

**BOROUGH OF JAMESBURG
GOVERNING BODY MEETING
MINUTES
JULY 20, 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

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

George Michaels – Exalted Ruler Elks Lodge BPOE #2180: Mr. Michaels explained that he did not bring a mob of people with him this meeting, he only brought a few key people. The Elks strive to to be a good neighbor. The neighbors know we exist and that we have a bar. What they don't know is that the Elks is the biggest donator for Veterans and Special Needs Children. We hosted the 8th grade prom two years in a row. We are #1 in the district raising money for Drug Awareness. We are also involved with Cub Scouts and Boy Scouts. We are an Organization that does charitable work, but also enjoys adult beverages. We know we have to cooperate with our neighbors. Complaints about the Elks have dropped dramatically. It is our goal to be at peace with our neighbors.

Gary White – 289 Old Todt Road, Mountainside, NJ: Mr. White is asking Mayor and Council to adopt a resolution or Proclamation for (FOP) Fibrodysplaia Ossificans Progressiva. This is a disorder in which muscle tissue and connective tissues are gradually replaced by bone forming outside the skeleton – this will constraint movement. In 2002 an awareness initiative was started and a letter stressing awareness

and research was sent to every mayor in NJ. In April of 2006 the gene that causes FOP was found. There are 10-12 cases in NJ, 300 in the US and 3000 worldwide. Out of the 566 Municipalities letters were sent, they currently have 466 that adopted Proclamations. Mr. White will be contacting the mayor with a sample Proclamation.

Manuel Moore – 180 Buckelew Ave. JMS Taxi, LLC: Mr. Moore is the owner of JMS Taxi. He is having problems with insurance. By being licenses with a Limo License instead of a Taxi License it is costing him approx. \$6,000 per vehicle per year. Taxi insurance is half the price. Why was it ever changed from a taxi to a Limo License? With these prices cannot afford the insurance. I had 3 drivers quit on me. I feel like I am competing with illegal taxi companies. I am just trying to do the right thing. Administrator Jawidzik and Council Member Gibbons commented on the situation as well as Borough Attorney Rafetto. This issue will be looked into and referred to the Police Committee for review. Acting Police Chief Craparotta has cited violations in the past for the illegal Taxi's running in town.

Motion to Close to Public Comment:

Proposed By: Sussman
 Seconded By: Ludas
 All in Favor

CONSENT AGENDA RESOLUTIONS:
RESOLUTION #105-07-20-16**

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 \$1,484,520.76

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

RESOLUTION #106-07-20-16**

APPOINT DEPUTY TAX COLLECTOR/SEWER ADMINISTRATOR - HATCH

I, Marlene Lowande, Mayor, with the advice and consent of the Borough Council, do hereby appoint, **KEVIN HATCH**, to the full-time position Deputy Tax Collector/Sewer Administrator/Assistant Chief Financial Officer retroactive back to April 1, 2016.

The salary for this position is \$60,000/year with a \$12,000 increase upon appointment as Tax Collector anticipated for February 1, 2017

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

RESOLUTION #107-07-20-16**

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	June 2016
Finance Report	June 2016
Report of the Tax Collector	June 2016
Report of the Sewer Administrator	June 2016

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

RESOLUTION #108-07-20-16**

RESOLUTION OF THE BOROUGH OF JAMESBURG APPROVING RELEASE OF PERFORMANCE BOND FOR NICOLE AND ANGELA PROPERTIES, LLC, AND ACCEPTING MAINTENANCE BOND- BLOCK 17, LOT 9

WHEREAS, the developer of the property located at Block 17, Lot 9 on the Jamesburg Borough Tax map (the "property"), Nicole & Angela Properties, LLC (the "developer"), has completed construction activities at the property in accordance with the approvals previously granted by the Jamesburg Borough Combined Land Use Board; and,

WHEREAS, in order to ensure the faithful completion of said construction activities, the developer had previously posted a Performance Bond in accordance with a Performance Bond estimate previously prepared by the Borough Engineer; and,

WHEREAS, the developer has requested a release of the Performance Bond, and has delivered a Maintenance Guarantee to the Borough, underwritten by First Indemnity of America Insurance Company, dated July 6, 2016, in the amount of one hundred seventeen thousand, seven hundred twelve dollars and fifty-nine cents (\$117,712.59) (the "Maintenance Guarantee"), which Maintenance Guarantee shall be effective for a period of two (2) years; and,

WHEREAS, the Borough Engineer has received the developer's request and is in agreement with same; and,

WHEREAS, the Borough Engineer recommends the release of the Performance Bond and the acceptance of the Maintenance Guarantee, subject to the Borough Attorney's approval of the form of the Maintenance Guarantee; and,

WHEREAS, the Borough Attorney has received and approved the form of the Maintenance Guarantee,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that the Performance Bond and Cash Guarantee previously posted by the developer relating to the property, in the amounts of two hundred eleven thousand, two hundred eighty-two dollars and sixty-eight cents (\$211,282.68) (Bond), and twenty-three thousand, five hundred forty- two dollars and fifty-two cents (\$23,542.52) (Cash) plus accrued interest of twenty-eight dollars and fifty-four cents (\$28.54), shall hereby be released to the developer.

BE IT FURTHER RESOLVED, that the Maintenance Bond posted by the developer, as referenced above, in the amount of one hundred seventeen thousand, seven hundred twelve dollars and fifty-nine cents (\$117,712.59), is hereby accepted by the Borough, and shall be held by the Borough relating to the property for a period of two (2) years.

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

NON-CONSENT AGENDA RESOLUTIONS

RESOLUTION #088-07-20-16

APPROVING PLACE TO PLACE TRANSFER OF LIQUOR LICENSE FOR OUSIDE SEATING AREA FOR ELKS LODGE, BPOE #2180 (DRAFT- FOR DISCUSSION & POSSIBLE ACTION)

WHEREAS, an application has been submitted, with the proper documentation as required by the New Jersey State Division of Alcoholic Beverage Control, by Elks Lodge, BPOE #2180. for the place to place transfer of a Liquor License #1208-31-008-002 in order for the licensee to expand the size and scope of the licensed premises to include an outside seating area, as more specifically shown on a sketch/plan which is on file at with the Borough Clerk’s office: 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; and

WHEREAS, the Mayor and Council are willing to approve the licensee’s application subject to certain conditions, as specified below, which are deemed to be in the best interests of the health, safety and welfare of the residents of the Borough.

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 subject to the following conditions:

Acting Police Chief Craparotta spoke of a letter he wrote to Mayor and council expressing his concerns for the outside seating area at the Elks Lodge being approved. The Elks is located in a residential area with a home (10 Grand Street) within 50 ft of the property. The Police have been called to the Elks in the past for noise complaints. Noise Ordinance 3.2.1 explains anyone causing an annoyance to others can be in violation. Jamesburg has an outside patio bar in the past where the Police received noise complaints all the time. Acting Chief feels the close proximity to a residence, even if the members are just talking loudly can be an issue. In his opinion, the burden will be on the Police Dept. Members and guests drinking can cause problems. This is a residential neighborhood, no doubt with alcohol involved the police will be there. At any particular time, there can be 50 plus people outside.

Council Member Sussman asked if 10:00pm was the official time for the noise Ordinance. There is no specific time in the Ordinance. It is not uncommon for noise complaints in the Borough. Sometimes these complaints turn into arrests. Council Member Sussman spoke to the resident at 10 Grand Street. She feels like the noise in her backyard will be taking away from her privacy. Her bedroom window is right there. As respectful as everyone at the Elks is, you can't control their guests. I feel this organization is great, but we have to represent the entire town.

George Michaels, Exalted Ruler of the Elks Lodge explained this area will just be an extension of our home. This area will not be a congregation, just a place for members and their guests to go outside for a drink. Friday and Saturday will close by 10:00pm. This area will not be open to anyone who rents the hall for an event. As long as only guests are using the area disciplinary action can be taken.

Council member Gibbons asked if the noise calls are coming in at night only. Acting Chief Craparotta explained noise calls come in all hours of the day.

Mike Chasen who is in charge of the house committee at the Elks explained he is in charge of the building inside and outside. There will be no loud music, no obscene language, everyone will have to clean up after themselves, no bartender outside, or glass bottles. When the hall is being rented, 2 security guards will have to escort the guests outside to smoke.

A few council members had some other concerns. Will the smoking area be contained just to the back of the building now? This can cause an issue with the neighbor whose house is right there. Council member Rutsky expressed what a wonderful group the Elks is, but if this was her backyard, she would also feel her privacy is being infringed upon. Council Member Gibbons expressed his neighbor smokes in his own yard, but right by his fence; maybe we can limit the number of days and times this area can be open. He respects the Chief on his terms for the noise complaints. Mr. Gibbons feels we shouldn't make our decision based on 1 neighbor when the Elks is such a tremendous organization.

Mayor Lowande and Council Attorney Rafetto recommended the council table the resolution.

*****RESOLUTION TABLED BY THE GOVERNING BODY*****

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						

COUNCILMATIC COMMITTEE REPORTS:

- FINANCE COMMITTEE
Council Member Rutsky

Council Member Rutsky reported the Jamesburg Public Library will be participating in a television promo. The purpose is to celebrate the 30th anniversary of LMxAC. Filming is scheduled for July 26th. Library budget committee met with auditors and they were pleased with the changes to the financial reporting practices. Software update will be August 8th. Summer reading program is up and running. Elliot Stroul performed music for the children, as did Reverend Filson with his magic show. Attendance numbers are up from last year. Director Cortney Frank is coordinating with the “friends” group to fulfill the obligations to participate in the Monroe Township Green fair on October 8th.

We had another successful Food Truck Event. My thanks to the Jamesburg Fire Department, Police Department and DPW for their help and support. The Elks and Library were kind enough to allow us the use of their bathroom facilities. “Friends of the Library” also contributed tasty treats. Thank you to Mayor Lowande along with councilmember Shannon Spillane & Borough Clerk Sue Boulogne for helping me make the night a success. Thanks to my partner, Paul Gentile for helping me secure the trucks for the evening. My final thanks is to the evenings entertainment. Eddie & Tiffany Gandy for DJ’ing & the Rock N Roll Chorus for their singing performance. Next Food Truck event is August 31st.

- EDUCATION COMMITTEE
Council Member Busco

Council Member Busco had no report.

- POLICE COMMITTEE
Council Member Gibbons

Council Member Gibbons updated on the Stop sign issue in town. Several signs have been replaced. Those that were faded or vandalized. Mr. Gibbons has concerns about several streets that do not

currently have stop signs. Spring, Duane, Reade Streets, and Mendoker Drive. Acting Chief Craparotta feels there have never been signs at these streets, and there haven't been reported motor vehicle accidents. To put signs where they aren't needed will cost the taxpayer's more money. Mayor Lowande asked the Council if we should be spending money to add signs where they aren't needed. The council voted no with the exception of Council Member Gibbons. Adding new signs has not been budgeted. Colletti Court and Quail Run were also concerns. However, these are private properties and it is up to the owners to add stop signs if they feel it is necessary. Another concern was the 5 corners intersection. Acting Chief Craparotta agreed to look up any motor vehicle accidents that occurred at that intersection in the past 12 months, and report back to the council.

Sergeant Hornberger and Officer Caltabellata have attended Crossing Guard training. The Police Department's new Facebook page is up and running. This page helped in the return of several planters that were taken from The Hearthstone Grill. Dare Graduation and the annual Fishing Derby were both a success. Class II Special Officer Charles Gerndt will be retiring in December.

PERSONNEL COMMITTEE

Council Member Ludas –

Council Member Ludas reported the Police Committee is in negotiations with the Police Chief contract and police promotions. The Environmental Committee will hold a Creek Clean up Day on Saturday, August 27th. Jamesburg will be participating in the Green fair on October 8th at Monroe Township High School. Mrs. Ludas also thanked our Police Chief for all their hard work in keeping us safe, especially with all the negativity going on around us.

- PUBLIC WORKS COMMITTEE

Council President Sussman

Council President Sussman reported that he has been living in the Borough for 30 years. There is always something going on in town thanks to Council Members Rutsky and Spillane. It is so exciting. The DPW is involved in everything. Our Police are always out helping the residents and keeping our town safe. Please stay safe yourselves with all that is going on around us.

- PUBLIC EVENTS COMMITTEE

Council Member Spillane

Council Member Spillane reported the preparations continue for the Fall Festival. Vendor registrations are pouring in. All interested please email me at sspillane@jamesburg.org or visit the Borough website to download the forms www.jamesburgborough.org.

A round of applause to Councilmember Coleen Rutsky on yet another successful Food Truck Night. A heartfelt thanks to the Jamesburg Elks, Public Library, Fire Department and Police Dept for their generosity and assistance. Chief Craparotta with everything that has been going on in the last 2 weeks, you still take care of us every day. Thank you for putting your life on the line.

- ADMINISTRATOR'S REPORT
Denise Jawidzik

Administrator Jawidzik had no report.

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

Mayor Lowande recognized our community as a whole. The Elks, Fire Department, First Aid, Police Dept. all of us, we appreciate everything. It is so nice going to the food truck event and seeing everyone hugging. Police from Monroe and Spotswood being there to support our town. I feel we can set an example for other towns. Helmetta has painted the curbs blue. I would like to introduce that here in Jamesburg. I would like to see us participate in National Night out next year.

MOTION TO ADJOURN:

Proposed By: Sussman

Seconded By: Spillane

All in favor.

TIME OF ADJOURNMENT: 8:27 PM

Susan Boulogne
Acting Municipal Clerk
Borough of Jamesburg