

**BOROUGH OF JAMESBURG
GOVERNING BODY MEETING
MINUTES
AUGUST 8, 2012
7:00 PM**

CALL TO ORDER: Mayor Lowande 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 require the contractor to comply with N.J.S.A.10:5-31 et.seq. and N.J.A.C. 17:27. Also, in the event of a fire and pursuant to the N.J. Uniform Fire Code, members of the audience are requested to take notice of the exits at the front and rear of the Council Chambers as well as in the main hallway.

FLAG SALUTE: Led by Mayor Lowande

ROLL CALL: Present
 Mayor Lowande
 Council President Ludas
 Council Member Busco
 Council Member Carpenter
 Council Member Kostbar
 Council Member Newton
 Council Member Taylor
 Administrator Jawidzik
 Borough Attorney Raffetto

RESOLUTION #140-08-08-12

APPOINT DEPUTY MUNICIPAL CLERK - JAWIDZIK

I, Marlene Lowande, Mayor, with the advice and consent of the Council, do hereby appoint Denise Jawidzik as Deputy Municipal Clerk for the Borough of Jamesburg, her term to expire December 31, 2012 or until a successor is duly appointed and qualified.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Busco			X			
Council Member Carpenter			X			
Council Member Kostbar		X	X			
Council Member Ludas	X		X			
Council Member Newton			X			
Council Member Taylor			X			
Mayor Lowande						

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

Motion to Open to Public Comment

Proposed By: Ludas
Seconded By: Carpenter
All in Favor

No members of the public came forward

Motion to Close to Public Comment

Proposed By: Taylor
Seconded By: Ludas
All in Favor

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 Removed #139-08-08-12

CONSENT AGENDA RESOLUTIONS:

RESOLUTION #135-08-08-12**

APPROVE PAYMENT OF VOUCHERS

WHEREAS, The Chief Financial Officer has certified and submitted a consolidated bill list for the payment of claims; and

WHEREAS, all vouchers listed herewith have been encumbered and sufficient funds are available for payment; and

WHEREAS, the required signatures of the Department Head or the Committee Chair, the Finance Chairperson, the Vendor, and the Chief Financial Officer, have all been obtained on each voucher on the attached list.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg, that the voucher list submitted is hereby approved for payment in the total amount of \$1,242,298.69.

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

RESOLUTION #136-08-08-12**

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:

Investment Report	June, 2012
Finance Report	June, 2012
Report of the Tax Collector	June, 2012
Report of the Sewer Administrator	June, 2012

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

NON-CONSENT AGENDA RESOLUTIONS:

RESOLUTION #139-08-08-12

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE BOROUGH OF JAMESBURG PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any such items of revenue in the budget of the municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget;

WHEREAS, said Director may also approve the insertion of any item of appropriations for an equal amount.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg, that it hereby requests that the Director of the Division of Local Government Services approve the insertion of an item of revenue in the budget for the year 2012 in the amount of \$4,400 which item is now available as revenue from the NJ Department of Law and Public Safety; and

BE IT FURTHER RESOLVED that a like sum of \$4,400 be and the same is hereby appropriated under the caption of:

NJ Drive Sober or Get Pulled Over – Other Expense

Council Member Newton requested an explanation which was provided by Administrator Jawidzik and Lt. Craparotta. Funding provided by the state for extra officers to provide driving while intoxicated patrols from August 17th through September 3rd.

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

RESOLUTION #137-08-08-12

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL

JULY 11, 2012

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

RESOLUTION #138-08-08-12

RESOLUTION TO AMEND GENERAL BUSINESS RESOLUTION #029-01-04-12

WHEREAS, Resolution #029-01-04-12, General Business, was duly approved by the Governing Body of the Borough of Jamesburg; and

WHEREAS, the Governing Body wishes to revise Section 15 of the General Business Resolution in connection with the rates related to the Special Duty Assignment of Police Officers by increasing the rates as follows:

FROM:

\$55.00 PER HOUR FOR THE OFFICER
\$17.00 PER HOUR FOR ADMINISTRATIVE FEES
 \$72.00 PER HOUR TOTAL

TO:

\$60.00 PER HOUR FOR THE OFFICER
\$25.00 PER HOUR FOR ADMINISTRATIVE FEES
 \$85.00 PER HOUR TOTAL

BE IT RESOLVED, that Section 15 of the General Business Resolution #029-01-04-12 be revised to increase the rates related to the Special Duty Assignment of Police Officers as indicated above, effective immediately.

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

RESOLUTION #141-08-08-12

****Rescinded introduced as Ordinance #09-12**

Attorney Raffetto advised that fees should be established by ordinance not resolution

ESTABLISH FEES

WHEREAS, the Borough of Jamesburg has received many requests for use of Borough owned property from organizations not affiliated with the Borough of Jamesburg or it's programs; and

WHEREAS, the Governing Body wishes to establish certain fees for such use of Borough owned property by these various organizations.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Jamesburg that the following fees are hereby approved for the year 2012:

- Ballfield Permit Per Day \$75.00
- Ballfield Permit Per Night \$100.00

- Senior Building Rental:
- Jamesburg based Non-Profit \$10.00/hour
- Non-Jamesburg and For Profit \$25.00/hour

ORDINANCE #09-12

AN ORDINANCE ESTABLISHING CERTAIN FEES FOR THE USE OF BOROUGH OWNED PROPERTY OR FACILITIES, AND AMENDING AND SUPPLEMENTING THE EXISTING SCHEDULE OF FEES OF THE BOROUGH OF JAMESBURG.

WHEREAS, the Borough of Jamesburg has received many requests for use of Borough owned property or facilities from organizations not affiliated with the Borough of Jamesburg or its programs; and

WHEREAS, the Governing Body wishes to establish certain fees for such use of Borough owned property or facilities by these various organizations.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of Jamesburg, in the County of Middlesex and State of New Jersey, as follows:

1. That the following fees are hereby approved and established for the year 2012:

Ball field Permit per Day	\$75.00
Ball field Permit per Night	\$100.00
Senior Building Rental:	
Jamesburg based Non-Profit	\$10.00/hour
Non-Jamesburg and For Profit	\$25.00/hour

2. That the "Revised General Ordinances of the Borough of Jamesburg, New Jersey (2000)," and the Schedule of Fees established pursuant to Ordinance #01-12, are hereby amended and supplemented accordingly.
3. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.
4. That 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 that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.
5. That this Ordinance shall take effect upon final passage and publication in accordance with the law.

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

RESOLUTION #144-08-08-12

RESOLUTION ACCEPTING THE SHARED SERVICES AGREEMENT BETWEEN THE COUNTY OF MIDDLESEX AND THE BOROUGH OF JAMESBURG FOR THE USE OF THE MIDDLESEX COUNTY RADIO NETWORK

WHEREAS, THE UNIFORM SHARED SERVICES AND CONSOLIDATION ACT, N.J.S.A. 40A:65-1 ET SEQ. (THE "ACT"), AUTHORIZES LOCAL UNITS OF THIS STATE TO ENTER INTO AGREEMENTS WITH ANY OTHER LOCAL UNIT OR UNITS TO PROVIDE OR RECEIVE ANY SERVICE THAT EACH LOCAL UNIT PARTICIPATING IN THE AGREEMENT IS EMPOWERED TO PROVIDE OR RECEIVE IN ITS OWN JURISDICTION; AND

WHEREAS, THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG HAVE DETERMINED THAT IT IS IN THE BEST INTEREST OF JAMESBURG TO ENTER INTO A SHARED SERVICES AGREEMENT WITH MIDDLESEX COUNTY FOR THE USE OF THE MIDDLESEX COUNTY RADIO NETWORK; AND

WHEREAS, THE AFOREMENTIONED SERVICES WILL BE PROVIDED, AS STATED IN DETAIL IN THE AGREEMENT ATTACHED HERETO.

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

1. THE BOROUGH OF JAMESBURG DOES HEREBY ENTER INTO AN AGREEMENT WITH MIDDLESEX COUNTY FOR THE USE OF THE MIDDLESEX COUNTY RADIO NETWORK.

2. THE MAYOR AND BOROUGH CLERK ARE HEREBY AUTHORIZED TO EXECUTE THE AGREEMENT WITH THE COUNTY OF MIDDLESEX, 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.

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

COUNCILMATIC COMMITTEE REPORTS:

- FINANCE and EDUCATION COMMITTEES
Council Member Taylor

Council Member Taylor stated that he had missed the Board of Education meeting due to prior commitment. He announced that the stair railing repairs at the ballfields had been completed and that insurance had covered the full amount of the repair.

- POLICE COMMITTEE
Council Member Kostbar

Council Member Kostbar reported that officers attended a bicycle training course. Special Officer Mendoza, who is bilingual, is a positive addition to our police force. DWI arrests are up so far this year over last. He announced that the police department is launching a Neighborhood Watch program and requested that Lt. Craparotta comment.

Lt. Craparotta stated that the police department is initiating a Community Policing Program. He consulted with the Borough of Spotswood who already has a program in place. Jamesburg will model our program after theirs. The program needs public participation in order to succeed. Residents were advised not to attempt to detain or apprehend and suspicious person. The program is intended to educate the public and call the police to report any suspicious activity. The police will respond as they are the trained officers. Applications are available for interested parties.

Council Member Taylor asked the attorney if he thought the Borough would have a liability issue to which Attorney Raffetto responded that he would not expect there to be legal ramifications to this type of program.

- PERSONNEL COMMITTEE
Council President Ludas

Council Member Ludas reported that the Personnel Committee had reviewed applications and conducted interviews for the Municipal Clerk position and that further details would be discussed in Executive Session. She also announced that she is planning to hold a meeting with the business owner within the next month. She reported that fallen trees blocking the creek behind Church Street would be removed sometime in September.

- PUBLIC WORKS COMMITTEE
Council Member Busco

No Report

- PUBLIC EVENTS COMMITTEE
Council Member Carpenter

Council Member Carpenter announced that the Fall Festival will be held October 7th from Noon-5pm and that the rain date is set for October 14th. She explained the various activities that were being planned for the event. The first fall Festival meeting is Friday at 6pm. The Library will be celebrating their 50th anniversary in 2013 and a celebration is planned for April 13, 2013. Summer reading program is going well and an Estate Planning Program will be held.

- PUBLIC SAFETY COMMITTEE
Council Member Newton

No report

- ADMINISTRATOR'S REPORT
Denise Jawidzik

No report

- MAYOR'S REPORT
Mayor Marlene Lowande

Mayor Lowande announced that she had received an appreciation note from the Fit Girls and congratulated them on completing their 5K run. The new recreation center located in the basement of the senior center is expected to open September 1st. The purpose of this center is for Jamesburg organizations to have a place to meet and have events. It will also be rented out to outside organizations as a new revenue source. She announced that she has requested and received permission for the use of the County "Stop and Stay Stopped Trailer". This will be put at pedestrian crossings. This sign posts the fines for failure to yield to pedestrians and will act as a deterrent for speeders. She thanked Lt. Craparotta for all his work in assisting her in launching the Neighborhood Watch Program.

2nd PUBLIC COMMENT PERIOD – ANY ITEM - EXCLUDES ORDINANCES (they have their own public hearing): Members of the public wishing to address the Mayor and Borough Council must approach the podium and state their name and address for the record. There is a five (5) minute time limit for all comments and questions.

Motion to Open for Public Comment

Proposed By: Newton

Seconded By: Ludas

All in Favor

Lisa Rejowski – business 14 West Railroad, home 55 Sandhill

- “riff raff” on West Railroad
- garbage on west Railroad

Council Member Taylor advised that Monroe has ordinance prohibiting loitering that blocks an entrance to a business and that he would attempt to attain a copy.

Elliott Stroul – 110 Mendoker

- Buckelew House hurricane damages

Peyton Thornton – 15 Warren

- Vandalized Vehicles on Warren, Franklin and Augusta

Darren Larsen – 15 Pergola

- Neighborhood Watch
- Broadcasting Council meetings

Elliott Stroul – 110 Mendoker

- Neighborhood Watch

Rob Czarneski – 189 Gatzmer

- Pedestrian signs
- Crosswalk painting

Eric Somers – 32 Pergola

- Bicycle paths
- Bike Patrols

Corrine Larsen – 15 Pergola

- Slow Down signs on Pergola
- walking police patrol
- booth at fair for Neighborhood Watch
- Mill/Half Acre sidewalk obscenity

Darren Larsen – 15 Pergola

- Facebook page

Brian Somers – 32 Pergola

- Pergola Avenue speeding

Lt. Craparotta responded to the concerns stating that 10% of all motor vehicle stops are on Pergola Avenue. Motor vehicle summonses are up 30% over last year due to an increased Special Officer budget allowing more patrol time. He stated that residents must call police when they have an issue and the department will respond.

Motion to Close to Public Comment

Proposed By: Ludas

Seconded By: Carpenter

All in Favor

RESOLUTION #142-08-08-12

A RESOLUTION PERMITTING THE MAYOR AND BOROUGH COUNCIL TO EXCLUDE THE PUBLIC FROM A PORTION OF A PUBLIC MEETING

WHEREAS, it has been determined by the Mayor and Borough Council of the Borough of Jamesburg that it is necessary to discuss the following specific matters:

Personnel – Borough Clerk Position

WHEREAS, the Open Public Meetings Act, specifically at N.J.S.A. 10:4-12, permits the Mayor and Borough Council to exclude the public from that portion of a public meeting during which such matters are discussed.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg as follows:

1. That the Mayor and Council shall forthwith recess into a private executive session, from which the public shall be excluded, to discuss the above-referenced matters.
2. That the scope of the aforesaid executive session shall be limited to the above matters as stated.
3. That those matters discussed in executive session shall remain confidential until such time as the need for confidentiality no longer exists, pursuant to direction from the Borough Attorney.
4. That minutes of the executive session shall be prepared and maintained by the Borough Clerk, and that such minutes shall be made public at such time as the need for confidentiality no longer exists, pursuant to direction from the Borough Attorney.
5. That formal action on any of the matters discussed in the executive session may only be taken during the open public portion of a meeting of the Mayor and Borough Council.
6. That, following the conclusion of this executive session (i.e., when the Mayor and Council re-convene the open portion of the meeting), action may be taken in public by the Mayor and Borough Council upon any of the matters discussed during this executive session.

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

Motion to Return to Open Session:

Proposed By: Kostbar
 Seconded By: Carpenter
 All in Favor

ORDINANCE #08-12

AN ORDINANCE OF THE BOROUGH OF JAMESBURG AMENDING ORDINANCE #02-12 AN ORDINANCE AMENDING AND ESTABLISHING SALARY AND COMPENSATION OF CERTAIN OFFICES, POSITIONS, AND EMPLOYEES IN THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY.

WHEREAS, the Borough of Jamesburg has determined that it is necessary to hire an Acting Municipal Clerk; and

WHEREAS, the salary for such position does not conform to the existing salary ordinance.

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, that Ordinance #02-12 is hereby amended as follows:

Position	Minimum	Maximum
Municipal Clerk	7,000 per annum	9,000 per annum

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

It was announced that the public hearing and adoption would take place at a Special meeting to be held August 29, 2012 at 6pm

Motion to Adjourn:

Proposed By: Kostbar

Seconded By: Carpenter

All in Favor

TIME OF ADJOURNMENT: 8:10 PM

Denise Jawidzik
Deputy Municipal Clerk