

**BOROUGH OF JAMESBURG
COUNCIL MEETING
MINUTES
MARCH 9, 2011**

CALL TO ORDER: 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, that the 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 LaMantia

ROLL CALL:

Mayor LaMantia - Present
Council President Kostbar - Present
Council Member Busco - Absent
Council Member Carpenter - Present
Council Member Deans - Present
Council Member Ludas - Present
Council Member Newton - Present
Administrator Jawidzik - Present
Borough Attorney Raffetto - Absent

1ST PUBLIC HEARING – 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 PUBLIC COMMENT

Proposed By: Council Member Newton
Seconded By: Council Member Ludas
All in Favor.

Mr. John Longo - 13 hillside Avenue - Mr. Longo asked for clarification on the two Resolutions pertaining to animal control services. Mayor LaMantia addressed. Mr. Longo inquired as to whether RFPs were solicited. Council President Kostbar gave an overview of the steps taken to explore options for animal control services including meetings with representatives from Helmetta and Mr. Intravartola resulting in a recommendation that the council accept the proposal from Helmetta. Mr. Longo asked if the council had an estimate of how much money the Borough would save by entering into an interlocal agreement with Helmetta. Council President Kostbar noted that the basic cost of contract is about half of what the Borough has been paying yet they still need to better understand the additional costs associated with after-hour calls. Mr. Kostbar explained that a list of calls that have been handled in Jamesburg had been sent to Helmetta for review. Mr. Longo asked about the process of cost analysis of Helmetta versus Mr. Intravartola. Mr. Kostbar addressed noting that a number of \$15,000 was put in the budget with hopes of coming in much lower than that. Mr. Kostbar further commented that an additional consideration was the potential for increased efficiencies by not having a member of the DPW staff doing animal control. Mr. Longo asked about the back-up plan in the event Helmetta is unable to respond to an incident. Mr. Kostbar noted that there are three people available from Helmetta. Mr. Newton, noted that the interlocal agreement is a one year contract that can be reevaluated next year

Mr. Tom Van de Sande - 2 Fernwood Lane – Mr. Van de Sande asked about resolution #86 asking if this was one particular item or the monthly bills list. The Mayor clarified. Mr. Van de Sande asked for an explanation of what a “Self Exam” was in reference to resolution #88. Administrator Jawidzik explained. Mr. Van de Sande inquired as to how it was possible to approved resolutions #100 and #101 without an Ordinance. Administrator Jawidzik explained that Ordinance #04-11 would be adopted first.

Mr. Brian Taylor - 11 Hillside Ave – Referencing last meeting’s discussion pertaining to the reduction in the waiver amount on health insurance, Mr. Taylor passed out a written summary of his analysis of the savings the Borough would enjoy by continuing under the present plan. Council President Kostbar interjected that there was a need for clarification on the law, which they now had. Council Member Newton noted that Mr. Taylor's numbers were not in dispute and that the topic is no longer at issue since it will not affect current employees.

Mr. Paul Intravartola – 5 Maple Drive - Mr. Intravartola asked for clarification of the changes to the Helmetta contract referenced by Council President Kostbar. Mayor LaMantia asked for a copy of the contract. Council President Kostbar informed the council that an updated contract was not yet available. Mayor LaMantia informed the council that the resolution related to the Helmetta contract could not be voted on without the updated contract. Mr. Intravartola asked what would happen if he put in another offer with a lower bid than Helmetta. Mr. Kostbar noted that he did not know. Mr. Intravartola asked if the objective was to save money. Mr. Kostbar said that it was. Mr. Intravartola opined that the concerns voiced about his functioning in both the DPW position and Animal Control were not valid as evidenced by the absence of any complaints over the last 20 years.

MOTION TO CLOSE PUBLIC COMMENT

Proposed By: Council Member Ludas
 Seconded By: Council Member Newton
 All in Favor.

ORDINANCES – SECOND READING BY TITLE –PUBLIC HEARING

The following ordinances were approved on first reading at the meeting of the Mayor and Council held on February 9, 2011, and published in the February 18, 2011 edition of the Cranbury Press. Copies have been posted on the municipal bulletin board and made available to the public since introduction.

ORDINANCE #04-11

AN ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT AND APPROPRIATING THE SUM OF \$82,000 THEREFORE, AUTHORIZED IN AND BY THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT	AYES	NAYS
Council President Kostbar							X	
Council Member Busco							AB	
Council Member Carpenter		X		X	X		X	
Council Member Deans						X	X	
Council Member Ludas			X				X	
Council Member Newton	X						X	

ORDINANCES – FIRST READING BY TITLE (Public Hearing set for April 13, 2011)

ORDINANCE #05-11

AN ORDINANCE PROVIDING FOR IMPROVEMENTS TO WEST RAILROAD AVENUE AND APPROPRIATING THE SUM OF \$250,000 THEREFORE, AUTHORIZED IN AND BY THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

COUNCIL MEMBER	MOTION	2nd	VOTE
Council President Kostbar			Y
Council Member Busco			AB
Council Member Carpenter		X	Y
Council Member Deans			Y
Council Member Ludas	X		Y
Council Member Newton			Y

ORDINANCE #06-11

2011 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

COUNCIL MEMBER	MOTION	2nd	VOTE
Council President Kostbar		X	Y
Council Member Busco			AB
Council Member Carpenter			Y
Council Member Deans			Y
Council Member Ludas	X		Y
Council Member Newton			Y

INTRODUCTION OF 2011 LOCAL MUNICIPAL BUDGET

RESOLUTION #83-03-09-11

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

CONSENT RESOLUTIONS:

- #084-03-09-11** Accept Minutes of February 9, 2011
- #085-03-09-11** Redemption of Tax Liens
- #086-03-09-11** Approve Payment of Vouchers
- #087-03-09-11** Community Development Block Grant Recommendations
- #088-03-09-11** Self-Examination of Budget
- #089-03-09-11** Return of Premium on a Tax Sale Certificate
- #090-03-09-11** Accepting Monthly Reports

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

NON-CONSENT RESOLUTIONS:

#091-03-09-11 Appoint Borough Attorney – Frederick C. Raffetto, Esq.

Motion to remove this resolution and replace with the following resolution appointing Mr. Yousseuf

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

#091-03-09-11 Appoint Borough Attorney – Joseph D. Yousseuf, Esq.

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

#093-03-09-11

Appoint Borough Bond Counsel – McLaughlin, Gelson, D’Apolito & Stauffer, LLC

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

#094-03-09-11

Authorize Agreement for Professional Bond Counsel - McLaughlin, Gelson, D’Apolito & Stauffer, LLC

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

#095-03-09-11

Appoint Borough Labor Counsel –Richard J. Shaklee, Esq.

COUNCIL MEMBER	MOTION TO TABLE	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar	X		X			
Council Member Busco						X
Council Member Carpenter			X			
Council Member Deans			X			
Council Member Ludas		X	X			
Council Member Newton			X			

#096-03-09-11

Authorize Agreement for Professional Labor Counsel - Richard J. Shaklee, Esq.

COUNCIL MEMBER	MOTION TO TABLE	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar	X		X			
Council Member Busco						X
Council Member Carpenter			X			
Council Member Deans			X			
Council Member Ludas		X	X			
Council Member Newton			X			

#097-03-09-11

Accept Interlocal Agreement – Animal Control Services - Helmetta

COUNCIL MEMBER	MOTION TO TABLE	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar	X		X			
Council Member Busco						X
Council Member Carpenter			X			
Council Member Deans			X			
Council Member Ludas		X	X			
Council Member Newton			X			

#098-03-09-11

Appoint Animal Control Officer – Joseph Intravartola

COUNCIL MEMBER	MOTION TO TABLE	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council President Kostbar			X			
Council Member Busco						X
Council Member Carpenter	X		X			
Council Member Deans			X			
Council Member Ludas			X			
Council Member Newton		X	X			

#099-03-09-11

Authorize Tonnage Grant Application

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

#100-03-09-11

Authorize State Contract Purchase – Dispatch Recorder

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

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

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

DISCUSSION ITEMS:

- Health Insurance Opt-out – Reduction in Waiver Amount – The law reduces the maximum amount of any payment for the waiver of employer provided health benefits coverage to 25% or \$5,000, whichever is less, of the amount saved by the employer because of the waiver of coverage. This applies only to new waiver requests filed or approved after May 21, 2010. It does not affect any waivers already approved. The council needs to decide whether the Borough will continue to pay 40% or reduce the payments to 25% or \$5,000 per the most recent guidelines.

Council Member Deans asked for clarification of the Local Finance Board document included in her meeting packet. Administrator Jawidzik explained that the Local Finance Board (LFB) is charged with interpreting the state statutes that the legislature passes and providing guidance to the municipalities on their interpretation. Ms. Jawidzik further emphasized that the municipalities are charged with strictly adhering to the LFB’s guidance.

- Buckelew Mansion

Council President Kostbar asked that this be held for a future meeting in order to give the committee an opportunity to meet and further discuss. All agreed.

- Cell Phones

Council Member Deans reported that she has obtained information regarding the use of borough provided cell phones by borough employees noting that she was uncomfortable with the present policy. Council Member Carpenter reported that there is an agreement with the SPCA that provided three free phones to the borough. Ms. Carpenter noted that the cost is \$34.90 per month and two of the phones are upgraded. Ms. Carpenter said that she feels strongly that borough employees should be required to

carry their own personal cell phones and make the number available to the borough for emergency use. Council President Kostbar shared his understanding of the original agreement with the SPCA that was put in place approximately ten (10) years ago. He noted that the three free cell phones were in return for dispatch services and at the time, the agreement was put in place to benefit the police by offering a more secure option for them to communicate with each other. Over time, more phones were added to the plan and there are now 23 phones at a total budgetary cost of \$9,600. Mr. Kostbar suggested a need to review the budget considerations against the need for borough employee to use cell phones to provide services to the town's residents. Mayor LaMantia reported that the cell phones are used for communicating with various borough employees and in some cases, a cell phone is the only means to connect with employees working on the road. The Mayor further commented that in the absence of a borough provided cellular phone, employees would need to use their own phones for borough business. Council Member Carpenter reiterated her desire to eliminate borough provided phones and have the employees provide the borough with their personal cell phone number. Council Member Deans asked for clarification on the original intent of the three free phones. Administrator Jawidzik and Council President Kostbar addressed. Council Member Deans reiterated her position that the borough should not be providing cell phones to employees. Mayor LaMantia suggested that each department head meet with their departments to evaluate the need for cell phones within their department and report back at the next meeting. Council Member Carpenter reported that she had no need to discuss the topic further with department heads in that her position is that cell phones should be taken away from borough employees. Council Member Deans agreed. Council Member Deans further suggested that the agreement with the SPCA continue allowing the borough to enjoy the three free phones yet eliminate the other twenty (20) phones. Mayor LaMantia reiterated his suggestion to have the department heads evaluate the need for cell phones emphasizing that cell phones are the only means by which to communicate with the road department. Council Member Deans suggested the DPW explore the use of pagers. Lt. Craparotta commented that the police could possibly reduce the number of cell phones used in their department but noted that due to confidentiality and security reasons they could not give out their personal cell phone numbers. Council President Kostbar suggested that the Police Committee meet with the police department and that the Personnel Committee meet with all other departments to evaluate the matter further. All agreed.

COUNCILMATIC COMMITTEE REPORTS:

- **COMMITTEES ON FINANCE/GRANTS and INFRASTRUCTURE**

Council President Kostbar

Council President Kostbar reported that they are continuing to look closely at the budget for opportunities to save money. Mr. Kostbar reported that the CDBG grant efforts are moving forward.

- **POLICE COMMITTEE/COMMISSIONER and COMMITTEE ON ETHICS**

Council Member Deans

Council Member Deans reported that the Committee has been meeting with the Chief and his Lieutenant to discuss ways to reduce the overtime costs in the police department. Council Member Deans reported that the Ethics Committee is reaching out to local residents to generate interest in serving on the Ethics Board.

- COMMITTEES ON PERSONNEL/POLICY

Council Member Newton

Council Member Newton reported that the Personnel Committee is continuing to meet with employees to learn more about their job functions. Mr. Newton further reported that a date has been set to meet with the police union representatives in regards to contract negotiations.

- COMMITTEE ON PUBLIC WORKS and BUILDING/GROUNDS

Council Member Busco -Absent

- COMMITTEE ON PUBLIC EVENTS

Council Member Carpenter

Council Member Carpenter reported on the following:

- § Memorial Day Parade – Planning is underway and moving forward.
- § Jamesburg Fall Festival – Committee has met and set a date for the event of October 2, 2011 from 12:00 – 5:00 pm. Planning details are underway.
- § Library – The new director of the library met with Dr. Verona and school administrative staff at the school to discuss cooperative strategies to provide library services that support the school's curriculum. There are several other programs underway including offering e-book access, computer classes for job seekers, family crafts, story time, an annual art show, beading workshop and bus trips. The Library is also a designated distribution site for tax forms.
- § Middlesex County Transportation Committee Meeting – Widening of the NJ Turnpike will be discussed at the next meeting

- COMMITTEE ON EDUCATION, COMMITTEE ON SAFETY and LOCAL BUSINESSES LIAISON

Council Member Ludas

Council Member Ludas reported on the following for:

Education

- § Founders Day – It was a great success and very well attended.
- § Superintendent Forum – Cyberbullying program was presented.
- § Read Across America – Month of March. A book fair and reading rally will be held.
- § Parent Conferences – Held March 8th, 9th, 10th and 11th.
- § NJASK Tests – Scheduled for May 3-6 and May 9-13. After school tutoring will be available.
- § Summer Math Program – Being added. Further details will be available in April.
- § Web Classes – Being offered for adults.
- § Straight A President's List – Congratulations to five (5) Jamesburg students who made the list.
- § Tuition – Currently under negotiation.

Safety

- § Fire Election – A record turnout of eighty-three (83) people. Congratulations to Patrick Connelly and Joe Howard who were elected Fire Commissioners. The Budget referendums passed.
- § Repeater – There is a need for a new repeater (dispatch/communications equipment) at a cost of \$7,100. The cost will be split between the fire and first aid commissioners.

Business Outreach Liaison

- § Five Businesses have been contacted. Area newspapers and New Jersey magazines have been contacted to feature Jamesburg merchants in their publications.

Council President Kostbar asked if Council Member Ludas knew why the third-party billing for the first-aid had been cut in half. Council Member Ludas agreed to research.

- ADMINISTRATOR'S REPORT

Denise Jawidzik

Administrator Jawidzik reported that the State of NJ has changed the Homestead Rebate process. They will no longer issue checks to eligible homeowners directly but will send a data file to the municipalities requiring the Tax Collector to send a new 2nd quarter bill to eligible homeowners reducing the tax bill by the rebate amount. The Borough will be reimbursed for postage but not for labor. Administrator Jawidzik also reported that she will be attending a meeting on March 10th at the Buckelew House along with the architect, engineers and contractors in an effort to resolve an issue with the heating system.

- MAYOR'S REPORT

Mayor Anthony LaMantia

Mayor LaMantia introduced Boy Scout George Newmeyer who has asked for permission to erect a butterfly garden by the flagpole in front of Borough Hall. The project will be fully funded by donations and the work will be completed by the Boy Scout Troop. The council granted permission to George to move forward with his project submission. Mayor LaMantia reported that the road department is working to repair equipment, repair potholes and clean up brush.

2nd PUBLIC HEARING – NON-AGENDA ITEMS: 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: Council Member Carpenter

Seconded By: Council Member Newton

All in favor.

Mr. Elliot Stroul - 110 Mendoker Drive. Mr. Stroul reported that there will be a town wide yard sale on Saturday, May 21, 2011. Mr. Stroul asked if the council had had an opportunity to review his proposal for the farmers' market. Council President Kostbar suggested that the Police Committee address this topic. Mr. Stroul asked if any of the cell phones were walkie-talkies and suggested that additional research should be conducted. Council Member Deans voiced opposition to Mr. Stroul's position and reiterated her desire to eliminate all borough paid cell phones.

Mr. John Longo - 13 Hillside Avenue. Mr. Longo reminded the council and public of the Hank Devinsky Scholarship Fund event. Mr. Longo gave details of the program and the March 20, 2011 event.

Mr. Bob Gatarz - 202 Gaspar Avenue. Mr. Gatarz voiced his support for eliminating cell phones for borough employees.

Mr. Sandy Sussman - 124 Buckelew Avenue. Mr. Sussman asked about rumors of sending kids to another school district. Mayor LaMantia referred Mr. Sussman to the school board to address his questions directly to them.

Mr. Brian Taylor - 11 Hillside Avenue. Mr. Taylor commented that while he agrees with cost saving efforts, the borough also has an obligation to provide services. Mr. Taylor reflected on the recent snow emergencies which required contacting DPW workers during the evening hours. Mr. Taylor commented on his understanding of the compensable aspects when contacting an employee on their personal cell phone after regular work hours as compared to the cost of providing an employee with a borough cell phone. Mr. Taylor further noted that an employee would not be required to answer their personal cell phone after their scheduled work hours. Mr. Taylor also asked if the Council Members would consider giving up a portion of their stipend in an effort to ease the burden on the tax payers.

Mr. Tom Van de Sande - 2 Fernwood Lane. Mr. Van de Sande asked about numbers associated with the budget. Administrator Jawidzik responded that the budget would be available to the public first thing in the morning. Mr. Van de Sande asked if the budget line item for safety had increased, decreased, or stayed the same and what happens if the PBA contract is approved at a rate higher than 2%. The Mayor noted that this would indeed affect the overall budget. Council President Kostbar noted that he felt the negotiations were going well and that the 2% cap is within the realm of probability. Mr. Van de Sande asked about sewer fees. Administrator Jawidzik addressed and reported that the rate has not yet been received. Mr. Van de Sande expressed concern about reductions and savings not being realized in the form of a reduction in taxes. Mr. Van de Sande asked if there was anything in the budget for the youth of the town. Mayor LaMantia responded noting that the recreation line item was taken out two years ago and that the recreation programs are now self-funded.

Mr. Brian Taylor - 11 Hillside Avenue. Mr. Taylor said that he would be interested in being on the Ethics Board.

MOTION TO CLOSE TO PUBLIC COMMENT:

Proposed By: Council Member Carpenter

Seconded By: Council Member Newton

All in favor.

MOTION TO ADJOURN:

Proposed By: Council Member Newton

Seconded By: Council Member Ludas

All in favor.

TIME OF ADJOURNMENT:

8:32 PM