

BOROUGH OF JAMESBURG

COUNCIL MEETING

MINUTES – APRIL 11, 2007

CALL TO ORDER: 7:00pm - Mayor Anthony LaMantia called the meeting to order and announced that same is being held pursuant to the Open Public Meetings Act of 1974 and all provisions of that Act have been met. Any contracts awarded tonight require the contractor to comply with N.J.S.A. 10:5-31 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 were 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 Mayor LaMantia

ROLL CALL: Those Present: Mayor LaMantia
Council President Longo
Council member Bodall
Council member Carpenter
Council member Grimes
Council member Jennings
Council member Kostbar
Attorney Raffetto
Engineer Dittenhofer
Denise Jawdzik, Business Administrator

Those Absent:

MAYORAL PROCLAMATION:

WHEREAS, autism is a pervasive developmental disorder affecting the social, learning and behavioral skills of those affected by it; and

WHEREAS, autism was once thought to be a relatively rare disorder, affecting only one in 10,000 people; and

WHEREAS, as more and more health professionals become proficient in diagnosing autism, more children are being diagnosed on the autistic spectrum, resulting in rates as high as one in 150 children; and

WHEREAS, while there is no cure for autism, it is well-documented that if individuals with autism receive treatment early in their lives, it often is possible for those individuals to lead significantly improved lives; and

WHEREAS, The New Jersey Center for Outreach and Services for the Autism Community (COSAC), and Autism Speaks is spearheading an awareness effort in order to educate parents, professionals and the general public about autism and its effects; and

NOW, THEREFORE, I, Anthony LaMantia, Mayor of the Borough of Jamesburg, County of Middlesex, New Jersey do hereby proclaim April 2007 as AUTISM AWARENESS MONTH in the Borough of Jamesburg and urge all employees and residents to participate in our municipality's Autism Awareness Month activities, in order to become better educated on the subject of autism spectrum disorders.

RESOLUTIONS: **RESOLUTION #116-04-11-07**

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL

March 14, 2007

March 28, 2007

MAYOR AND COUNCIL EXECUTIVE SESSION

March 14, 2007

Due to absence, Council member Carpenter declared that she would abstain.

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
BODALL			X			
CARPENTER					X	
GRIMES		X	X			
JENNINGS	X		X			
KOSTBAR			X			
LONGO			X			
MAYOR LAMANTIA						

RESOLUTION #117-04-11-07

RESOLUTION ACCEPTING MONTHLY REPORTS

BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE FOLLOWING REPORTS BE AND ARE HEREBY RECEIVED AND FILED:

Tax Collector	March 2007
Sewer Administrator	March 2007
Investment Report	March 2007
Finance Officer	March 2007
Police Department	March 2007

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
BODALL			X			
CARPENTER		X	X			
GRIMES			X			
JENNINGS			X			
KOSTBAR			X			
LONGO	X		X			
MAYOR LAMANTIA						

RESOLUTION #118-04-11-07

WHEREAS, N.J.S.A. 40A:5-4 REQUIRES THE GOVERNING BODY OF EVERY LOCAL UNIT TO HAVE MADE AN ANNUAL AUDIT OF ITS BOOKS, ACCOUNTS, AND FINANCIAL TRANSACTIONS; AND

WHEREAS, THE ANNUAL REPORT OF AUDIT FOR THE YEAR 2006 HAS BEEN FILED BY A REGISTERED MUNICIPAL ACCOUNTANT WITH THE MUNICIPAL CLERK AS PER THE REQUIREMENTS OF N.J.S.A. 40A: 5-6, AND A COPY HAS BEEN RECEIVED BY EACH MEMBER OF THE GOVERNING BODY; AND

WHEREAS, THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY IS AUTHORIZED TO PRESCRIBE REPORTS PERTAINING TO THE LOCAL FISCAL AFFAIRS, AS PER R.S.52: 27BB-34; AND

WHEREAS, THE LOCAL FINANCE BOARD HAS PROMULGATED A REGULATION REQUIRING THAT THE GOVERNING BODY OF EACH MUNICIPALITY SHALL BY RESOLUTION CERTIFY TO THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY THAT ALL MEMBERS OF THE GOVERNING BODY HAVE REVIEWED, AS A MINIMUM, THE SECTIONS OF THE ANNUAL AUDIT ENTITLED:

**GENERAL COMMENTS
RECOMMENDATIONS**

AND

WHEREAS, THE MEMBERS OF THE GOVERNING BODY HAVE PERSONALLY REVIEWED AS A MINIMUM THE ANNUAL REPORT OF AUDIT, AND SPECIFICALLY THE SECTIONS OF THE ANNUAL AUDIT ENTITLED:

**GENERAL COMMENTS
RECOMMENDATIONS**

AS EVIDENCED BY THE GROUP AFFIDAVIT FORM OF THE GOVERNING BODY; AND

WHEREAS, SUCH RESOLUTION OF CERTIFICATION SHALL BE ADOPTED BY THE GOVERNING BODY NO LATER THAN FORTY -FIVE DAYS AFTER THE RECEIPT OF THE ANNUAL AUDIT, AS PER THE REGULATIONS OF THE LOCAL FINANCE BOARD; AND

WHEREAS, ALL MEMBERS OF THE GOVERNING BODY HAVE RECEIVED AND HAVE FAMILIARIZED THEMSELVES WITH, AT LEAST, THE MINIMUM REQUIREMENTS OF THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY, AS STATED AFORESAID AND HAVE SUBSCRIBED TO THE AFFIDAVIT, AS PROVIDED BY THE LOCAL FINANCE BOARD; AND

WHEREAS, FAILURE TO COMPLY WITH THE PROMULGATIONS OF THE LOCAL FINANCE OF THE STATE OF NEW JERSEY MAY SUBJECT MEMBERS OF THE LOCAL GOVERNING BODY TO THE PENALTY PROVISIONS OF R.S.52:27BB-52 - TO WIT:

R.S.52:27BB-52 - " A LOCAL OFFICER OR MEMBER OF A LOCAL GOVERNING BODY WHO, AFTER A DATE FIXED FOR COMPLIANCE, FAILS OR REFUSES TO OBEY AN ORDER OF THE DIRECTOR (DIRECTOR OF LOCAL GOVERNMENT SERVICES), UNDER THE PROVISIONS OF THIS ARTICLE, SHALL BE GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, MAY BE FINED NOT MORE THAN ONE THOUSAND DOLLARS (\$1,000) OR IMPRISONED FOR NOT MORE THAN ONE YEAR, OR BOTH, IN ADDITION SHALL FORFEIT HIS OFFICE."

NOW, THEREFORE, BE IT RESOLVED, THAT THE GOVERNING BODY OF THE BOROUGH OF JAMESBURG HEREBY STATES THAT IT HAS COMPLIED WITH THE PROMULGATION OF THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY DATED JULY 30, 1968 AND DOES HEREBY SUBMIT A CERTIFIED COPY OF THIS RESOLUTION AND THE REQUIRED AFFIDAVIT TO SAID BOARD TO SHOW EVIDENCE OF SAID COMPLIANCE.

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
BODALL			X			
CARPENTER			X			
GRIMES		X	X			
JENNINGS			X			
KOSTBAR	X		X			
LONGO			X			
MAYOR LAMANTIA						

RESOLUTION #119-04-11-07

RESOLUTION ACCEPTING CORRECTIVE ACTION PLAN

WHEREAS, THE 2006 AUDIT OF THE BOROUGH OF JAMESBURG, CONDUCTED BY HUTCHINS, LAEZZA, FARRELL, & ALLISON, CONTAINED CERTAIN RECOMMENDATIONS REQUIRING ACTION; AND

WHEREAS, THESE RECOMMENDATIONS HAVE BEEN REVIEWED BY THE BOROUGH'S CHIEF FINANCIAL OFFICER; AND

WHEREAS, THE CHIEF FINANCIAL OFFICER, IN ACCORDANCE WITH THE REQUIREMENTS PROMULGATED BY THE N.J. DIVISION OF LOCAL GOVERNMENT SERVICES, HAS DEVELOPED A PLAN TO ADDRESS THE RECOMMENDATIONS LISTED BY THE AUDITORS;

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE CORRECTIVE ACTION PLAN FOR THE 2006 MUNICIPAL AUDIT, HERETO ATTACHED, IS HEREBY APPROVED AND ACCEPTED.

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
BODALL		X	X			
CARPENTER			X			
GRIMES			X			
JENNINGS	X		X			
KOSTBAR			X			
LONGO			X			
MAYOR LAMANTIA						

RESOLUTION #120-04-11-07

RESOLUTION AWARDDING PROPOSAL FOR HISTORICAL ARCHITECT, ENGINEERING AND CONSTRUCTION MANAGEMENT SERVICES FOR THE BUCKELEW MANSION RESTORATION

WHEREAS, THE BOROUGH OF JAMESBURG ADVERTISED FOR OPEN COMPETITIVE PROPOSALS FOR HISTORICAL ARCHITECT, ENGINEERING AND CONSTRUCTION MANAGEMENT SERVICES FOR THE BUCKELEW MANSION RESTORATION AND PROPOSALS WERE RECEIVED ON MARCH 27, 2007; AND

WHEREAS, PROPOSALS WERE RECEIVED BY REMINGTON, VERNICK & VENA ENGINEERS/WESTFIELD ARCHITECTURE & PRESERVATION CONSULTANTS, AND JOHN MILNER ASSOCIATES, INC/SCHOOOR DEPALMA; AND

WHEREAS, THE PURCHASING OFFICIAL HAS REVIEWED THESE PROPOSALS AND RECOMMENDS THAT THE AWARD BE MADE TO REMINGTON, VERNICK & VENA ENGINEERS IN THE AMOUNT OF \$57,952; AND

WHEREAS, THE CHIEF FINANCIAL OFFICER HAS CERTIFIED TO THE AVAILABILITY OF FUNDS;

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, THAT A CONTRACT BE AWARDED TO REMINGTON, VERNICK & VENA ENGINEERS AS SET FORTH IN THEIR BID PROPOSAL, IN THE AMOUNT OF \$57,952.

BE IT FURTHER RESOLVED, THAT THE REQUEST FOR PROPOSAL DOCUMENT AND THE PROPOSAL SUBMITTED BE ATTACHED AND MADE A PART OF THIS CONTRACT.

BE IT FURTHER RESOLVED, THAT THE MAYOR IS HEREBY AUTHORIZED TO EXECUTE AND THE BOROUGH CLERK TO ATTEST THE ATTACHED CONTRACT.

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
BODALL					X	
CARPENTER			X			
GRIMES		X	X			
JENNINGS			X			
KOSTBAR	X		X			
LONGO			X			
MAYOR LAMANTIA						

RESOLUTION #121-04-11-07

RESOLUTION AUTHORIZING ENTERING INTO AN INTERLOCAL AGREEMENT WITH THE BOROUGH OF HELMETTA FOR THE PROVISION OF POLICE ASSISTANCE

WHEREAS, AS A RESULT OF UNEXPECTED EVENTS WITHIN THEIR POLICE DEPARTMENT CAUSING AN EMERGENT CONDITION AFFECTING THE PUBLIC HEALTH, SAFETY AND WELFARE FOR THE CITIZENS OF HELMETTA, THE BOROUGH OF HELMETTA NEGOTIATED WITH THE BOROUGH OF JAMESBURG TO TEMPORARILY HAVE THE BOROUGH OF JAMESBURG POLICE DEPARTMENT PATROL AND RESPOND TO ANY AND ALL EMERGENCIES NECESSARY IN THE BOROUGH OF HELMETTA DURING THE DAILY HOURS OF 10:30PM AND 6:30AM (THIRD SHIFT); AND

WHEREAS, THIS TEMPORARY INTERLOCAL AGREEMENT HAS BEEN FOUND TO BE BENEFICIAL FOR BOTH OF THE INVOLVED MUNICIPALITIES; AND

WHEREAS, THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF HELMETTA AND THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG ARE DESIROUS OF CONTINUING SAID INTERLOCAL AGREEMENT.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG AS FOLLOWS:

1. THE BOROUGH OF JAMESBURG DOES AGREE TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE BOROUGH OF HELMETTA FOR THE PROVISION OF POLICE ASSISTANCE.

2. THAT THE BOROUGH OF JAMESBURG POLICE DEPARTMENT SHALL PATROL AND RESPOND TO ANY AND ALL EMERGENCIES NECESSARY IN THE BOROUGH OF HELMETTA DURING THE DAILY HOURS OF 10:30PM TO 6:30AM (THIRD SHIFT), AS SET FORTH IN THE ATTACHED AGREEMENT.
3. THIS AGREEMENT SHALL BE IN EFFECT FROM APRIL 13, 2007, WITH THE BEGINNING OF THE THIRD SHIFT AND SHALL AUTOMATICALLY RENEW UNLESS EITHER PARTY PROVIDES SIXTY (60) DAYS WRITTEN NOTICE OF THE INTENTION TO TERMINATE THIS AGREEMENT.
4. THAT THE MAYOR IS AUTHORIZED TO EXECUTE, AND THE BOROUGH CLERK TO ATTEST THE ATTACHED, AFOREMENTIONED AGREEMENT BETWEEN THE BOROUGH OF HELMETTA AND THE BOROUGH OF JAMESBURG AND ANY OTHER DOCUMENTS NECESSARY TO FACILITATE SAID AGREEMENT.

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
BODALL			X			
CARPENTER			X			
GRIMES		X	X			
JENNINGS			X			
KOSTBAR			X			
LONGO	X		X			
MAYOR LAMANTIA						

RESOLUTION #122-04-11-07

RESOLUTION REVISING ANNUAL COUNCILMATIC COMMITTEES

WHEREAS, ON MARCH 28, 2007, THOMAS BODALL FILLED THE VACANCY CAUSED BY THE RESIGNATION FROM BOROUGH COUNCIL OF CARLOS MORALES; AND

WHEREAS, DUE TO THE ADDITION OF MR. BODALL, THE BOROUGH COUNCIL IS DESIROUS OF REVISING THE COUNCILMATIC COMMITTEES THAT ARE FORMED AT THE ANNUAL REORGANIZATION MEETING HELD IN JANUARY OF EACH YEAR;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, THAT EFFECTIVE IMMEDIATELY, THE FOLLOWING CHANGES BE MADE TO THE COUNCILMATIC COMMITTEES FOR THE YEAR 2007:

1. THOMAS BODALL SHALL REPLACE COUNCIL PRESIDENT LONGO AS THE CHAIR OF THE TECHNOLOGY COMMITTEE
2. THOMAS BODALL IS HEREBY ADDED AS A MEMBER OF THE PUBLIC SAFETY COMMITTEE.
3. ALL OTHER COMMITTEES AS FORMED AT THE ANNUAL REORGANIZATION MEETING OF 2007 REMAIN UNCHANGED.

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
BODALL			X			
CARPENTER			X			
GRIMES	X		X			
JENNINGS		X	X			
KOSTBAR			X			
LONGO			X			
MAYOR LAMANTIA						

RESOLUTION #123-04-11-07

APPROVE PAYMENT OF VOUCHERS

WHEREAS, THE CHIEF MUNICIPAL FINANCE 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 COMMITTEE CHAIR, THE FINANCE CHAIRPERSON, THE VENDOR, AND THE CHIEF FINANCIAL OFFICER , HAVE ALL BEEN OBTAINED ON EACH VOUCHER PRESENTED 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 \$80,362.83:

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
BODALL			X			
CARPENTER			X			
GRIMES		X	X			
JENNINGS	X		X			
KOSTBAR			X			
LONGO			X			
MAYOR LAMANTIA						

COUNCILMATIC COMMITTEE REPORTS

POLICE COMMITTEE / COMMISSIONER & HOLIDAY EVENTS/PATRIOTIC COMMITTEE

Council member Carpenter reported that the Police Committee met just prior to this Council meeting and illegal parking issues and the Interlocal Agreement with Helmetta were discussed. Mrs. Carpenter also reported on Patriotic Committee and Library events. Council member Jennings wished for it to be known that he had received a phone call regarding the professionalism of Sgt. Tonkery in response to a call, as reported by a personal friend.

COMMITTEE ON EDUCATION

Councilmember Grimes reported on student population at the Borough’s schools and the number of students attending the Monroe Township High School or County Vocational Schools (276). Council member Grimes also reported on Aid figures calculated into the Board of Educations budget, and announced the time and date for the school board election. Additionally, the Board of Education is looking into hiring a full-time computer tech.

COMMITTEE ON PERSONNEL/NEGOTIATIONS

Council member Jennings had no report.

COMMITTEE ON FINANCE & BUDGETING

Councilmember Kostbar reported that he and Council President Longo attended the meeting for the Community Development Block Grant and the Borough will again be receiving \$43,000 this year, as well as discretionary funding for Senior Citizens Building Improvements.

COMMITTEE ON BUILDINGS & GROUNDS

Council member Longo announced the date and time of a meeting to be held at the Bloustein School in New Brunswick, regarding the studies done with the Revitalization Coalition. More information can be found at www.ilovejamesburg.com . Mr. Longo also reported on an upcoming area blood drive.

COMMITTEE ON TECHNOLOGY

Council member Bodall reported that a number of residents have been inquiring about FiOS TV. Mr Bodall has contacted Verizon, who informed him that the Borough should be receiving said services “within a short period of time”, but could not specify further. Verizon will set up meetings with the Borough prior to implementation. Mr. Bodall also reported that correspondence has been received from the League of Municipalities regarding battery back-up requirements for fiber optic phone line customers, in case of power outage.

Engineer Vogt reported that specifications are being finalized for the Oakland Road/Fernwood Lane project and Council should expect awarding the project at the first meeting in May.

COMMITTEE ON PUBLIC SAFETY/ EMERGENCY SERVICES COMMITTEE ON PUBLIC WORKS

Mayor Anthony LaMantia reported that the Fire Department has held drill at the future site of Commerce Bank and the Department is looking to the do the same at the intended site for the recently approved Chase Bank. The new Department of Public Works Truck is in and the new loader should be in within 2-3 weeks. Opening Day of the Baseball season is April 14th. The Mayor has spoken with members of the Elks lodge, who have inquired about an increase in the number of handicapped parking spaces near their lodge. The additional parking may be put on their property, which would eliminate the Borough taking any further action. The Mayor also reported that he has spoken with a representative of the Governor’s office and the Mayor is trying to set up a meeting with the Governor regarding the new 4% tax levy cap, among other issues. The Mayor will also be attending a Census Bureau meeting on April 20 in New Brunswick.

Council member Grimes wished to bring up the issue of the mandated increases to the library appropriation, considering the new 4% budget cap having been instituted. Mr. Grimes spoke about the possibility of closing the library as opposed to cutting other essential services affecting public safety.

Mayor LaMantia informed Mr. Grimes that a favorable referendum would be required to close the library and also reported that Governor Corzine held a meeting last week with the State Library Board specifically regarding the new cap law. Currently, the mandated increase annually for the library is at 15%, which would take away from other services the Borough provides its' residents, with the institution of the new 4% cap. Council member Kostbar stated that the library appropriation for 2007 is approximately \$174,000 and if all stays the same for 2008, it will be \$194,000. That equates to \$137.00 paid in taxes by the average homeowner in the Borough. Should the Borough not offer a library, residents will be able to join the Monroe Township Library for \$50, similar to Helmetta residents. Council member Grimes raised concern for the time restrictions to get a referendum in place. Mayor LaMantia stated he would like to see an alternate measure in place prior to considering a referendum ordinance. Council member Jennings inquired of Attorney Raffetto how much time would be necessary to commence the referendum process. Attorney Raffetto will supply Council with the specific requirements. Council member Kostbar made comment that the statutes are specific and the townspeople should be the ability to decide the matter. Denise Jawidzik reminded Mayor LaMantia and Council that a "joint" library with another municipality will realize no cost savings for the Borough. The Mayor would like to see a town meeting take place in order to explain the Borough's budgetary situation to the residents. Council member Grimes again reiterated his concern about the time required to put a referendum in place. Council discussed further and agreed to place this matter on the next Council meeting agenda for discussion to set a town meeting date in order to make residents aware of the Borough's predicament. Denise Jawidzik was requested to provide budget figures for Council's deliberation, regarding the Borough's options in this matter. So agreed.

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: Longo

SECONDED BY: Kostbar

ALL IN FAVOR: Bodall, Carpenter, Grimes, Jennings, Kostbar, Longo.

None Opposed, None Abstaining.

PUBLIC COMMENT:

No members of the public wished to be heard at this time.

MOTION TO CLOSE TO PUBLIC COMMENT:

PROPOSED BY: Jennings

SECONDED BY: Carpenter

ALL IN FAVOR: Bodall, Carpenter, Grimes, Jennings, Kostbar, Longo.

None Opposed, None Abstaining.

MOTION TO ADJOURN:

PROPOSED BY: Grimes

SECONDED BY: Kostbar

ALL IN FAVOR: Bodall, Carpenter, Grimes, Jennings, Kostbar, Longo.

None Opposed None Abstaining.

TIME OF ADJOURNMENT: 7:43 PM