

**BOROUGH OF JAMESBURG
GOVERNING BODY MEETING
MINUTES
OCTOBER 10, 2012
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 President Ludas
Council Member Busco
Council Member Carpenter
Council Member Kostbar
Council Member Newton
Council Member Taylor
Administrator Jawidzik
Borough Attorney Raffetto

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 PUBLIC COMMENT – AGENDA ITEMS ONLY

Proposed By: Newton
Seconded By: Ludas
All in favor.

No Public Comment.

MOTION TO CLOSE PUBLIC COMMENT – AGENDA ITEMS ONLY

Proposed By: Kostbar
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.

CONSENT AGENDA RESOLUTIONS:

#156-10-10-12** Accepting Monthly Reports

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	August, 2012
Finance Report	August, 2012
Report of the Tax Collector	August, 2012
Report of the Sewer Administrator	August, 2012

#157-10-10-12** Approve Payment of Vouchers

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 \$783,044.46.

#159-10-10-12** Approve Liquor License Renewal – Talkhouse Inc.

APPROVING LIQUOR LICENSE RENEWAL 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 renewal of a Liquor License #1208-33-003-007 for the 2012-2013 license year; and

WHEREAS, the Acting 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 renewal of the above referenced Liquor License.

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						

NON-CONSENT AGENDA RESOLUTIONS:

#155-10-10-12 Accepting Meeting Minutes – September 12, 2012

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL

September 12, 2012

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						

#158-10-10-12

Authorizing Change Order #1 and Final Payment to Fernandes Construction, Inc. for the SRTS JFK Elementary School Improvements

RESOLUTION AUTHORIZING A CHANGE ORDER (KNOWN AS CHANGE ORDER #1) AS WELL AS FINAL PAYMENT TO THE CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND FERNANDES CONSTRUCTION, INC. FOR THE SRTS JFK ELEMENTARY SCHOOL IMPROVEMENTS

WHEREAS, due to unanticipated circumstances which have arisen during the SRTS JFK School Improvements, the Borough Engineer has recommended a change order (known as change order #1) in order to amend the contract between the Borough of Jamesburg and Fernandes Construction, Inc. and

WHEREAS, the proposed change order is described in more detail in the attached form, last dated by Borough Engineer on September 21, 2012; and

WHEREAS, the proposed change order shall change the amount of the original contract by an increase in the contract amount of four thousand seven hundred sixty two dollars and eighty cents (\$4,762.80); and

WHEREAS, the proposed change order does not exceed the twenty percent (20%) limitation imposed by law; and

WHEREAS, the Borough Council of the Borough of Jamesburg has received the recommendations of the Borough Engineer and Borough Business Administrator to proceed with the said change order.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Borough Council of the Borough of Jamesburg as follows:

1. That the Borough is authorized to enter in to the attached change order (known as change order #1) which shall be considered an amendment to the original contract between the Borough of Jamesburg and Fernandes Construction, Inc. for SRTS JFK Elementary School Improvements
2. That the Business Administrator shall certify that there are sufficient funds to cover the amount of this change order.
3. That the Borough Administrator is also hereby authorized to make final payment to the contract between the Borough of Jamesburg and Fernandes Construction, Inc. for the SRTS JFK Elementary School Improvements in the amount of fifteen thousand dollars and thirty cents (\$15,000.30)
4. That a certified copy of this resolution shall be provided to each of the following:
 - a. Terrence Vogt, Borough Engineer
 - b. Fernandes Construction, Inc.
 - c. Denise Jawidizk, Borough Business Administrator
 - d. Frederick C. Raffetto, Esquire, Borough Attorney

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 and EDUCATION COMMITTEES**
Council Member Taylor

On October 2nd the Mayor, Councilman Taylor and Administrator Jawidzik met with Freeholder Chris Rafano to discuss financial concerns about the 5 corners project – requested relief from the County. Freeholder Rafano was very receptive to the concerns of the Borough and will get back to us after speaking with his fellow freeholders and respond back regarding what can relief can be given from the County.

Education: Girl Scouts finished the mural at GMB – looks great.

At the September 27th School Board meeting it was discussed that there are two available seats for the School Board and anyone interested should contact the Jamesburg School Board.

A representative from Jamesburg attended the Monroe Twp. School Board Meeting and asked for relief from the current debt service to Monroe – although Monroe is sympathetic they have declined to take any action at this time.

- **POLICE COMMITTEE**
Council Member Kostbar

The Jamesburg Police Department had a busy month last month – Grant funded DWI & MVC checkpoints were successful.

The Railroad tracks by Forsgate Drive are expected to be fixed by the end of the year. The traffic pattern plan has to be implemented in that area and traffic signals will be improved.

Council Member Carpenter mentioned that the police will be needed Sunday for the Fall Festival – will elaborate in her report.

Transportation: Attended the Middlesex County Transportation Committee Meeting who is pushing for construction of bus which is strongly opposed – brings loitering, crime, and trash which in turn lowers property values which has become a problem as of late. Maintenance would have to be done by the town which is a burden.

- **PERSONNEL COMMITTEE**
Council President Ludas

The Personnel Committee has received a resignation from the Zoning Officer who is retiring - currently seeking replacement options of a possible shared service or a part time position.

SERV: A SERV meeting was held on October 1st – Heavy traffic and parking remains an issue on the street. The next meeting is April 8, 2013.

Businesses: A meeting was held at Borough Hall on September 17th with area businesses. Council President Ludas will be representing the town businesses at the Fall Festival on Sunday.

- **PUBLIC WORKS COMMITTEE**

Council Member Busco

The DPW continues frequent lawn cutting of Borough property.
Leaf and branch clean-up has begun.
Weekly storm drain cleaning and Wednesday recycling continues.
Nothing new to report on Buckelew Mansion.

- PUBLIC EVENTS COMMITTEE
Council Member Carpenter

Fall Festival was moved to the rain date of October 14th due to inclement weather on the 7th.
All vendors were contacted with regard to the date change and with the exception of some; the majority of vendors will be in attendance. Vendor applications are still being accepted and will be accepted on the day of as well. Rides, Food, DJ, Classic Car/Motorcycle Show and plenty of vendors are expected.

Holiday Tree Lighting: held on December 5th with a rain date of December 12th at Veteran's Park, starting at 6:30pm – more updates to come at next council meeting.

Library: good turnout for the Yard/Mum/Bake Sale that was sponsored by the Friends of the Public Library on September 19th. The next sale is expected to be held November 10th with plenty of holiday items and baked goods. There are still seats available for the bus trip to Peddler's Village and the Pearl Buck House scheduled for Saturday October 13, 2012.
Story time has resumed for the Fall & the Pre-K and Kindergarten classes will be visiting the Library later this month.

- PUBLIC SAFETY COMMITTEE
Council Member Newton

No Report

- ADMINISTRATOR'S REPORT
Denise Jawidzik

Met with DOT and Conrail - the railroad crossing is expected to be done by year end.
Councilmember Kostbar asked what the activity in the parking lot with the Cell Tower was – Administrator Jawidzik responded repairs to the Cell Tower were being done by TMobile.

- MAYOR'S REPORT
Mayor Marlene Lowande

Thanks to John & Marcia Longo for decorating the downtown area with mums and scarecrows for Fall.
Basketball Registration will have a final registration sign-up on October 12th.
Wrestling program has been implemented and will be available to both boys and girls from 2nd – 8th grade. This is in addition to the KidZArt and FitGirls recreation programs that are now available.
Hope to continue to bring more programs to the Recreation Club.

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 PUBLIC COMMENT – ANY ITEM

Proposed By: Newton
Seconded By: Kostbar
All in favor.

Sandy Sussman – 124 Buckelew Avenue: Referring to Council Member Taylor's Education Report, Mr. Sussman agreed that there is a problem getting people on the School Board. Citizens of Jamesburg United, a group Mr. Sussman is involved in, will work on getting an email out to parents for them to join, especially parents of JFK students.
Wants the council to continue working on all options that will keep our children going to school here in town and not be outsourced to other towns.

Tom Van de Sande – 2 Fernwood Lane: Mr. Van de Sande asked if the revenue collected from taxes was spent on any capital improvement projects that improved the infrastructure of Jamesburg. Council Member Kostbar responded that we use grant money to fund any capital improvement projects.

Has there ever been a capital improvement project funded by tax dollars? Council Member Kostbar & Administrator Jawidzik responded that only in the event of sewer emergency project.

Who or what is the government of Jamesburg? Mayor Lowande responded that the Mayor and council are the governing body/government of Jamesburg.

Who controls the rate of taxation and spending? Mayor Lowande & Council Member Kostbar responded.

Who controls what the revenue collected from taxes is spent on? Council Member Kostbar asked for clarification. Mr. Van de Sande used the example of tax appeals being a cause for revenue loss. Council Member Kostbar explained that the total revenue stays the same, who pays the taxes in a tax appeal situation is what is adjusted. Mr. Van de Sande asked who set the tax rate. Council Member Kostbar responded that the town does.

How does the government plan to sustain the number of spending with continued loss of revenue? Administrator Jawidzik responded that the budget decides the appropriation of revenue Council Members Kostbar & Taylor asked for clarification. Mr. Van de Sande asked what or who the revenue for debt service that continues to be collected is being spent on and why is money still being collected for a debt that is paid off? Council Member Newton explained that none of the tax rate is tied to particular line items in the budget. Mr Van de Sande felt that his question was still unanswered. Council Member Kostbar clarified what Mr. Van de Sande's question was and responded.

How can you control and what can be done? Mayor responded that the 5 minute time allotment was up and Mr. Van de Sande asked the council can ponder that for the next meeting.

Jen Sadowski – 16 Lincoln Avenue: Concerned with children crossing by Lincoln/Stevens Ave. inquired about moving a Crossing Guard to that area. Council Member Taylor suggested maybe sending out an outline of the crossing areas to the schools; Mayor Lowande agreed that a map to the SRTS can be sent out. Chief Horvath responded and will monitor the area and look into what can be done regarding making that area safer to cross in.

Tom Van de Sande – 2 Fernwood Lane: Asked who sets the SRTS – Chief Horvath responded that it is set by the DOT.

Inquired if there are indeed crosswalks at every intersection, regardless if it is marked or unmarked, and the pedestrian crosswalk law - Chief Horvath responded.

MOTION TO CLOSE PUBLIC COMMENT – ANY ITEM

Proposed By: Taylor
Seconded By: Carpenter
All in favor.

MOTION TO ADJOURN

Proposed By: Carpenter
Seconded By: Ludas
All in favor.

TIME OF ADJOURNMENT: 7:41 PM

Tanya Pannucci
Acting Municipal Clerk
Borough of Jamesburg