

**BOROUGH OF JAMESBURG
GOVERNING BODY MEETING
MINUTES
FEBRUARY 17, 2016
7:00 PM**

CALL TO ORDER: This meeting 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: Mayor Lowande
Council Member Busco -
Council Member Gibbons
Council Member Ludas
Council Member Rutsky -
Council Member Spillane
Council President Sussman
Administrator Jawidzik
Borough Attorney – Raffetto

BUDGET WORKSHOP:

Administrator Jawidzik reported that currently the budget stands at 8.8 cent increase, representing a \$108.56 for the year for the average home. Revenues are anticipated to be reduced by \$165,240 this year compared to 2015; however, there is an increase in assessed values in excess of \$400,000 due to new construction and additions. This is equivalent of .004 cents of the tax increase. Appropriations were \$5,574,385 in 2015 and are \$5,661,871.78 in 2016. The COAH planner was removed from the 2016 budget in order to get under appropriations and levy CAPs. It will be added in the 2017 budget.

Administrator Jawidzik mentioned that she received MTUA's audit for 2014 and the Borough owes an additional \$48,263 due to increased treatment costs. We have moved \$50,680 to outside CAP in Current for MTUA's debt service for 2016. This allowed us to move \$50,000 to Sewer for insurance to help with the appropriations CAP.

The Finance Salaries: Added Position. The Clerks Salaries: Monies moved from Sewer Operating. Clerk & Finance Training: Classes for Clerk and CFO Licensing. Legal: Ongoing Lawsuits and COAH preparation. Other Insurance: Increase in Worker's Compensation. Solid Waste: First increase in 10 years after last year's bid. Police Salaries: Chief's retirement pay out. Reserve for Uncollected Taxes: Adjustment in percentage of Amount to be Raised by Taxation.

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 Open to Public Comment:

Proposed By: Sussman

Seconded By: Ludas

All in Favor

Elliott Stroul – 110 Mendoker Drive. Mr. Stroul stated the School Budget is progressing. We are trying to get programs back while also trying to keep the cap increase down. President Lincoln visited at both JFK and GMB schools. The strangest question was, "What do you think of Trump?" Our response was, "Is he from the South or North?" The Valentine Dance at GMB went well.

Tom VandeSande – Fernwood Lane – Mr. VandeSande has concerns, we have things to think about with the Budget Workshop. Since 2000 our taxes have gone up 43%. In 2014-2015 we had an increase of 4.67%. Have we looked at market value of the homes in town? Have we had an increase yet this year? Mayor Lowande responded, "The budget is not done yet." I see we had a sewer increase, Does this go into the sewer fund?

Brian Taylor – 11 Hillside. Mr. Taylor started with saying, "This may be my las time up here." As a citizen I did an OPRA request regarding Mr. Gibbon's unexcused absences. I have all my evidence gathered.. At the last meeting when I tried to read the Library bylaws, Mr. Gibbons stopped me 2 times. In the OPRA I asked if Mr.Gibbons asked to use the library. He admitted yes he did 2 times. If you were aware of the bylaws, why did u still ask to use the Library? I say' " I know it's wrong to rob a bank, but I will ask the Mayor anyway if I can." If she responds to me with a yes, then it's ok for me to do it." In the OPRA request I asked who has used the library in the past. Mr. Gibbons was not on that request." Why isn't he on it? Did he really get permission? " In a letter from Election Day it says he did not get permission. He did ask for something that he knew was wrong. Mayor and Council should discipline Mr. Gibbons for violation of policy. I ask he be dismissed, I would like for him to step down.

Attorney Raffetto – Mr. Rafetto responded to Mr.Taylor regarding removing Mr. Gibbons from the Council. He stated that the Governing Body does not have the right to remove a Council Member. This type of action must be done by written resolution and have background violation of policy.

Motion to Close to Public Comment:

Proposed By: Sussman

Seconded By: Ludas

All in Favor

ORDINANCES – SECOND READING BY TITLE

ORDINANCE #04-16

AN ORDINANCE PROVIDING FOR THE REMEDIATION OF UNDERGROUND STORAGE TANK SITES AND APPROPRIATING THE SUM OF \$40,000 THEREFORE, AUTHORIZED IN AND BY THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

WHEREAS, the Mayor and Council of the Borough of Jamesburg in the County of Middlesex, New Jersey has determined to remediate underground storage tank sites; and

WHEREAS, the Borough of Jamesburg has \$40,000 in Capital Improvement Fund.

NOW THEREFORE, BE IT ORDAINED and enacted by the Mayor and Council of the Borough of Jamesburg, County of Middlesex, New Jersey, that:

SECTION 1. The improvements described in SECTION 2 of the ordinance are hereby authorized as General Capital Improvements to be undertaken in and by the Borough of Jamesburg, County of Middlesex, New Jersey.

SECTION 2. The improvements hereby authorized to be undertaken consist of Remediation of Underground Storage Tanks sites, together with all items necessary, incidental or appurtenant thereto.

SECTION 3. The 2015 Capital Budget of the Borough of Jamesburg will conform to the provisions of this ordinance.

SECTION 4. All ordinances or parts of ordinances inconsistent with the terms of this ordinance be and the same are hereby repealed to the extent of their inconsistency.

SECTION 5. This ordinance shall take effect 10 days after the first publication thereof after final adoption, as provided by law.

ORDINANCE #04-16

AN ORDINANCE PROVIDING FOR THE REMEDIATION OF UNDERGROUND STORAGE TANK SITES AND APPROPRIATING THE SUM OF \$45,000 THEREFORE, AUTHORIZED IN AND BY THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

RECORD OF VOTE:

FIRST READING: January 20, 2016

COUNCIL MEMBER	MOTION		
	TO INTRODUCE	2nd	VOTE
Council Member Busco			AB
Council Member Gibbons			X
Council Member Ludas	X		X
Council Member Rutsky			AB
Council Member Spillane			X
Council President Sussman		X	X
Mayor Lowande			

PUBLICATION: January 29, 2016

SECOND READING: February 17, 2016

PUBLIC HEARING: February 17, 2016

COUNCIL MEMBER	MOTION TO OPEN	2nd	VOTE	MOTION TO CLOSE	2nd	VOTE	MOTION TO ADOPT	2nd	VOTE
Council Member Busco	X		X			X			X
Council Member Gibbons			X			X			X
Council Member Ludas		X	X		X	X	X		X
Council Member Rutsky			X			X			X
Council Member Spillane			X			X		X	X
Council President Sussman			X	X		X			X
Mayor Lowande									

Y = YES N = OPPOSED A = ABSTAINED AB = ABSENT

CONSENT AGENDA RESOLUTIONS:

#048-02-17-16**

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	January 2016
Finance Report	January 2016
Report of the Tax Collector	January 2016
Report of the Sewer Administrator	January 2016
Tax Collector Annual Report of Uncollectible Taxes	2015

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Busco			X			
Council Member Gibbons			X			
Council Member Ludas	X		X			
Council Member Rutsky		X	X			
Council Member Spillane			X			
Council President Sussman			X			
Mayor Lowande						

#049-02-17-16**

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 \$660,068.53.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Busco			X			
Council Member Gibbons			X			
Council Member Ludas	X		X			
Council Member Rutsky		X	X			
Council Member Spillane			X			
Council President Sussman			X			
Mayor Lowande						

#051-02-17-16**

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL

January 20, 2016

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Busco			X			
Council Member Gibbons			X			
Council Member Ludas	X		X			
Council Member Rutsky		X	X			
Council Member Spillane			X			
Council President Sussman			X			
Mayor Lowande						

#055-02-17-16**

RESCIND RESOLUTION #097-15 LIQUOR LICENSE FOR TALKHOUSE INC

WHEREAS, Resolution #097-15 approving Liquor License for Talkhouse Inc. is invalid

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg, County of Middlesex, State of New Jersey, Resolution #097-15 be and is hereby rescinded.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Busco			X			
Council Member Gibbons			X			
Council Member Ludas	X		X			
Council Member Rutsky		X	X			
Council Member Spillane			X			
Council President Sussman			X			
Mayor Lowande						

#056-02-17-16**

RESOLUTION ADOPTING THE MIDDLESEX COUNTY MULTI-JURISDICTIONAL ALL HAZARDS MITIGATION PLAN

WHEREAS, by the County was authorized to accept the Pre-Disaster Mitigation Program Grant from the Federal Emergency Management Agency (FEMA) for the development of a county-wide All Hazards Mitigation Plan as attached to this resolution; and

WHEREAS, said attached Plan was prepared and submitted to FEMA for approval; and

WHEREAS, the State Office of Emergency Management has advised that the said attached Plan has been approved by FEMA; and

WHEREAS, FEMA requires that the County and each municipality must formally adopt the attached Plan; and

WHEREAS, the adoption of the attached Plan is in the best interests of the residents of the Borough of Jamesburg;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Jamesburg in the County of Middlesex that this body does hereby adopt the attached Middlesex County Multi-Jurisdictional All Hazards Mitigation Plan;

BE IT FURTHER RESOLVED that the Borough Clerk of the Borough of Jamesburg shall forward certified copies of this resolution to Federal Emergency Management Agency and the County of Middlesex.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Busco			X			
Council Member Gibbons			X			
Council Member Ludas	X		X			
Council Member Rutsky		X	X			
Council Member Spillane			X			
Council President Sussman			X			
Mayor Lowande						

#057-02-17-16**

APPROVING LIQUOR LICENSE TRANSFER FOR TALKHOUSE INC

WHEREAS, an application has been submitted, with the proper documentation as required by the New Jersey State Division of Alcoholic Beverage Control, by Talkhouse Inc. for the transfer of a Liquor License #1208-33-003-008 for the 2015-2016 license year; to Talkhouse Inc., DBA as Vine Restaurant: and

WHEREAS, the Municipal Clerk has reviewed said application and has deemed it to be complete; and

WHEREAS, the corresponding fees were submitted with the applications 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 transfer of the above referenced Liquor License. Pursuant to 12.39 ruling

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Busco			X			
Council Member Gibbons			X			
Council Member Ludas	X		X			
Council Member Rutsky		X	X			
Council Member Spillane			X			
Council President Sussman			X			
Mayor Lowande						

#058-02-17-16**

APPROVING LIQUOR LICENSE FOR TALKHOUSE INC. DBA VINE RESTAURANT

WHEREAS, an application has been submitted, with the proper documentation as required by the New Jersey State Division of Alcoholic Beverage Control, by Talkhouse Inc. DBA Vine Restaurant for Liquor License #1208-33-003-008 for the 2015-2016 license year; and

WHEREAS, the Municipal Clerk has reviewed said application and has deemed it to be complete; and

WHEREAS, the corresponding fees were submitted with the applications 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 above referenced Liquor License.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Busco			X			
Council Member Gibbons			X			
Council Member Ludas	X		X			
Council Member Rutsky		X	X			
Council Member Spillane			X			
Council President Sussman			X			
Mayor Lowande						

#059-02-17-16**

AUTHORIZE SUSTAINABLE JERSEY GRANT APPLICATION

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Jamesburg strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Borough of Jamesburg is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program.

THEREFORE, BE IT RESOLVED, that the borough of Jamesburg Council, Middlesex County, State of New Jersey, authorizes the submission of the aforementioned Sustainable Jersey Grant.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Busco			X			
Council Member Gibbons			X			
Council Member Ludas	X		X			
Council Member Rutsky		X	X			
Council Member Spillane			X			
Council President Sussman			X			
Mayor Lowande						

NON-CONSENT AGENDA RESOLUTIONS:

#050-02-17-16

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL

January 6, 2016

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Busco			X			
Council Member Gibbons					X	
Council Member Ludas					X	
Council Member Rutsky		X	X			
Council Member Spillane			X			
Council President Sussman	X		X			
Mayor Lowande						

#052-02-17-16

APPROVE SPECIAL EVENT PERMIT

WHEREAS, application has been made by the Jamesburg Presbyterian Church for a Special Event Permit to host a Spring Fair; and

WHEREAS, the event is to be held May 14, 2016 from 10:00 AM until 5:00 PM, with the rain date being May 15, 2016 from 12:00 PM until 6:00 PM; and

WHEREAS, the appropriate fees have been submitted with the application.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that a Special Event Permit be and is hereby approved for the Jamesburg Presbyterian Church to host a Spring Fair in accordance with the details as submitted on the attached application.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Busco			X			
Council Member Gibbons			X			
Council Member Ludas	X		X			
Council Member Rutsky			X			
Council Member Spillane		X	X			
Council President Sussman			X			
Mayor Lowande						

#053-02-17-16

RESOLUTION OF THE BOROUGH OF JAMESBURG TO ENDORSE THE MIDDLESEX COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT CITIZEN'S ADVISORY COMMITTEE RECOMMENDATIONS TO ALLOCATE THE 2016 GRANT

WHEREAS, it is the desire of the governing body of the Borough of Jamesburg to use the Community Development Block Grant for Borough improvement projects; and

WHEREAS, the Middlesex County Housing and Community Development Program requires the governing body to declare, by resolution, how the grant monies are to be utilized; and

WHEREAS, the Citizen's Advisory Committee held a public hearing on February 17, 2016 to discuss use of said grant; and

WHEREAS, the Citizen's Advisory Committee has recommended using this year's grant monies for Sanitary Sewer Rehabilitation in the amount of \$33,073.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that the 2016 Community Development Block Grant be allocated for Sanitary Sewer Rehabilitation in the amount of \$33,073.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Busco			X			
Council Member Gibbons			X			
Council Member Ludas	X		X			
Council Member Rutsky			X			
Council Member Spillane			X			
Council President Sussman		X	X			
Mayor Lowande						

#054-02-17-16

AUTHORIZE TONNAGE GRANT APPLICATION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2015 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council of the Borough of Jamesburg to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that the Borough of Jamesburg hereby endorses the submission of the Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection and designates Denise Jawidzik, Borough Administrator, with the approval of Joseph Intravartola, Recycling Coordinator, to ensure that the application is properly filed.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Busco			X			
Council Member Gibbons			X			
Council Member Ludas	X		X			
Council Member Rutsky		X	X			
Council Member Spillane			X			
Council President Sussman			X			
Mayor Lowande						

#060-02-17-16

APPOINT REGISTRAR

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT SUSAN BOULOGNE AS REGISTRAR IN THE BOROUGH OF JAMESBURG, EFFECTIVE MARCH 1, 2016 FOR A TERM TO EXPIRE DECEMBER 31, 2018.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Busco			X			
Council Member Gibbons			X			
Council Member Ludas	X		X			
Council Member Rutsky		X	X			
Council Member Spillane			X			
Council President Sussman			X			
Mayor Lowande						

COUNCILMATIC COMMITTEE REPORTS:

- FINANCE COMMITTEE
Council Member Rutsky

Council Member Rutsky reported that the Borough continues to deal with weather issues. We had Irene, Sandy and a significant snow fall. All these costs are incorporated into the budget. The Financial Department is under transition due to a retirement and having to add temporary personnel. This is a one time expense for 2016. We are looking at some relief over the next 2 years. Even with 2 retirements coming up, we are still able to provide the services that our residents need. The Library has seen an influx of volunteers which are dedicated to shelf reading, library brochures and the website. We introduced our new trustee Rose Spillane. Library Director Courtney Frank proposed the budget for the upcoming year. The next Library meeting will be March 21st.

The Spud Dobenski memorial dinner will be March 13th. All council has been invited. This year we will be honoring four 8th grade students from GMB and five seniors from Jamesburg. We have an ESL conversion group which began January 29th.

- EDUCATION COMMITTEE
Council Member Busco

Council Member Busco reported the first 2016-2017 Budget Meeting was held February 11th. Monroe wants to make changes to the current contract we have with them. The next Budget Meeting will be March 10th at the GMB Cyber Cafe. This will be a Public hearing. The next BOE meeting will be February 25th at 7:30 at the GMB Cyber Café. There will be a new member introduced to replace Member Lawrence.

- POLICE COMMITTEE
Council Member Gibbons

Council Member Gibbons reported the police department will continue to work on the new body cameras. We are currently interviewing for two class 2 part time officers. January was a pretty quiet month.

- PERSONNEL COMMITTEE
Council Member Ludas

Council Member Ludas reported an add has been placed for a Tax/Utility Collector. Thank you for The Sustainable NJ grant. We are very happy with the Garden Club.

PUBLIC WORKS COMMITTEE
Council President Sussman

Council President Sussman reported the DPW did a tremendous job before and after the snow storm. There was plenty of salt. They have been working hard fixing equipment and preparing for the spring. I went to the recycling yard for the first time. It is very nice.

- PUBLIC EVENTS COMMITTEE
Council Member Spillane

Council Member Spillane reported the Fall Festival will be October 15th with a rain date of October 16th. We have planned a health based event for the Spring, date and location to be determined. We have 2 food trucks events scheduled. They will be held in July and August. If anyone in the audience has any questions, event ideas or vendor referrals feel free to send me an email. ssplillane@jamesburgborough.org.

- ADMINISTRATOR'S REPORT
Denise Jawidzik

Administrator Jawidzik reported there will be a pre-construction meeting next week for the Ridgeview Road project.

PUBLIC SAFETY COMMITTEE/MAYOR'S REPORT/CONSOLIDATION COMMITTEE
Mayor Marlene Lowande

Mayor Lowande reported the wrestling season is winding down. Basketball games are starting. Boys and girls basketball at GMB are both doing well. Fit Girls and Baseball will be starting in the Spring. We are all excited.

MOTION TO ADJOURN:

Proposed By: Sussman

Seconded By: Ludas

All in favor.

TIME OF ADJOURNMENT: 7:30PM



Susan Boulogne
Acting Municipal Clerk
Borough of Jamesburg