

BOROUGH OF JAMESBURG
GOVERNING BODY MEETING
MINUTES
JANUARY 18, 2012
7:00 PM

CALL TO ORDER: Mayor Marlene Lowande 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 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 Lowande

ROLL CALL:

Mayor Lowande - Present
 Council President Ludas – Present
 Council Member Busco – Present
 Council Member Carpenter – Present
 Council Member Kostbar – Present
 Council Member Newton – Present
 Council Member Taylor – Present
 Administrator Jawidzik – Present
 Borough Attorney Raffetto – Present

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 January 4, 2012, and published in the January 7, 2012 edition of the Home News Tribune. Copies have been posted on the municipal bulletin board and made available to the public since introduction.

ORDINANCE #01-12

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

COUNCIL MEMBER	MOTION TO OPEN	2nd	VOTE	MOTION TO CLOSE	2nd	VOTE	MOTION TO ADOPT	2nd	VOTE
Council Member Busco			Y			Y			Y
Council Member Carpenter	X		Y		X	Y			Y
Council Member Kostbar		X	Y	X		Y	X		Y
Council Member Newton			Y			Y			Y
Council Member Taylor			Y			Y			Y
Council President Ludas			Y			Y		X	Y
Mayor Lowande									

Mr. Tom Van de Sande – 2 Fernwood Lane – Mr. Van de Sande inquired as to which Agenda is the final Agenda and the status of making the Agenda available on the website. Administrator Jawidzik addressed. Mr. Van de Sande asked if the PBA contract was part of this Ordinance. Council Member Kostbar explained that this Ordinance addressed fees and that salaries are addressed in the Salary Ordinances.

MOTION TO AMEND AGENDA TO INCLUDE 1ST PUBLIC HEARING ON AGENDA ITEMS ONLY and TO OPEN THE PUBLIC HEARING

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

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.

No Public Comment

MOTION TO CLOSE PUBLIC COMMENT – AGENDA ITEMS ONLY

Proposed By: Council Member Kostbar

Seconded By: Council Member Taylor

All in favor.

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	MOTION TO OPEN	2nd	VOTE	MOTION TO CLOSE	2nd	VOTE	MOTION TO ADOPT	2nd	VOTE
Council Member Busco			Y			Y			Y
Council Member Carpenter		X	Y			Y			Y
Council Member Kostbar	X		Y	X		Y	X		Y
Council Member Newton			Y		X	Y			N
Council Member Taylor			Y			Y		X	Y
Council President Ludas			Y			Y			Y
Mayor Lowande									

Mr. Tom Van de Sande – 2 Fernwood Lane – Mr. Van de Sande inquired as to whether the PBA contract was part of the Ordinance. Council Member Kostbar reported that a letter was received from the PBA with questions requiring additional consideration by the Governing Body. Mr. Kostbar noted that the Personnel Committee would be meeting to discuss. Mr. Van de Sande further inquired about increases made to the salary ranges. Council Member Kostbar and Newton explained the changes to the salary ordinance from 2011 to 2012. Administrator Jawidzik and Borough Attorney Raffetto offered additional details regarding the range ordinance noting that the Ordinance sets a range for salaries and actual salaries will be set by Resolution. Council Member Kostbar requested additional information regarding case law; Borough Attorney Raffetto responded. Mr. Van de Sande encouraged the Governing Body not to vote on the ordinance without a full understanding of where the money was coming from to pay for the salaries. Mayor Lowande thanked Mr. Van de Sande for his comments.

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.

COUNCIL MEMBER	MOTION TO OPEN	2nd	VOTE	MOTION TO CLOSE	2nd	VOTE
Council Member Busco			Y			Y
Council Member Carpenter		X	Y			Y
Council Member Kostbar			Y	X		Y
Council Member Newton			Y			Y
Council Member Taylor			Y			Y
Council President Ludas	X		Y		X	Y
Mayor Lowande						

Mr. Tom Van de Sande – 2 Fernwood Lane – Mr. Van de Sande inquired as to the need for a separate Ordinance. Attorney Raffetto explained. Mr. Van de Sande expressed concern that the public is only receiving 5/6ths of full council representation. Attorney Raffetto offered examples of routine matters of business that may call for a council member to abstain.

Council Member Newton asked Administrator Jawidzik how the ranges were determined and if they were tightened. Mr. Newton specifically questioned the Registrar position suggesting that the range was too broad and moved to amend the range from what is written in the ordinance to a range of \$0 to \$2,000.

Attorney Raffetto advised the Governing Body that an amendment that substantially alters the substance of an ordinance would require the ordinance to be reintroduced.

COUNCIL MEMBER	MOTION TO AMEND AND REINTRODUCE	2nd	VOTE
Council Member Busco			N
Council Member Carpenter			Y
Council Member Kostbar		X	Y
Council Member Newton	X		Y
Council Member Taylor			A
Council President Ludas			N
Mayor Lowande			

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.

CONSENT AGENDA RESOLUTIONS:

- #045-01-18-12** Appoint Emergency Management Coordinator – Wright
- #046-01-18-12** Appoint Emergency Management Coordinator – Walker
- #047-01-18-12** Appoint Fire Inspector - Wright
- #048-01-18-12** Appoint Fire Inspector - Lebrun
- #049-01-18-12** Appoint Emergency Management Council
- #050-01-18-12** Appoint Deputy Housing Inspector – Wright
- #051-01-18-12** Appoint Class III Member of the Land Use Board – Ludas
- #052-01-18-12** Accept Minutes – January 4, 2012
- #053-01-18-12** Redemption of Tax Liens
- #054-01-18-12** Accept Monthly Reports
- #055-01-18-12** Approve Payment of Vouchers
- #056-01-18-12** Return of Premiums on Tax Sale Certificates

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

NON-CONSENT AGENDA RESOLUTIONS:

- #057-01-18-12 Accept Minutes - December, 2011

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

#058-01-18-12

Appoint Fire Official – Wright

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						

#059-01-18-12

Fixing Salary – Animal Control Officer – Intravartola

Council Member Newton suggested that this was a good time to bring up conflicts in general. Mr. Newton asked if Mayor Lowande is employed by a member of the police department. Mayor Lowande responded that she was. Council Member Taylor inquired as to how this was connected to Animal Control. Council Member Newton noted that he was interested in discussing potential conflicts “in general”. Council Member Newton inquired as to how the salary was determined. Mayor Lowande responded that it was consistent with the 2010 salary. Council Member Newton asked Attorney Raffetto to comment. Attorney Raffetto noted that as long as the salary was within the range as set forth by the salary ordinance it was permissible for the governing body to vote on the salary as presented and deferred to the Personnel Committee as to how they arrived at the recommended salary. Council Member Newton asked the Personnel Committee for their input. Council President Ludas reported that the salary was determined after reviewing the fees incurred by Helmetta in 2011. Council Member Newton reported on his understanding of the fees paid to Helmetta compared to a salary payable to Mr. Intravartola. The governing body also discussed the need to consider kennel fees. Mayor Lowande inquired as to how Helmetta was planning on addressing the service issues. Council Member Newton also noted a concern that Mr. Intravartola would need to drop his other job in DPW to address animal control calls. Council Member Taylor noted that for 10 years this had not been an issue and that having a flat, predictable fee is easier to budget for. Council Member Carpenter asked about the difference in kennel fees. Ms. Jawidzik responded. Council Member Newton asked if Ms. Jawidzik was related to Mr. Intravartola. Ms. Jawidzik responded that she was not. Council Member Newton commented that last year when logs were requested of DPW he was told that DPW was too busy. Council Member Busco and Council President noted that the logs were completed and delivered. Council Member Busco agreed to ask Mr. Intravartola about his

distribution of the logs. Finally, Council Member Newton asked if the position was a contract position. Attorney Raffetto noted that it's an appointed position. Council Member Newton asked if this was the only person and the only rate available for consideration for this position. Council Member Taylor noted that since there have been no complaints in the last 10 years that would suggest he's a good fit. Council Member Newton noted that it was ludicrous to suggest that Mr. Intravartola knows as many of the animals and their owners as he reports.

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

#060-01-18-12

Authorizing Fit Girls Club as Part of Recreation Department

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

#061-01-18-12

Appoint Representative to County Housing and Community Development

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

#062-01-18-12

Appoint Probationary Police Officer - Bruno

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

COUNCILMATIC COMMITTEE REPORTS:

- **FINANCE COMMITTEE and EDUCATION COMMITTEE**
Council Member Taylor – In regards to Finance, Council Member Taylor reported that he has had a preliminary meeting with Borough Administrator Jawidzik and would report in more detail at the next meeting. In regards to Education, Council Member Taylor reported that the first school board meeting is at the end of January.
- **POLICE COMMITTEE**
Council Member Kostbar – Council Member Kostbar reported that an additional police special would be hired and would present more details at the next meeting. Council Member Kostbar also reported on a series of promotions to take place in the department. Finally, Council Member Kostbar noted that SUVs in lieu of cars would be purchased in the future.
- **PERSONNEL COMMITTEES**
Council President Ludas – Council President Ludas reported that meetings have been scheduled and that she would report in more detail at the next meeting.
- **PUBLIC WORKS COMMITTEE**
Council Member Busco – No report.
- **PUBLIC EVENTS COMMITTEE**
Council Member Carpenter – Council Member Carpenter gave an update on the following events: Memorial Day Parade, Jamesburg Fall Festival and the Holiday Tree Lighting. Council Member Carpenter also announced the 2012 Library Board of Trustees and the various events underway at the Library.
- **PUBLIC SAFETY COMMITTEE**
Council Member Newton – No report.
- **ADMINISTRATOR’S REPORT**
Denise Jawidzik – No report.
- **MAYOR’S REPORT**
Mayor Marlene Lowande – No report.

MOTION TO OPEN TO PUBLIC COMMENT:

Proposed By: Council Member Kostbar
Seconded By: Council Member Carpenter
All in favor.

Mr. Sandy Sussman – Buckelew Avenue – Mr. Sussman stated that he believes the members of the governing body all have good intentions and encouraged them to have heated discussions but suggested that they avoid getting personal. Mr. Sussman, in response to an earlier comment regarding the public not being fully represented, suggested that the true disservice is to the spouses of the council members. Finally, Mr. Sussman thanked Mr. Intravartola who helped him with his dog, Hayley and commented that he believes Mr. Intravartola does know many of the animals and their owners.

Mr. Tom Van de Sande – 2 Fernwood Lane – Mr. Van de Sande asked how many dog and cat licenses are held by borough residents. Borough Administrator Jawidzik noted that she did not know off hand but invited Mr. Van de Sande to contact the office in the morning. Mr. Van de Sande asked about work orders and phone logs kept by the borough. Council Member Busco, Chief Horvath and Administrator Jawidzik responded. Mr. Van de Sande asked about the status of the PBA contract and the process for approval as well as how the borough intended to pay for increases in police salaries. Administrator Jawidzik addressed offering details as to the budgeting process in connection with contract negotiations.

MOTION TO CLOSE TO PUBLIC COMMENT:

Proposed By: Council Member Carpenter
Seconded By: Council President Ludas
All in favor.

MOTION TO ADJOURN:

Proposed By: Council Member Carpenter
Seconded By: Council President Ludas
All in favor.

TIME OF ADJOURNMENT: **8:25 PM**