

BOROUGH OF JAMESBURG

COUNCIL MEETING

MINUTES – MAY 14, 2008

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, 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 Kostbar
Council member Bodall
Council member Carpenter
Council member Grimes
Council member Jennings
Council member Longo
Attorney Raffetto
Denise Jawidzik, Business Administrator

Those absent: Engineer Dittenhofer

ORDINANCES - PUBLIC HEARING, SECOND READING:

THE FOLLOWING ORDINANCE WAS APPROVED ON FIRST READING AT THE MEETING OF THE MAYOR AND COUNCIL HELD ON MARCH 19, 2008, AND PUBLISHED IN FULL IN THE MARCH 28, 2008 EDITION OF THE CRANBURY PRESS. THE PUBLIC HEARING ON SAID ORDINANCE WAS HELD ON APRIL 23, 2008 AFTER WHICH THE ORDINANCE WAS TABLED TO TONIGHT'S MEETING AGENDA. COPIES HAVE BEEN POSTED ON THE MUNICIPAL BULLETIN BOARD AND MADE AVAILABLE TO THE PUBLIC SINCE INTRODUCTION

ORDINANCE #11-08

AN ORDINANCE AUTHORIZING THE RE-ZONING OF A CERTAIN AREA OF WEST RAILROAD AVENUE EXTENDING FROM CHURCH STREET TO THE INTERSECTION WITH GATZMER AVENUE FROM THE PROFESSIONAL OFFICE/RESIDENTIAL ZONE DISTRICT AND THE RETAIL BUSINESS ZONE DISTRICT TO THE NEIGHBORHOOD COMMERCIAL ZONE DISTRICT, AND AMENDING THE OFFICIAL ZONING MAP OF THE BOROUGH OF JAMESBURG ACCORDINGLY.

WHEREAS, THE COMBINED LAND USE BOARD OF THE BOROUGH OF JAMESBURG HAS BEEN MADE AWARE OF CERTAIN CONCERNS EXPRESSED BY PROPERTY OWNERS AND POTENTIAL DEVELOPERS/OCCUPANTS OF CERTAIN PROPERTIES LOCATED ON WEST RAILROAD AVENUE THAT THE CURRENT ZONING OF THOSE PROPERTIES INHIBITS THEIR USE OR REDEVELOPMENT FOR CERTAIN COMMERCIAL PURPOSES FOR WHICH THE PROPERTIES APPEAR WELL-SUITED; AND

WHEREAS, THE BOARD DISCUSSED THE FACT THAT RETAIL STORES, FINANCIAL INSTITUTIONS, PERSONAL SERVICES AND RESTAURANTS ARE NOT PERMITTED IN THE PROFESSIONAL OFFICE/RESIDENTIAL ZONE DISTRICT THAT APPLIES TO THOSE PROPERTIES; AND

WHEREAS, THE BOARD CONDUCTED A DISCUSSION OF THE AREA AND USES THAT MIGHT BEST APPLY TO THE AFFECTED PROPERTIES AND DETERMINED THAT THE AFORESAID USES SHOULD BE PERMITTED FOR THOSE PROPERTIES; AND

WHEREAS, THE PROPERTIES LOCATED WITHIN THE AREA STUDIED THAT WOULD BE SUBJECT TO A RE-ZONING ARE AS FOLLOWS: BLOCK 38, LOTS 6, 7, 8, 9 AND 10; BLOCK 39, LOTS 1.02, 1.01, 11, 10, 9, 8, 7, 7.01, 7.02 AND 4.01; BLOCK 40, LOTS 8, 9, 10, 11 AND 11.01; BLOCK 41, LOTS 8, 9, 10, 11, 12 AND 13; AND BLOCK 48, LOTS 1, 1.01 AND 3; AND

WHEREAS, AFTER CONDUCTING A REVIEW OF THE PERMITTED USES AND THOSE THAT ARE NOT CURRENTLY PERMITTED FOR THE REFERENCED PROPERTIES, THE BOARD DETERMINED THAT IT WOULD BE BETTER PLANNING TO RE-ZONE THE TARGET AREA AS NEIGHBORHOOD COMMERCIAL TO ALLOW AN EXPANDED COMMERCIAL OPPORTUNITY FOR THOSE PROPERTIES; AND

WHEREAS, ON MARCH 13, 2008, THE COMBINED LAND USE BOARD OF THE BOROUGH ADOPTED A RESOLUTION IN WHICH THE BOARD RECOMMENDED THAT THE BOROUGH COUNCIL MOVE FORWARD WITH AN ORDINANCE TO REMOVE THE ABOVE PROPERTIES FROM THE PROFESSIONAL OFFICE/RESIDENTIAL ZONE DISTRICT AND THE RETAIL BUSINESS ZONE DISTRICT AND TO RE-DESIGNATE THEM AS PART OF THE NEIGHBORHOOD COMMERCIAL ZONE DISTRICT.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY, AS FOLLOWS:

1. THAT THE PROPERTIES LOCATED AT BLOCK 38, LOTS 6, 7, 8, 9 AND 10; BLOCK 39, LOTS 1.02, 1.01, 11, 10, 9, 8, 7, 7.01, 7.02 AND 4.01; BLOCK 40, LOTS 8, 9, 10, 11 AND 11.01; BLOCK 41, LOTS 8, 9, 10, 11, 12 AND 13; AND BLOCK 48, LOTS 1, 1.01 AND 3; ARE HEREBY REMOVED FROM THE PROFESSIONAL OFFICE/RESIDENTIAL ZONE DISTRICT AND THE RETAIL BUSINESS ZONE DISTRICT AND ARE HEREBY RE-DESIGNATED AS PART OF THE NEIGHBORHOOD COMMERCIAL ZONE DISTRICT.

2. THAT THE OFFICIAL ZONING MAP OF THE BOROUGH OF JAMESBURG IS HEREBY AMENDED TO REFLECT THIS CHANGE IN ZONING DESIGNATION.

3. THAT NOTICE OF THE PUBLIC HEARING ON THIS ORDINANCE SHALL BE PROVIDED TO ALL AFFECTED PROPERTY OWNERS AT LEAST TEN (10) DAYS PRIOR TO THE HEARING IN ACCORDANCE WITH N.J.S.A. 40:5D-62.1.

4. THAT NOTICE OF THE PUBLIC HEARING ON THIS ORDINANCE SHALL BE PROVIDED TO THE MUNICIPAL CLERKS OF ALL ADJACENT MUNICIPALITIES AND TO THE COUNTY PLANNING BOARD AT LEAST TEN (10) DAYS PRIOR TO THE HEARING IN ACCORDANCE WITH N.J.S.A. 40:5D-15A.

5. THAT THE PROVISIONS OF THIS ORDINANCE SHALL BE SEVERABLE. IN THE EVENT THAT ANY PORTION OF THIS ORDINANCE IS FOUND TO BE INVALID FOR ANY REASON BY ANY COURT OF COMPETENT JURISDICTION, SUCH JUDGMENT SHALL BE LIMITED IN ITS EFFECT ONLY TO THE PORTION OF THE ORDINANCE ACTUALLY ADJUDGED INVALID AND SHALL NOT BE DEEMED TO AFFECT THE OPERATION OF ANY OTHER PORTION THEREOF, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

6. THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON FINAL PASSAGE AND PUBLICATION IN ACCORDANCE TO THE LAW.

7. THAT ALL OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith ARE HEREBY REPEALED TO THE EXTENT OF SUCH INCONSISTENCIES.

Mayor LaMantia explained that second reading on this ordinance was previously tabled in order to ascertain the intentions of the Land Use Board pertaining to the zoning of block 39, lot 1.02. The Land Use Board did intend to include said lot in this ordinance, thereby changing its zoning designation to Neighborhood Commercial Zone.

Motion to Approve Ordinance #11-08 on Second Reading:

Proposed by: Longo

Seconded by: Grimes

All In Favor: Bodall, Carpenter, Grimes, Jennings, Kostbar, Longo.

None Opposed, None Abstaining.

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 IN THE FORM LISTED BELOW. ANY RESOLUTIONS LISTED ON THE AGENDA WITH ** NEXT TO THEIR RESPECTIVE NUMBER ARE TO BE CONSIDERED AS PART OF THE CONSENT AGENDA. THERE WILL BE NO DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
BODALL			X			
CARPENTER					X	
GRIMES		X	X			
JENNINGS	X		X			

KOSTBAR			X			
LONGO			X			
MAYOR LAMANTIA						

RESOLUTIONS:

RESOLUTION #131-05-14-08**

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL
April 23, 2008
May 6, 2008 Special Meeting

RESOLUTION #132-05-14-08**

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	April 2008
Sewer Administrator	April 2008
Investment Report	April 2008
Finance Officer	April 2008
Report of B.A.N. Sale	April 29, 2008
Chief of Police	March 2008
Library Bd. Of Trustees	March 17, 2008

RESOLUTION #133-05-14-08**

A RESOLUTION AUTHORIZING THE BOROUGH OF JAMESBURG TO READ THE PROPOSED 2008 MUNICIPAL BUDGET BY TITLE AT TIME OF PUBLIC HEARING

WHEREAS, PURSUANT TO N.J.S.A. 40A:4-8, THE JAMESBURG BOROUGH COUNCIL HAS DETERMINED THAT THE FOLLOWING HAS OCCURRED:

1. AT LEAST ONE WEEK PRIOR TO THE DATE OF THE PUBLIC HEARING ON THE PROPOSED 2008 MUNICIPAL BUDGET, A COMPLETE COPY OF THE FULL BUDGET HAS BEEN POSTED IN A PUBLIC PLACE WHERE PUBLIC NOTICES ARE CUSTOMARILY POSTED RELATING TO JAMESBURG BOROUGH MATTERS (THE JAMESBURG BOROUGH MUNICIPAL BUILDING); AND
2. A COMPLETE COPY OF THE FULL BUDGET HAS BEEN MADE AVAILABLE TO EACH PERSON REQUESTING THE SAME DURING THAT TIME PERIOD.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE 2008 MUNICIPAL BUDGET MAY BE READ BY TITLE (ONLY) PURSUANT TO N.J.S.A. 40A:4-8.

BE IT FURTHER RESOLVED, THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:

- a. DIRECTOR, DIVISION OF LOCAL GOVERNMENT SERVICES
- b. EUGENE FARRELL, BOROUGH AUDITOR
- c. DENISE JAWIDZIK, BOROUGH CHIEF FINANCIAL OFFICER/BUSINESS ADMINISTRATOR
- d. FREDERICK C. RAFFETTO, ESQ., BOROUGH ATTORNEY

RESOLUTION #134-05-14-08**

APPROVAL OF RENEWAL OF LIQUOR LICENSE

WHEREAS, AN APPLICATION HAS BEEN SUBMITTED, WITH THE PROPER DOCUMENTATION AS REQUIRED BY THE STATE DIVISION OF ALCOHOLIC BEVERAGE CONTROL, BY PARKSIDE TAVERN INC. FOR RENEWAL OF LIQUOR LICENSE #1208-33-004-001 FOR THE 2008-2009 LICENSE YEAR; AND

WHEREAS, THE BOROUGH CLERK HAS REVIEWED SAID APPLICATION AND HAS DEEMED IT TO BE COMPLETE; AND

WHEREAS, THE CORRESPONDING FEES WERE SUBMITTED WITH THE APPLICATION FOR RENEWAL OF THE AFOREMENTIONED LICENSE:

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, THAT APPROVAL BE AND IS HEREBY GRANTED FOR THE RENEWAL OF THE LICENSE HELD BY PARKSIDE TAVERN INC. PLENARY RETAIL CONSUMPTION LICENSE NUMBER #1208-33-004-001, LICENSED PREMISES LOCATED AT 2 LINCOLN AVENUE.

RESOLUTION #135-05-14-08**

APPROVAL OF RENEWAL OF LIQUOR LICENSE

WHEREAS, AN APPLICATION HAS BEEN SUBMITTED, WITH THE PROPER DOCUMENTATION AS REQUIRED BY THE STATE DIVISION OF ALCOHOLIC BEVERAGE CONTROL, BY AAYUSHI INC. FOR RENEWAL OF LIQUOR LICENSE #1208-44-006-006 FOR THE 2008-2009 LICENSE YEAR; AND

WHEREAS, THE BOROUGH CLERK HAS REVIEWED SAID APPLICATION AND HAS DEEMED IT TO BE COMPLETE; AND

WHEREAS, THE CORRESPONDING FEES WERE SUBMITTED WITH THE APPLICATION FOR RENEWAL OF THE AFOREMENTIONED LICENSE:

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, THAT APPROVAL BE AND IS HEREBY GRANTED FOR THE RENEWAL OF THE LICENSE HELD BY AAYUSHI INC. PLENARY RETAIL DISTRIBUTION LICENSE NUMBER #1208-44-006-006, LICENSED PREMISES LOCATED AT 63 EAST RAILROAD AVENUE.

RESOLUTION #136-05-14-08**

APPROVAL OF RENEWAL OF LIQUOR LICENSE

WHEREAS, AN APPLICATION HAS BEEN SUBMITTED, WITH THE PROPER DOCUMENTATION AS REQUIRED BY THE STATE DIVISION OF ALCOHOLIC BEVERAGE CONTROL, BY JAMESBURG VOLUNTEER FIRE DEPARTMENT FOR RENEWAL OF LIQUOR LICENSE #1208-31-010-001 FOR THE 2008-2009 LICENSE YEAR; AND

WHEREAS, THE BOROUGH CLERK HAS REVIEWED SAID APPLICATION AND HAS DEEMED IT TO BE COMPLETE; AND

WHEREAS, THE CORRESPONDING FEES WERE SUBMITTED WITH THE APPLICATION FOR RENEWAL OF THE AFOREMENTIONED LICENSE:

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, THAT APPROVAL BE AND IS HEREBY GRANTED FOR THE RENEWAL OF THE LICENSE HELD BY JAMESBURG VOLUNTEER FIRE DEPARTMENT CLUB LICENSE NUMBER #1208-31-010-001, LICENSED PREMISES LOCATED AT 82 WEST RAILROAD AVENUE.

RESOLUTION #137-05-14-08**

APPROVE CIRCUS LICENSE

WHEREAS, AN APPLICATION HAS BEEN SUBMITTED BY THE JAMESBURG CIVIC ASSOCIATION FOR A CIRCUS TO BE HELD ON JUNE 12, 2008; AND

WHEREAS, THE CLERK'S OFFICE IS IN RECEIPT OF THE APPROPRIATE FEES FOR THE AFOREMENTIONED LICENSE;

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT A CIRCUS LICENSE ISSUED IN THE NAME OF JAMESBURG CIVIC ASSOCIATION BE AND IS HEREBY APPROVED WITH THE CONDITION THAT THE APPROPRIATE PERMITS MUST BE OBTAINED FROM THE JAMESBURG FIRE PREVENTION BUREAU, PRIOR TO THE DATE OF JUNE 12, 2008.

RESOLUTION #138-05-14-08**

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 \$342,558.10

END OF CONSENT AGENDA

RESOLUTION #139-05-14-08

RESOLUTION AUTHORIZING AWARD OF BID FOR THE MAPLE DRIVE, CEDAR LANE, AND FERNWOOD LANE CURB AND SIDEWALK REPAIR PROJECT TO LANCHA CONSTRUCTION CORP.

WHEREAS, ON MAY 8, 2008, THE BOROUGH OF JAMESBURG RECEIVED BIDS FOR THE MAPLE DRIVE, CEDAR LANE, AND FERNWOOD LANE CURB AND SIDEWALK REPAIR PROJECT WITHIN THE BOROUGH; AND

WHEREAS, ON THAT DATE, THE THREE LOWEST TOTAL BIDS WERE RECEIVED FROM THE FOLLOWING THREE (3) BIDDERS FOR THIS PROJECT;

- | | | |
|----|------------------------------|-------------------|
| 1. | LANCHA CONSTRUCTION CORP. | \$171,499.47 |
| 2. | BIG DADDY CONSTRUCTION, INC. | \$179,930.73 |
| 3. | R & B BUILDERS, INC. | \$190,444.00; and |

WHEREAS, IT IS THE OPINION OF THE BOROUGH ENGINEER THAT THE CONTRACT FOR THE MAPLE DRIVE, CEDAR LANE, AND FERNWOOD LANE CURB AND SIDEWALK REPAIR PROJECT, FOR THE BASE BID AND ALTERNATE "A" ONLY, BE AWARDED TO LANCHA CONSTRUCTION CO. INC. FOR AN AMOUNT OF \$142,004.46 SUBJECT TO THE APPROVAL OF THE BOROUGH ATTORNEY AS TO FORM; AND

WHEREAS, THE CHIEF FINANCIAL OFFICER HAS CERTIFIED THAT APPROPRIATE FUNDS ARE AVAILABLE FOR THE AWARD OF THE CONTRACT FOR THE BASE BID AND ALTERNATE "A";

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY THAT THE CONTRACT FOR THE MAPLE DRIVE, CEDAR LANE, AND FERNWOOD LANE CURB AND SIDEWALK REPAIR PROJECT (BASE BID AND ALTERNATE "A" ONLY) BE AWARDED TO LANCHA CONSTRUCTION, CORP. FOR AN AMOUNT OF \$142,004.46, SUBJECT TO THE APPROVAL OF THE BOROUGH ATTORNEY.

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

RESOLUTION #140-05-14-08

RESOLUTION AUTHORIZING A CHANGE ORDER (KNOWN AS CHANGE ORDER #1) TO THE CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND BIG DADDY CONSTRUCTION INC., FOR THE STREETScape, PHASE III, IMPROVEMENT PROJECT.

WHEREAS, DUE TO UNANTICIPATED CIRCUMSTANCES WHICH HAVE ARISEN DURING THE STREETScape, PHASE III, IMPROVEMENT PROJECT, THE BOROUGH ENGINEER HAS RECOMMENDED A CHANGE ORDER (KNOWN AS CHANGE ORDER #1) IN ORDER TO AMEND THE CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND BIG DADDY CONSTRUCTION INC. AND

WHEREAS, THE PROPOSED CHANGE ORDER IS DESCRIBED IN MORE DETAIL IN THE ATTACHED FORM, LAST DATED BY BOROUGH ENGINEER ON MAY 8, 2008; AND

WHEREAS, THE PROPOSED CHANGE ORDER SHALL CHANGE THE AMOUNT OF THE ORIGINAL CONTRACT BY AN DECREASE IN THE CONTRACT AMOUNT OF EIGHTEEN THOUSAND, FOUR HUNDRED NINETY-SEVEN DOLLARS AND SIXTY-EIGHT CENTS (-\$18,497.68); AND

WHEREAS, THE PROPOSED CHANGE ORDER DOES NOT EXCEED THE TWENTY PERCENT (20%) LIMITATION IMPOSED BY LAW; AND

WHEREAS, THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG HAS RECEIVED THE RECOMMENDATIONS OF THE BOROUGH ENGINEER AND BOROUGH BUSINESS ADMINISTRATOR TO PROCEED WITH THE SAID CHANGE ORDER.

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

1. THAT THE BOROUGH IS AUTHORIZED TO ENTER INTO THE ATTACHED CHANGE ORDER (KNOWN AS CHANGE ORDER #1) WHICH SHALL BE CONSIDERED AN AMENDMENT TO THE ORIGINAL CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND BIG DADDY CONSTRUCTION, INC. FOR THE STREETScape, PHASE III, IMPROVEMENT PROJECT.

2. THAT THE BUSINESS ADMINISTRATOR SHALL CERTIFY THAT THERE ARE SUFFICIENT FUNDS TO COVER THE AMOUNT OF THIS CHANGE ORDER.

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

- a. ALAN B. DITTENHOFER, P.E.,C.M.E., BOROUGH ENGINEER
- b. BIG DADDY CONSTRUCTION, INC.
- c. DENISE JAWIDZIK, BOROUGH BUSINESS ADMINISTRATOR
- d. FREDERICK C. RAFFETTO, ESQUIRE, BOROUGH ATTORNEY.

Council member Kostbar stated that he would need to abstain from voting on this resolution, as well as the next, due to a past professional association with Big Daddy Construction.

COUNCIL	MOTION	SECOND	AYES	NAYS	ABSTAIN	ABSENT
BODALL			X			
CARPENTER		X	X			
GRIMES			X			

JENNINGS			X			
KOSTBAR					X	
LONGO	X		X			
MAYOR LAMANTIA						

RESOLUTION #141-05-14-08

RESOLUTION OF THE BOROUGH OF JAMESBURG APPROVING PAYMENT CERTIFICATES #1, #2, AND #3 FOR THE STREETScape PHASE III, IMPROVEMENT PROJECT

WHEREAS, THE CONTRACTOR, BIG DADDY CONSTRUCTION, INC., HAS SUBMITTED AS-BUILT QUANTITIES FOR THE STREETScape, PHASE III 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 PAYMENT CERTIFICATE #1, DATED APRIL 7, 2008, IN THE AMOUNT OF TWENTY-FOUR THOUSAND, NINE DOLLARS AND EIGHTY-NINE CENTS (\$24,009.89): AND

WHEREAS, THE ENGINEER RECOMMENDS THE APPROVAL OF PAYMENT CERTIFICATE #2, DATED APRIL 23, 2008, IN THE AMOUNT OF ONE HUNDRED FOURTEEN THOUSAND, FIVE HUNDRED EIGHTY DOLLARS AND TWENTY-EIGHT CENTS (\$114,580.28); AND

WHEREAS, THE ENGINEER RECOMMENDS THE APPROVAL OF PAYMENT CERTIFICATE #3, DATED MAY 8, 2008, IN THE AMOUNT OF THIRTEEN THOUSAND, FOUR HUNDRED NINETY-FIVE DOLLARS AND EIGHTY-SEVEN CENTS (\$13,495.87):

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG THAT PAYMENT CERTIFICATES #1, #2, AND #3 IN THE AGGREGATE AMOUNT OF ONE HUNDRED FIFTY-TWO THOUSAND, EIGHTY-SIX DOLLARS AND FOUR CENTS (\$152,086.04) BE HEREBY AUTHORIZED FOR PAYMENT TO BIG DADDY CONSTRUCTION, INC.

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

DISCUSSION:

Farmer's Market & Town Clock

Due to recently planned matters that are intended to take place on Borough property, Council President Kostbar suggested the institution of an application procedure for such issues, inquiring whether Council would agree to such an application. Attorney Raffetto recommended enacting an ordinance that would set forth the requirements. In the interim, because of the time requirements of an ordinance, the Borough Council could approve the recently planned events by Resolution. Council President Kostbar raised concern because the Police Chief has recommended that the group wanting to close the road for the Farmers Market (J.R.C.) find a suitable lot instead of closing West Railroad Avenue every Saturday from July through October. The cost for the Police presence while closing the road is unacceptable to the J.R.C. Mr. Kostbar also feels that the property owners whose access to their homes would be affected by the road closing, would not be pleased by such a prospect. Council member Jennings inquired what has been done in the past for the town wide yard sale. Council member Longo replied, describing the manner in which the road was closed and where. Council member Carpenter stated that the yard sale was only held two days per year, while the Farmers Market would be held for fourteen days. Council member Longo feels that the Farmers Market would be a good thing for the community and would bring "walker" traffic into town. Mr. Longo stated that he believes that the Borough should support the project in order to bring business into town. Council President Kostbar disagrees with overriding the Police Chief's recommendation. Council member Carpenter stated that she thinks the market is a good idea however, the Chief has brought up concerns, and suggested an alternate site. Council member Bodall feels that the market needs to be kept in the downtown area. Council member Kostbar reiterated that a procedure needs to be set for such events. Council member Grimes disagreed, stating that a procedure seems unnecessary. Council President Kostbar stated that he did not recall a full discussion on this matter nor a vote by Council allowing this event. Mayor LaMantia suggested that a committee meet with the J.R.C. representative and the Police Chief to discuss possible alternatives. Council members Kostbar, Longo, and Bodall will meet with them on Wednesday May 21.

COUNCILMATIC COMMITTEE REPORTS

LIBRARY COMMITTEE & HOLIDAY EVENTS/PATRIOTIC COMMITTEE

Council member Carpenter wished to acknowledge Council member Kostbar's work on garnishing approval for sidewalk repairs through the Community Development Block Grant. Also reported on Library events and that the Library is going to be hiring a mason to repair the back steps to the building. Additionally, instead of the Borough Road Department, the Library is going to be using a professional landscaper named "Dreamscape" to mow their lawn. Council member Carpenter also gave a specific report regarding plans for the 125th Memorial Day parade, and also distributed a draft copy of the program to Council, in which local businesses have been purchasing ads. Mrs. Carpenter also thanked Council member and Mrs. Longo for their planting of flowers in the downtown area in preparation for the parade.

COMMITTEE ON EDUCATION

Councilmember Grimes congratulated the Board of Education for their budget being approved with no cuts. Mr. Grimes announced this year's Teachers of the Year. The Monroe Township Superintendent of Schools has resigned effective June 30 and construction has started on the new Monroe High School. Council member Grimes also has requested from the Board of Education, a copy of their State mandated technology plan.

COMMITTEE ON PERSONNEL/NEGOTIATIONS

Council member Jennings reported that the committee will be meeting in the ensuing week to finalize the P.B.A. contract.

POLICE COMMITTEE/COMMISSIONER & COMMITTEE ON FINANCE & BUDGETING

Councilmember Kostbar reported that some State aid has been restored, but not what Borough has seen in the past. Spoke regarding having to cut a new police car from the budget and due to this, vehicle repairs that are beginning to sky rocket. Patrolman Sellmyer is scheduled to graduate the police academy in June.

Council member Grimes suggested the use of motorcycles by the Police Department. Mayor LaMantia replied that the Borough has researched the matter and found it to not be feasible.

TECHNOLOGY COMMITTEE

Council member Bodall reported that the web site has been updated and the Recreation program applications are now online.

COMMITTEE ON BUILDINGS, GROUNDS

Council member Longo reported that he recently attended the JFK/GMB spring musical concert, which he found to be outstanding. Spoke regarding pending legislation that would move school board elections to November and would not require a vote on the budget except in the case of exceeding cap. Mr. Longo reported on the progress with Buckelew House repairs and renovations. Also thanked Denise Jawidzik for completing a grant application that for this project, that saved the Borough between \$4000 and \$6000.

COMMITTEE ON PUBLIC SAFETY/ EMERGENCY SERVICES COMMITTEE ON PUBLIC WORKS

Mayor Anthony LaMantia also thanked Denise for her diligence in completing the grant application. Also reported on Public Works projects in preparation for Memorial Day.

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: Carpenter

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

None Opposed, None Abstaining.

PUBLIC COMMENT:

Elliott Stroul – 110 Mendoker Drive, J.R.C. President

- Reported the steps he has taken in researching what is needed from the Borough for the Farmers Market.
- He has sample letter for the residents in the area where the market is planned.
- He has experience in controlling crowds.
- The J.R.C. is making sure that the Borough sees the money from permits.
- The Individual vendors are to maintain their displays.
- The Presbyterian Church has agreed to assist with their parking lot.
- Is working for Jamesburg to not become a ghost town.

Council member Kostbar replied that the procedure is not set up for such an undertaking and Council did not hear about the market until Mr. Stroul spoke during the public portion at last month's Council meeting.

Mr. Kostbar feels that and advocate on Council should have set the matter up as a discussion item. Mr. Stroul's enthusiasm is appreciated but facts need to be worked out.

Michael Torres – 25 Front Street

- Is a new resident to Jamesburg
- Is concerned with the speed of vehicles on Davison Avenue, would like to see them slowed.
- Feels signage is needed, as there is none now.

George Zelasko – 51 East Railroad Avenue

- Agreed with Council member Longo that the school's musical concert was great.
- Is glad that the zoning change ordinance was passed intact.

Tom Van de Sand – 2 Fernwood Lane

- Inquired about a sewer bill and what the sewer system is used for.
- Inquired what else the sewer funds were used for.
- Inquired about sewer system repairs and the number of lineal feet repaired.
- Inquired about State Aid and the Borough budget
- Feels State Aid is "welfare" and the Borough should govern within its means.

Elliott Stroul – 110 Mendoker Drive

- Stated that funds are currently not available for the purchase of town clocks but the matter will be revisited when funds become available.

MOTION TO CLOSE TO PUBLIC COMMENT:

PROPOSED BY: Longo

SECONDED BY: Kostbar

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

None Opposed, None Abstaining.

MOTION TO ADJOURN:

PROPOSED BY: Grimes

SECONDED BY: Carpenter

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

None Opposed, None Abstaining.

TIME OF ADJOURNMENT:

___ 8:10 ___ PM