

BOROUGH OF JAMESBURG
GOVERNING BODY REORGANIZATION MEETING
MINUTES
JANUARY 4, 2012
7:00 PM

CALL TO ORDER: Mayor Anthony LaMantia called the meeting to order and announced that same was being held pursuant to the Open Public Meetings Act of 1974 and all provisions of that Act had been met. Any contracts awarded would 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, 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 – 2011 GOVERNING BODY:

Mayor LaMantia - Present
Council President Kostbar - Present
Council Member Busco - Present
Council Member Carpenter - Present
Council Member Deans - Present
Council Member Ludas - Present
Council Member Newton - Present
Administrator Jawidzik - Present

INAUGURATION OF NEWLY ELECTED MAYOR:

Mayor Marlene Lowande was sworn in.

PRESENTATION TO MAYOR LAMANTIA AND COUNCIL MEMBER DEANS:

Mayor Lowande presented Mayor LaMantia and Council Member Deans a plaque in recognition of their service.

INAUGURATION OF NEWLY ELECTED COUNCIL MEMBERS:

Council Members Ludas and Taylor were sworn in.

ROLL CALL – 2012 GOVERNING BODY:

Mayor Lowande - Present
Council Member Busco - Present
Council Member Carpenter - Present
Council Member Kostbar - Present

Council Member Ludas - Present
 Council Member Newton - Present
 Council Member Taylor - Present
 Administrator Jawidzik - Present

RESOLUTION: - #001-01-04-12

Appoint Borough Attorney - Raffetto

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco			Y
Council Member Carpenter			N
Council Member Kostbar			N
Council Member Ludas	X		Y
Council Member Newton			N
Council Member Taylor		X	Y
Mayor Lowande			Y

MAYOR CALLS FOR NOMINATIONS FOR COUNCIL PRESIDENT:

Council Member Taylor nominated Council Member Ludas for Council President.

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco		X	Y
Council Member Carpenter			Y
Council Member Kostbar			Y
Council Member Ludas			Y
Council Member Newton			Y
Council Member Taylor	X		Y
Mayor Lowande			

ESTABLISHMENT OF ANNUAL COUNCILMATIC COMMITTEES AND MEMBERS:

Proposed Councilmatic Committees List was reviewed by the Governing Body. Council Member Kostbar asked to be placed on the Public Safety Committee and Council Member Carpenter asked to be placed on the Police Committee. Attorney Raffetto advised that the maximum number of governing body members per committee must be kept to three. All agreed on the proposed changes. A Motion to Amend the Councilmatic Committees List was considered as follows:

COUNCIL	MOTION to AMEND	SECOND	VOTE
Council Member Busco		X	Y
Council Member Carpenter			Y
Council Member Kostbar			Y
Council Member Ludas			Y
Council Member Newton			Y
Council Member Taylor	X		Y
Council President			Y
Mayor Lowande			

Motion to adopt amended Councilmatic Committees list:

COUNCIL	MOTION to ADOPT	SECOND	VOTE
Council Member Busco			Y
Council Member Carpenter			Y
Council Member Kostbar	X		Y
Council Member Ludas		X	Y
Council Member Newton			Y
Council Member Taylor			Y
Council President			Y
Mayor Lowande			

MAYORAL APPOINTMENTS NOT REQUIRING ADVICE AND CONSENT OF COUNCIL:

ORDINANCES – FIRST READING BY TITLE (Public Hearing set for January 18, 2012):

ORDINANCE #01-12

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

COUNCIL	MOTION to INTRODUCE	SECOND	VOTE
Council Member Busco			Y
Council Member Carpenter	X		Y
Council Member Kostbar			Y
Council Member Ludas		X	Y
Council Member Newton			N
Council Member Taylor			Y
Mayor Lowande			

ORDINANCE #02-12

AN ORDINANCE AMENDING AND ESTABLISHING LIMITS FOR SALARY AND COMPENSATION OF CERTAIN OFFICES, POSITIONS, AND EMPLOYEES IN THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY.

Council Member Kostbar asked Attorney Raffetto for an explanation of why the Governing Body was considering the Ordinance, specifically as it pertains to minimum and maximum salaries. Attorney Raffetto detailed the need for municipalities to set salaries by ordinance in accordance with state statute noting that a municipality may set salaries by range provided that the salary range is sufficiently restrictive so as to afford the public a reasonable expectation of what the salary might be for a given position. Attorney Raffetto further explained that once an ordinance is adopted establishing salary ranges, a governing body must take action by means of a resolution to establish a specific salary, within the range, for an individual within a given title. Council Member Kostbar asked if the Borough could set specific salaries for individuals in each position by ordinance. Attorney Raffetto confirmed that this is an optional approach but noted that any changes to salaries and/or incumbents in the positions would require the adoption of additional ordinances and that this can become

quite cumbersome. Council Member Carpenter expressed a preference for a detailed list of position titles, incumbent names, and exact salaries. Mayor Lowande inquired as to the cost considerations of each approach. Attorney Raffetto noted that although attorney fees are not typically incurred to prepare the ordinances, a municipality will incur costs associated with the requisite publications of the ordinances. Council Member Taylor noted that it was his understanding that in 2011 the Borough incurred additional overtime costs in the police department due to the extended time needed to hire a dispatcher under the salary specific approach. Council Member Kostbar noted that his concern was transparency to the public. Attorney Raffetto reported that most of the municipalities he works with set salaries by range and have resolutions specifying exact salaries for a given period. Attorney Raffetto further noted that these documents are all public documents.

COUNCIL	MOTION to INTRODUCE	SECOND	VOTE
Council Member Busco		X	Y
Council Member Carpenter			N
Council Member Kostbar			N
Council Member Ludas	X		Y
Council Member Newton			N
Council Member Taylor			Y
Mayor Lowande			Y

ORDINANCE #03-12

AN ORDINANCE AMENDING AND ESTABLISHING LIMITS FOR SALARY AND COMPENSATION OF CERTAIN OFFICES, POSITIONS, AND EMPLOYEES IN THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY.

Ms. Jawidzik and Attorney Raffetto explained the need for this Ordinance in addition to #02-12.

COUNCIL	MOTION to INTRODUCE	SECOND	VOTE
Council Member Busco			Y
Council Member Carpenter	X		Y
Council Member Kostbar			Y
Council Member Ludas		X	Y
Council Member Newton			Y
Council Member Taylor			ABSTAIN
Mayor Lowande			

Council Member Taylor stated he abstained from voting due to his spouse being the incumbent in the positions being considered.

CONSENT AGENDA DEFINED:

All matters listed on tonight’s Consent Agenda are to be considered as one vote by the Borough Council and will be enacted by one motion. Any resolutions listed on the agenda with ** next to their respective number are to be considered as part of the Consent Agenda. There will be no discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and considered separately.

Council Member Newton requested that the following be removed from the Consent Agenda: #002, #003, #006, #007, #012, #013, #014, #016, and #029.

CONSENT AGENDA RESOLUTIONS:

- #005-01-04-12** Appoint Town Historian – Soden
- #008-01-04-12** Appoint Tax Search Officer - Jawidzik
- #009-01-04-12** Appoint Insurance Commissioner - Jawidzik
- #010-01-04-12** Appoint Certifying Officer - Jawidzik
- #011-01-04-12** Appoint PACO Officer - Jawidzik
- #015-01-04-12** Appoint Police Chaplain
- #017-01-04-12** Appoint Library Board of Trustees
- #018-01-04-12** Appoint Citizens Advisory Committee Members
- #019-01-04-12** Appoint Clean Communities Coordinator
- #021-01-04-12** Appoint Safety Officer - Jawidzik
- #022-01-04-12** Appoint Municipal Housing Liaison - Long
- #023-01-04-12** Appoint Safety and Loss Control Commission
- #024-01-04-12** Appoint Right to Know Coordinator - Intravartola
- #025-01-04-12** Appoint Recycling Coordinator - Intravartola
- #026-01-04-12** Appoint Zoning Housing Community Development Director - Long
- #027-01-04-12** Appoint Towing Contractors
- #028-01-04-12** Accept Cash Management Plan
- #030-01-04-12** Approve Temporary Budget

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco			Y
Council Member Carpenter	X		Y
Council Member Kostbar			Y
Council Member Ludas		X	Y
Council Member Newton			Y
Council Member Taylor			Y
Mayor Lowande			

NON-CONSENT AGENDA RESOLUTIONS:

- #031-01-04-12 Appoint Sewer Administrator – Taylor

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco	X		Y
Council Member Carpenter			Y
Council Member Kostbar			Y
Council Member Ludas		X	Y
Council Member Newton			Y
Council Member Taylor			ABSTAIN
Mayor Lowande			

Council Member Taylor stated he abstained from voting due to his spouse being the incumbent in the position being considered.

- #032-01-04-12 Appoint Registrar – Taylor

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco			Y
Council Member Carpenter	X		Y
Council Member Kostbar		X	Y
Council Member Ludas			Y
Council Member Newton			Y
Council Member Taylor			ABSTAIN
Mayor Lowande			

Council Member Taylor stated he abstained from voting due to his spouse being the incumbent in the position being considered.

#033-01-04-12

Appoint Assistant to the Tax Collector – Taylor

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco			Y
Council Member Carpenter		X	Y
Council Member Kostbar	X		Y
Council Member Ludas			Y
Council Member Newton			Y
Council Member Taylor			ABSTAIN
Mayor Lowande			

Council Member Taylor stated he abstained from voting due to his spouse being the incumbent in the position being considered.

#034-01-04-12

Appoint Assistant to the Chief Financial Officer – Taylor

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco			Y
Council Member Carpenter	X		Y
Council Member Kostbar			Y
Council Member Ludas		X	Y
Council Member Newton			Y
Council Member Taylor			ABSTAIN
Mayor Lowande			

Council Member Taylor stated he abstained from voting due to his spouse being the incumbent in the position being considered.

#035-01-04-12

Award Borough Attorney Contract – Raffetto

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco	X		Y
Council Member Carpenter			N
Council Member Kostbar			N
Council Member Ludas		X	Y
Council Member Newton			N
Council Member Taylor			Y
Mayor Lowande			Y

#036-01-04-12

Appoint Borough Labor Attorney – Shaklee

Council Member Kostbar asked for clarification between the Borough Labor Attorney appointment and the Special Counsel appointment. Attorney Raffetto explained that Special Counsel Kanan is being appointed to continue his efforts in connection with the special counsel services contract previously underway and that Labor Attorney Shaklee is being nominated to address any new labor issues introduced in 2012.

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco			Y
Council Member Carpenter			N
Council Member Kostbar			N
Council Member Ludas	X		Y
Council Member Newton			N
Council Member Taylor		X	Y
Mayor Lowande			Y

#037-01-04-12

Award Labor Attorney Contract – Shaklee

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco			Y
Council Member Carpenter			N
Council Member Kostbar			N
Council Member Ludas	X		Y
Council Member Newton			N
Council Member Taylor		X	Y
Mayor Lowande			Y

#038-01-04-12

Appoint Borough Engineer – Remington

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco			Y
Council Member Carpenter		X	Y
Council Member Kostbar	X		Y
Council Member Ludas			Y
Council Member Newton			Y
Council Member Taylor			Y
Mayor Lowande			

#039-01-04-12

Award Engineer Contract- Remington

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco	X		Y
Council Member Carpenter			Y
Council Member Kostbar			Y
Council Member Ludas		X	Y
Council Member Newton			Y
Council Member Taylor			Y
Mayor Lowande			

#040-01-04-12

Appoint Borough Auditor – Hutchins

Council Member Kostbar referenced a previous discussion of rotating the professional contract for auditor and suggested looking at the firm that submitted the lowest bid. Council Member Kostbar also suggested that there may be a potential for a conflict of interest in having the Borough Administrator conducting the cost/benefit analysis. The Governing Body members discussed the various pros and cons of the professionals who submitted bids. Administrator Jawidzik responded to questions and offered details of her analysis.

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco		X	Y
Council Member Carpenter			N
Council Member Kostbar			N
Council Member Ludas			Y
Council Member Newton			N
Council Member Taylor	X		Y
Mayor Lowande			Y

#041-01-04-12

Award Auditor Contract – Hutchins

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco		X	Y
Council Member Carpenter			N
Council Member Kostbar			N
Council Member Ludas			Y
Council Member Newton			N
Council Member Taylor	X		Y
Mayor Lowande			

#042-01-04-12

Appoint Special Counsel – Kanan

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco			Y
Council Member Carpenter			N
Council Member Kostbar			N
Council Member Ludas	X		Y
Council Member Newton		X	Y
Council Member Taylor			Y
Mayor Lowande			

#043-01-04-12

Award Special Counsel Contract – Kanan

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco	X		Y
Council Member Carpenter			N
Council Member Kostbar			N
Council Member Ludas			Y
Council Member Newton		X	Y
Council Member Taylor			Y
Mayor Lowande			

#044-01-04-12

Appoint Animal Control Officer – Intravartola

Council Member Kostbar reported that the Borough of Helmetta called today offering to reduce their contract fee by \$5,000 per annum. Council Member Kostbar made a motion to table the Resolution. Council Member Taylor offered concerns about tabling the appointment and leaving the Borough without an Animal Control Officer. The Governing Body discussed various options to ensure coverage. Mayor Lowande commented that the Helmetta agreement was not cost effective and that there were long wait times. Council Member Taylor reported specific incidents that he was aware of that resulted in long wait times and the need for the Borough’s police department to intervene. Council Member Newton suggested that tabling the appointment will prevent a rush to judgment. Council President Ludas noted that there still seems to be a feral cat problem. Council Member Kostbar commented that the Governing Body has a duty to put the offer from Helmetta before the public. Council Member Carpenter voiced concerns about leaving the Borough exposed without animal control services.

COUNCIL	MOTION To TABLE	SECOND	VOTE
Council Member Busco			N
Council Member Carpenter			N
Council Member Kostbar	X		Y
Council Member Ludas			N
Council Member Newton		X	Y
Council Member Taylor			N
Mayor Lowande			

#044-01-04-12

Appoint Animal Control Officer – Intravartola

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco		X	Y
Council Member Carpenter			Y
Council Member Kostbar			Y
Council Member Ludas			Y
Council Member Newton			N
Council Member Taylor	X		Y
Mayor Lowande			

#002-01-04-12

Appoint Borough Prosecutor – Rafano

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco			Y
Council Member Carpenter			N
Council Member Kostbar			Y
Council Member Ludas		X	Y
Council Member Newton			Y
Council Member Taylor	X		Y
Mayor Lowande			

Council Member Newton interjected a question as to why some paid positions were put on the Consent Agenda while others were not. Borough Administrator explained that the only paid positions that were placed on the

Non-Consent Agenda were those where there was a potential conflict of interest between a council member and the incumbent in the position.

#003-01-04-12

Appoint Public Defender – Miller

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco			Y
Council Member Carpenter		X	Y
Council Member Kostbar			Y
Council Member Ludas			Y
Council Member Newton			Y
Council Member Taylor	X		Y
Mayor Lowande			

#006-01-04-12

Appoint Administrative Assistant – Pannucci

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco			Y
Council Member Carpenter	X		Y
Council Member Kostbar			Y
Council Member Ludas		X	Y
Council Member Newton			Y
Council Member Taylor			Y
Mayor Lowande			

#007-01-04-12

Appoint Deputy Registrar – Pannucci

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco			Y
Council Member Carpenter	X		Y
Council Member Kostbar			Y
Council Member Ludas			Y
Council Member Newton			Y
Council Member Taylor		X	Y
Mayor Lowande			

#012-01-04-12

Appoint Special Police Officers

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco			Y
Council Member Carpenter	X		Y
Council Member Kostbar			Y
Council Member Ludas		X	Y
Council Member Newton			Y
Council Member Taylor			Y
Mayor Lowande			

#013-01-04-12

Appoint Crossing Guards

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco		X	Y
Council Member Carpenter	X		Y
Council Member Kostbar			Y
Council Member Ludas			Y
Council Member Newton			Y
Council Member Taylor			Y
Mayor Lowande			

#014-01-04-12

Appoint Emergency Service Dispatchers – Holmes and Galway

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco			Y
Council Member Carpenter		X	Y
Council Member Kostbar			Y
Council Member Ludas	X		Y
Council Member Newton			Y
Council Member Taylor			Y
Mayor Lowande			

#016-01-04-12

Appoint Deputy Court Administrator – Ward

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco			Y
Council Member Carpenter	X		Y
Council Member Kostbar		X	Y
Council Member Ludas			Y
Council Member Newton			Y
Council Member Taylor			Y
Mayor Lowande			

#029-01-04-12

General Business

Council Member Newton reminded the Governing Body of discussions from 2011 regarding the time of the Budget Workshop and School Budget Presentation citing that there was concern that the 6:00 PM time was too early to allow the public to attend. The Council Members agreed to amend the General Business Resolution to reflect a 7:00 PM start time for the two meetings in question.

COUNCIL	MOTION to AMEND	SECOND	VOTE
Council Member Busco			Y
Council Member Carpenter		X	Y
Council Member Kostbar			Y
Council Member Ludas			Y
Council Member Newton	X		Y
Council Member Taylor			Y
Mayor Lowande			

COUNCIL	MOTION	SECOND	VOTE
Council Member Busco			Y
Council Member Carpenter	X		Y
Council Member Kostbar			Y
Council Member Ludas		X	Y
Council Member Newton			Y
Council Member Taylor			Y
Mayor Lowande			

MOTION TO OPEN TO PUBLIC COMMENT:

Proposed By: Council Member Newton

Seconded By: Council Member Ludas

All in favor: All. Opposed: None

Mr. Sandy Sussman – Buckelew Avenue – Mr. Sussman extended New Year wishes to the Governing Body and offered words of welcome to the Mayor Lowande and Council Member Taylor.

Senator Linda Greenstein – Ms. Greenstein extended congratulations to the Mayor and newly elected Council Members and wished the entire Governing Body a Happy and Healthy 2012.

Mr. Tom Van de Sande – 2 Fernwood Lane – Mr. Van de Sande expressed concern about the potential conflict of interest in connection with Council Member Taylor and looked to Borough Attorney Raffetto to comment. Attorney Raffetto responded noting that as long as Council Member Taylor recuses himself on matters involving his spouse then there is no problem. Mr. Van De Sande asked for examples. Mr. Raffetto cited the Ordinance and Resolutions that Mr. Taylor abstained from earlier in the meeting. Attorney Raffetto further noted that he would work closely with the Governing Body and review on a case-by-case basis areas that may present a conflict.

MOTION TO CLOSE TO PUBLIC COMMENT:

Proposed By: Council Member Newton

Seconded By: Council Member Ludas

All in favor: All. Opposed: None

MOTION TO ADJOURN:

Proposed By: Council Member Kostbar

Seconded By: Council Member Carpenter

All in favor: All Opposed: None.

TIME OF ADJOURNMENT:

7:57 PM