER 31, 2011; AND

WHEREAS, THE LOCAL PUBLIC CONTRACTS LAW, N.J.S.A. 40A:11-1 et seq., AUTHORIZES THE AWARDED OF A CONTRACT FOR PROFESSIONAL SERVICES WITHOUT PUBLIC ADVERTISING FOR BIDS AND BIDDING THEREFOR, PROVIDED THAT THE RESOLUTION AUTHORIZING THE CONTRACT AND THE CONTRACT ITSELF BE AVAILABLE FOR PUBLIC INSPECTION IN THE OFFICE OF THE CLERK AND THAT NOTICE OF THE AWARDED OF THE CONTRACT BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE MUNICIPALITY:

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG 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 RICHARD J. SHAKLEE, ESQ. REGARDING THE ABOVE-REFERENCED SERVICES, AND THAT SAID CONTRACT IS HEREBY RATIFIED AND CONFIRMED.

2. THAT THIS CONTRACT IS AWARDED WITHOUT COMPETITIVE BIDDING AS A PROFESSIONAL SERVICE IN ACCORDANCE WITH N.J.S.A. 40A:11-5 OF THE LOCAL PUBLIC CONTRACTS LAW OF NEW JERSEY, 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 THE CHIEF FINANCIAL OFFICER IS DIRECTED TO FILE A CERTIFICATE OF AVAILABILITY OF FUNDS FOR THIS CONTRACT AND TO ATTACH SAME TO THIS RESOLUTION.

4. THAT NOTICE OF THE ADOPTION OF THIS RESOLUTION SHALL BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE BOROUGH.

5. THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:

a. RICHARD J. SHAKLEE, ESQ.

b. DENISE JAWIDZIK, CHIEF FINANCIAL OFFICER.

Motion to adopt for term to expire on March 9, 2011.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar	X		X			
Council Member Busco			X			
Council Member Carpenter			X			
Council Member Deans			X			
Council Member Ludas			X			
Council Member Newton		X	X			

#077-02-09-11

Authorize Agreement for Professional Engineering Services

AUTHORIZING AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES

WHEREAS, the Borough of Jamesburg has a need to retain an engineer to serve as the Borough Engineer for the year 2011 and to provide professional engineering services; and

WHEREAS, the 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 firm of Remington, Vernick & Vena Engineers, has submitted a proposal to perform the necessary engineering services; and

WHEREAS, this contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(I), because engineering services are a recognized profession licensed and regulated by law; and

WHEREAS, Remington, Vernick & Vena Engineers 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 Remington, Vernick & Vena Engineers 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 Remington, Vernick & Vena Engineers from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for “professional services” without public advertising for bids and bidding therefor, 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 Remington, Vernick & Vena Engineers regarding the above-referenced professional engineering services.

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 a certified copy of this Resolution shall be provided to each of the following:
 - a. Remington, Vernick & Vena Engineers
 - b. Denise Jawidzik, Borough Administrator

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar			X			
Council Member Busco			X			
Council Member Carpenter			X			
Council Member Deans			X			
Council Member Ludas		X	X			
Council Member Newton	X		X			

#079-02-09-11

Authorize Agreement for Professional Legal Services

AUTHORIZING AGREEMENT FOR PROFESSIONAL LEGAL SERVICES – FREDERICK C. RAFFETTO, ESQ.

WHEREAS, THE BOROUGH OF JAMESBURG HAS A NEED TO RETAIN AN ATTORNEY TO SERVE AS THE BOROUGH ATTORNEY FOR THE YEAR 2011 AND TO PROVIDE PROFESSIONAL LEGAL SERVICES RELATING TO GENERAL MUNICIPAL AND LITIGATION MATTERS; AND

WHEREAS, THE 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, FREDERICK C. RAFFETTO, ESQ., OF THE FIRM OF ANSELL, GRIMM & AARON, 1500 LAWRENCE AVENUE, OCEAN, NEW JERSEY, HAS SUBMITTED A PROPOSAL TO PERFORM THE NECESSARY LEGAL SERVICES; AND

WHEREAS, THIS CONTRACT IS AWARDED WITHOUT COMPETITIVE BIDDING AS A PROFESSIONAL SERVICE UNDER THE PROVISIONS OF THE LOCAL PUBLIC CONTRACTS LAW, N.J.S.A. 40A:11-5(1)(A)(I), BECAUSE PROFESSIONAL LEGAL SERVICES ARE A RECOGNIZED PROFESSION LICENSED AND REGULATED BY LAW; AND

WHEREAS, MR. RAFFETTO 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 MR. RAFFETTO 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 MR. RAFFETTO 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 AWARDED 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 AWARDED 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:

5. THAT THE MAYOR IS AUTHORIZED TO EXECUTE AND THE BOROUGH CLERK TO ATTEST THE ATTACHED AGREEMENT BETWEEN THE BOROUGH OF JAMESBURG AND FREDERICK C. RAFFETTO, ESQ. REGARDING THE ABOVE-REFERENCED PROFESSIONAL LEGAL SERVICES.
6. 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.
7. THAT NOTICE OF THE ADOPTION OF THIS RESOLUTION SHALL BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE BOROUGH.
8. THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:
 - c. FREDERICK C. RAFFETTO, ESQUIRE
 - d. DENISE JAWIDZIK, BOROUGH ADMINISTRATOR

COUNCIL MEMBER	MOTION TO TABLE	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar	X		X			
Council Member Busco			X			
Council Member Carpenter			X			
Council Member Deans			X			
Council Member Ludas			X			
Council Member Newton		X	X			

DISCUSSION ITEMS:

- Council President – Council President Kostbar commented on the following:
 - Community Development Block Grant – Mr. Kostbar gave an overview of the Citizen’s Advisory Committee Meeting which resulted in an agreement to make a recommendation to apply for the Grant and use the funds to continue the sidewalk project.
 - Middlesex County Transportation Committee Meeting – Mr. Kostbar gave an overview of the meeting topics which included an update on the shuttle service area expansion and the Gatsper Avenue/Five Corners Traffic Light project.
 - Buckelew House – Mr. Kostbar reported that the project continues yet there is still a lot of work left to be done; Mr. Kostbar suggested that Council Member Busco’s committee address this topic further.
 - Councilmatic Committees – Mr. Kostbar reported that the committees are working hard on a myriad of issues.
- Dispatch – Council President Kostbar reported that they have been in discussions with South Brunswick which based on initial estimates could save the Borough approximately \$87,000, yet this figure is not firm. Administrator Jawidzik

added that there were additional equipment purchases that will be needed that are not included in the \$87,000 figure and therefore, the savings will definitely be less than \$87,000. Ms. Jawidzik further reported that the equipment that failed recently, is equipment that will need to be purchased regardless of who is providing dispatch services for the Borough. Mayor LaMantia commented on the additional consideration of offering a “safe zone” by having on-site dispatching services. Mr. Kostbar reiterated the need to balance cost savings with public safety. Administrator Jawidzik informed the Mayor and Council that the next step would be to get final figures if indeed there’s a consensus of council to move forward with South Brunswick. Ms. Jawidzik noted that they’ve expended a considerable amount of effort to date and we would only ask them to continue their efforts if council were seriously considering an agreement with South Brunswick. Mr. Kostbar asked if there were any additional comments from the public on the topic. Lt. Craparotta expressed concern about the potential liability of an officer being left alone with an individual without the benefit of a witness or a third party who could potentially offer the officer assistance. Lt. Craparotta also reiterated the importance of the “safe haven” that is inherent with having the building “manned” at all times. Council Member Carpenter offered a recommendation to continue with in-house dispatching and to continue to look for other towns that Jamesburg could offer services to. Lt. Craparotta noted that this is a viable option yet they would likely not be able to obtain additional contracts in 2011. Elliot Stroul, 110 Mendoker Drive commended the police department for their hard work in making Jamesburg a safe place to live and encouraged the Council to continue to support the Police department. Mr. Tom Van De Sande, 2 Fernwood Lane asked for clarification of Lt. Craparotta comments. Lt. Craparotta addressed and explained “mutual aid” and how it works; he also detailed for the Council how the CAD (Computer Aided Dispatch) system works. Mr. Brian Taylor, 11 Hillside Avenue, commented on the importance of local dispatch to a police department. Council President Kostbar noted that if Council moved to do away with in-house dispatch that this would likely be a final decision in that it would be very difficult to reconstitute a dispatch operation again. Council Member Deans commented that public safety is very important and based on what she had heard this evening she would prefer we look for cost savings elsewhere. Mayor LaMantia asked for a vote on whether to continue discussions with South Brunswick. All voted to end discussions with South Brunswick.

- For Council Consensus – Creating an Ordinance to limit the use of any auditor to no more than three (3) consecutive years. Council Members discussed the various considerations as to whether this needed to be an Ordinance or a Resolution. All agreed that this was a good idea and directed Borough Attorney to draw up an Ordinance.
- Employee Health Benefit Waiver – Buy Back Rate – Council Member Deans suggested that the Borough consider adjusting the opt-out buy back feature to an “up to 25%” amount vs. the current 40%. Council Members discussed the various considerations and recognized a need for additional research on the legislation. The Council directed Borough Attorney to research and report back to the Council.

COUNCILMATIC COMMITTEE REPORTS:

- **COMMITTEES ON FINANCE/GRANTS and INFRASTRUCTURE**
Council President Kostbar
 - § Budget process is on-going. Will continue to look for areas to save. Will also continue to look for Grant opportunities to assist with infrastructure problems in Jamesburg.
- **POLICE COMMITTEE/COMMISSIONER and COMMITTEE ON ETHICS**
Council Member Deans
 - § Council Member Deans noted that there was nothing else to add to the discussions of earlier this evening related to the Police dispatch issue.
 - § Mr. Kostbar reported that Ms. Deans has also been working hard on the development of the Ethics Committee. Council Member Deans outlined the details of the rules surrounding the establishment of an Ethics Board.
- **COMMITTEES ON PERSONNEL/POLICY**
Council Member Newton

§ Council Member Newton reported that the Personnel Committee will continue to meet with employees in order to learn more about what each employee does and how the various positions interact with each other. Mr. Newton also reported that they are awaiting feedback on the Police contract negotiations.

• COMMITTEE ON PUBLIC WORKS and BUILDING/GROUNDS

Council Member Busco

§ Council Member Busco reported that public works personnel have been busy with snow removal.

• COMMITTEE ON PUBLIC EVENTS

Council Member Carpenter

§ Council Member Carpenter reported on the following:

- The Parade Committee's recent meeting including details regarding the stage location and details of the upcoming meetings
- The Fall Event meeting scheduled for next month to discuss ideas for the event.
- The Library has undergone an energy efficiency audit to insure that the structure is not losing heat or cooling. The Library's new Board Members. Read Across America Day, March 2, 2011. The Library Director reaching out to the schools to form a joint program between the school system and the Library. An art show being hosted by the Friends of the Library. An on-line billing system being investigated.
- County Transit Bus Service including details of the service and utilization.

• COMMITTEE ON EDUCATION and COMMITTEE ON SAFETY

Council Member Ludas

§ Education - Council Member Ludas reported on the following:

- The DARE Program for the sixth grade. Thanks was expressed to Detective Kevin Wilson.
- Parenting Program held on 1/26/11; it was well attended. A representative from NJDOE will be completing an assessment in March of the Early Childhood Program.
- PTA Founder's Day event being held on February 23, 2011.
- Teacher of the Year Nomination forms.
- BOE Budget process is underway.
- The next meeting is 2/24/11

§ Safety – Council Member Ludas reminded everyone of the upcoming fire election on February 19, 2011.

• ADMINISTRATOR'S REPORT

Denise Jawidzik

§ FEMA - Administrator Jawidzik reported that an application she submitted last year to FEMA was approved and resulted in the Borough receiving \$5,000 to assist with costs associated with the March, 2010 flood. Ms. Jawidzik noted that she will be filing a similar application for reimbursement associated with the snowstorm of December 26, 2010.

§ CDBG - Ms. Jawidzik reported that plans are being drawn up for the continuation of the Half Acre curb and sidewalk project from the 2010 CDBG. The bid process will be underway soon.

§ Energy Efficiency and Conservation Block Grant – Ms. Jawidzik reported that the Borough has been approved for this grant for the Municipal Building Equipment. Ms. Jawidzik further reported that she is in the process of applying for additional funds for the Senior Citizen Building and the Public Works garage.

§ NJDOT – West Railroad Avenue – Ms. Jawidzik reported that she received notification that the Borough has been awarded \$250,000 for the reconstruction of West Railroad Avenue under the Municipal Aid Program; the highest award to date.

• MAYOR'S REPORT

Mayor Anthony LaMantia

- § The Mayor thanked the DPW staff for their efforts in clearing snow during the recent storms.
- § The Mayor reported that the Railroad crossing should be completed by the end of March.
- § The Mayor noted that he has received of letter from the BOE that they sent and am working with the school and others in hopes of obtaining some relief for the school board.

Council Member Ludas proposed a new outreach program to local businesses to better promote their businesses and requested the Mayor and Council’s approval to lead this effort. A motion was made by Council President Kostbar to add a new committee on Business Liaison. It was seconded by Council Member Carpenter. All were in favor.

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 TO PUBLIC COMMENT:

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

- Mr. Elliot Stroul, 110 Mendoker Drive. Mr. Stroul asked for clarification on the railroad crossing project and the status of other repairs. Mayor LaMantia addressed. Mr. Stroul gave details regarding a “punch list” of pending repairs at the Buckelew House, the timing of completion of the repairs, and the readiness of the house to be opened. Mr. Stroul reported that Mr. Alan Brown was no longer available to facilitate the burning of flags. The Mayor directed him to coordinate this effort with the Fire Department. Mr. Stroul reported on upcoming school events. Mr. Stroul handed out a copy of a letter regarding the Farmer’s Market and a formal request to relocate to a different location. The Mayor agreed to have the appropriate committee look into the issue.
- Council Member Deans inquired about the energy efficiency of the Buckelew House. Mr. Stroul addressed. Council President Kostbar requested a list of expenses associated with the Buckelew House relating to sewer, phone, fuel, electric, etc. and also inquired about insurance. Administrator Jawidzik responded.
- Chief Horvath, Jamesburg, NJ. Chief Horvath thanked the Mayor and Council for their decision regarding dispatch services.
- Mr. Tom Van De Sande, 2 Fernwood Lane. Mr. Van De Sande asked several questions regarding the schedule of the Mayor and Council Meetings; timing of approval of the PBA contract; the number of police officers who reside in Jamesburg; connection between the BOE Budget and the Municipal Budget; loss of assessed property value in 2010 and BOE Budget. Mr. Van De Sande asked that the Mayor and Council work closely with the School Board in an effort to keep taxes down. Mayor LaMantia and Council Members explained the process and their continued interest in minimizing the impact on taxes.
- Ms. Patrice Faraone, 2 Cedar Lane. Ms. Faraone noted that she is a School Board Member and commented on the budget and the increase of \$4,000 per child. Ms. Faraone expressed concern about the budget being voted down by the Mayor and Council and emphasized the inability to cut any additional items from the budget.
- Mr. Brian Taylor, 11 Hillside Avenue. Mr. Taylor offered Attorney Raffetto his understanding of the law associated with the benefit opt out program and the potential financial impact.

MOTION TO CLOSE TO PUBLIC COMMENT:

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

MOTION TO ADJOURN:

Proposed By: Council Member Deans
 Seconded By: Council President Kostbar

TIME OF ADJOURNMENT: 8:35 PM