

BOROUGH OF JAMESBURG
GOVERNING BODY REORGANIZATION MEETING
MINUTES
JANUARY 2, 2013
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 – 2012 GOVERNING BODY:

Mayor Lowande
 Council President Ludas
 Council Member Busco
 Council Member Carpenter
 Council Member Kostbar
 Council Member Newton
 Council Member Taylor
 Administrator Jawidzik

PRESENTATION TO COUNCIL MEMBER NEWTON

Mayor Lowande presented Council Member Newton a plaque in recognition of his service.

Mayor Lowande thanked Senator Linda Greenstein for attending the meeting.

INAUGURATION OF NEWLY ELECTED COUNCIL MEMBERS

Council Members Busco and Sussman were sworn in.

ROLL CALL – 2013 GOVERNING BODY:

Mayor Lowande
 Council Member Busco
 Council Member Carpenter
 Council Member Kostbar
 Council Member Ludas
 Council Member Sussman
 Council Member Taylor
 Administrator Jawidzik

RESOLUTION: - #001-01-02-13 Appoint Borough Attorney – Raffetto

APPOINT BOROUGH ATTORNEY

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT FREDERICK C. RAFFETTO AS BOROUGH ATTORNEY, HIS TERM TO EXPIRE DECEMBER 31, 2013, OR UPON A SUCCESSOR BEING DULY APPOINTED AND QUALIFIED.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Busco			X			
Council Member Carpenter	X		X			

Council Member Kostbar			X			
Council Member Ludas		X	X			
Council Member Sussman			X			
Council Member Taylor			X			
Mayor Lowande						

MAYOR CALLS FOR NOMINATIONS FOR COUNCIL PRESIDENT:

Council Member Taylor nominated Council Member Carpenter for Council President.

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

ESTABLISHMENT OF ANNUAL COUNCILMATIC COMMITTEES AND MEMBERS:

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

MAYORAL APPOINTMENTS NOT REQUIRING ADVICE AND CONSENT OF COUNCIL:

ORDINANCES – FIRST READING BY TITLE (Public Hearing set for January 18, 2012):

ORDINANCE #01-13

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

BE IT ORDAINED, by the Mayor and Council of the Borough of Jamesburg, County of Middlesex, State of New Jersey, as follows:

1. “Revised General Ordinances of the Borough of Jamesburg New Jersey (2000)” is hereby amended and supplemented to read as follows:

SCHEDULE OF FEES

ALCOHOLIC BEVERAGE CONTROL LICENSES

RETAIL CONSUMPTION	\$2,500.00
RETAIL DISTRIBUTION	\$2,500.00
CLUB	\$ 188.00

BALLFIELD PERMIT

PER DAY	\$75.00
PER NIGHT	\$100.00

CATS

KENNEL FEES – STRAY ANIMALS – SURRENDER - FLAT FEE	\$ 100.00
IMPOUNDMENT/QUARANTINE - PER DAY	\$ 21.20
ADMINISTRATION FEE	\$ 100.00

LICENSE:

SPAYED/NEUTERED	\$10.00
NON SPAYED/NEUTERED	\$14.00
REPLACEMENT TAG	\$ 1.00
LATE FEE - April 1 through December 31 - each license (Excluding cats less than 7 mos. of age)	\$ 10.00

COPIES ON BOROUGH COPIER (OPRA-FEES PER STATUTE)

LETTER SIZE	PER COPY	\$.05
LEGAL SIZE	PER COPY	\$.07
ELECTRONIC TRANSMITTALS		\$ FREE
OTHER FORMS OF DUPLICATION		ACTUAL COST TO BOROUGH

DOGS

KENNEL FEES – STRAY ANIMALS - FLAT FEE	\$ 100.00
IMPOUNDMENT/QUARANTINE - PER DAY	\$ 21.20
ADMINISTRATION FEE	\$ 100.00

LICENSE:

SPAYED/ NEUTERED	\$ 10.00
NON SPAYED/NEUTERED	\$ 12.00
STATE POPULATION CONTROL	\$ 3.00
STATE REGISTRATION FEE	\$ 1.00
N.J. PILOT CLINIC FEE	\$.20
REGISTRATION TAG	\$ 1.00
REPLACEMENT TAG	\$ 1.00
LATE FEE - April 1 through December 31 - each license (excluding dogs less than 7 mos. of age)	\$ 10.00

FINGERPRINTING FEE

\$60.00

FIRE PREVENTION FEES:

REGISTRATION PERMITS

REGISTRATION PERMITS ARE REQUIRED ON ALL COMMERCIAL PROPERTIES AND/OR BUSINESSES LOCATED WITHIN THE JURISDICTION OF THE BOROUGH OF JAMESBURG. REGISTRATION PERMITS SHALL BE REQUIRED ON ALL COMMERCIAL AND OTHER PUBLIC PLACES NOT OUTLINED OR FALLING UNDER THE LIFE HAZARD USE CATEGORY. IT SHALL INCLUDE BUT NOT BE LIMITED TO THE FOLLOWING: MERCANTILE, PROFESSIONAL OFFICE, BUSINESS OFFICE, WAREHOUSE, STORAGE BUILDING, EATING ESTABLISHMENT, BANK, CHURCH, MAINTENANCE BUILDING, CLUB HOUSE. ALL PROPERTIES AND/OR BUSINESSES

THE FEES FOR REGISTRATION PERMITS ARE DUE IN THE MONTH OF JANUARY OF EACH YEAR. THOSE FEES NOT RECEIVED IN THE OFFICE OF THE FIRE PREVENTION BUREAU WITHIN 1 MONTH OF DATED INVOICES ARE SUBJECT TO A LATE PENALTY OF THAT EQUAL TO AND INCLUDING THE REGISTRATION FEE FOR THAT YEAR, WHICH ARE:

1 through 300 square feet	\$ 35.00	<u>\$45.00</u>
301 through 1,000 square feet	\$ 65.00	<u>\$115.00</u>
1,001 through 3,000 square feet	\$ 100.00	<u>\$150.00</u>
3,001 through 5,000 square feet	\$ 150.00	<u>\$200.00</u>
5,001 through 10,000 square feet	\$ 200.00	<u>\$250.00</u>
10,001 through 20,000 square feet	\$ 250.00	<u>\$300.00</u>
20,001 square feet and larger	\$ 300.00	<u>\$350.00</u>

CERTIFICATE OF SMOKE AND CARBON MONOXIDE DETECTOR COMPLIANCE

INITIAL INSPECTION

Within ten (10) days prior to closing <u>\$45.00</u>	\$ 35.00
Within four (4) days prior to closing <u>\$80.00</u>	\$ 70.00
Less than four (4) days prior to closing <u>\$140.00</u>	\$ 125.00
RE-INSPECTION REQUIRED DUE TO FAILURE AT INITIAL INSPECTION <u>\$45.00</u>	\$ 35.00

A CERTIFICATE OF SMOKE AND CARBON MONOXIDE DETECTOR COMPLIANCE WILL NOT BE ISSUED UNTIL ALL FEES HAVE BEEN PAID TO THE JAMESBURG FIRE PREVENTION BUREAU.

GAMES OF CHANCE

OFF-PREMISES DRAW RAFFLE (per occasion)	\$ 10.00
OFF-PREMISES CASE 50/50 RAFFLE (per occasion)	\$ 10.00
ON-PREMISES DRAW RAFFLE (per occasion)	\$ 10.00
ON-PREMISES DRAW RAFFLE AWARDING CASH OR MERCHANDISE(per occasion)	\$ 10.00
CARNIVAL GAMES OR WHEEL (per occasion)	\$ 10.00
CALENDAR RAFFLE (per occasion)	\$ 10.00
INSTANT RAFFLE (per day on which instant raffle tickets are sold or offered for sale)	\$ 10.00
INSTANT RAFFLE (for a one year license)	\$ 375.00
GOLF HOLE-IN-ONE (per occasion)	\$ 10.00
ARMCHAIR RACE (per day of operation)	\$ 25.00
CASINO NIGHTS (per occasion)	\$ 50.00

JUNK YARD PERMIT

\$ 100.00

LAUNDRIES/ LAUNDERETTES

COIN OPERATED DRYER INSTALLED- each machine	\$ 15.00
COIN OPERATED WASHER INSTALLED - each machine	\$ 15.00
LATE FEE - per day, per machine, after March 31	\$ 1.50/DAY

LAND USE BOARD FEES: ALL FEES ARE CUMULATIVE:

APPEAL OF BUILDING INSPECTOR'S DECISION OR ZONING ORDINANCE INTERPRETATION	\$ 100.00
BULK VARIANCE (N.J.S.A. 40:55D-70c)	\$ 200.00
USE VARIANCE (N.J.S.A. 40:55D-70d)	\$ 500.00
ZONING CHANGES	\$ 500.00
SITE PLAN	\$ 500.00
MINOR SUBDIVISION	\$ 300.00
MAJOR SUBDIVISION	\$ 500.00
ALL OTHER APPLICATIONS	\$ 500.00

LAND-USE BOARD PROFESSIONAL SERVICES

ESCROW SHALL BE DEPOSITED WITH THE BOROUGH TO COVER THE COST OF PROFESSIONAL SERVICES TO BE RENDERED TO THE MUNICIPALITY OR APPROVING AUTHORITY FOR REVIEW OF APPLICATIONS FOR DEVELOPMENT, REVIEW AND PREPARATION OF DOCUMENTS FOR CONSIDERATION BEFORE THE LAND USE BODY UNDER THE PROVISIONS OF P.L. 1975,c.291 (N.J.S.A. 40:55D-1 et seq.). PRIOR TO AN APPLICATION BEING RULED COMPLETE, THE FOLLOWING SUM(S) SHALL BE SUBMITTED TO BE HELD IN ESCROW:

LAND USE BOARD ESCROWS: 3

ALL ZONING CHANGES - ESCROW	\$3,000.00
USE VARIANCE AND BULK VARIANCE	\$2,000.00
SUBDIVISION, MINOR	\$1,000.00
SUBDIVISION, MAJOR	\$3,000.00
ALL OTHER APPLICATIONS	\$1,000.00

SITE PLAN - (0 to 2 acres) ESCROW	\$4,000.00
(2+ acres, per acre or portion thereof)	\$ 250.00
 PRE-APPLICATION MEETING ESCROW	 \$ 500.00
<u>LICENSES (each machine)</u>	
COIN OPERATED GAMES/ AMUSEMENTS	\$ 60.00
NEWSRACKS	\$ 15.00
JUKE BOXES	\$ 60.00
VENDING MACHINES	\$ 25.00
POOL/ BILLIARD TABLE PINBALL, INCLUDING COIN OPERATED TABLES	\$ 60.00
LATE FEES - per day, per license, after March 31	\$ 1.50
<u>LIMOUSINES</u> license	\$ 100.00
 <u>MAINTENANCE OF PROPERTY BY BOROUGH FEE</u>	 \$ 500.00
<u>ORDINANCES</u>	
COMPLETE COPY OF "REVISED GENERAL ORDINANCES (2000)"	\$ 40.00
SUPPLEMENTS TO "REVISED GENERAL ORDINANCES (2000)"	\$ 10.00
COPY OF LAND-USE ORDINANCES ONLY	\$ 25.00
COPY OF CURRENT MASTER PLAN	\$ 45.00
 <u>PUBLIC DEFENDER APPLICATION</u>	 \$ 200.00
 <u>POLICE REPORTS</u> per copy when not requested in person (first three pages)	 \$ 5.00
(Each additional page after the first three)	\$ 1.00
 <u>RECYCLING BUCKETS</u>	 \$ 20.00
<u>REGISTRAR</u>	
MARRIAGE LICENSES/DOMESTIC PARTNERSHIP	\$ 28.00
CERTIFIED COPIES - first copy	\$ 25.00
each additional copy	\$ 2.00 each
BURIAL PERMITS	\$ 5.00
SEARCHES – per 5 year time period searched	\$ 15.00
CORRECTIONS	\$ 10.00
 <u>RENTAL PROPERTY REGISTRATION:</u>	
REGISTRATION FEE (per unit)	\$ 30.00
[CERTIFICATE OF APPROVAL \$35.00]	
ROOMING/BOARDING HOUSES	\$ 30.00+
EACH INDIVIDUAL ROOM WHERE ACCOMMODATIONS ARE OFFERED	\$ 5.00
 <u>RETAIL FOOD HANDLING PERMIT</u>	
PERMIT FOR ONE DAY EVENT- SALE OF NON-PACKAGED FOOD	\$ 10.00
PACKAGED FOOD SALES ONLY	\$ 60.00
ON-PREMISE PREPARATION OF FOOD	\$ 150.00
LATE FEE – per day, per license, after March 31	\$ 1.50/DAY
 <u>RETURNED CHECK FEE:</u> per check, per return	 \$ 20.00
 <u>SENIOR BUILDING RENTAL</u>	
JAMESBURG BASED NON-PROFIT	\$10.00/HOUR
NON-JAMESBURG AND FOR-PROFIT	\$25.00/HOUR
 <u>STREET MAPS</u>	 \$ 1.00
 <u>STREET EXCAVATIONS</u>	

THE APPLICANT SHALL BE CHARGED A FEE OF SEVENTY-FIVE DOLLARS (\$75.00) FOR EACH PERMIT, IN ADDITION TO A NON-REFUNDABLE ENGINEERING INSPECTION FEE TO BE PAID AT THE TIME OF APPLICATION, IN THE AMOUNT OF \$125.00. ANY PERMITTED STREET OPENING THAT IS NOT PROPERLY RESTORED, CAUSING THE NEED FOR RE-INSPECTION BY THE BOROUGH ENGINEER'S OFFICE SHALL BE BILLED AND ADDITIONAL \$125.00 FOR EACH RE-INSPECTION OF THE STREET OPENING.

AN ADDITIONAL FEE OF \$500.00 WILL BE CHARGED TO EXCAVATE ANY ROADWAY THAT HAS BEEN IMPROVED WITHIN THE PREVIOUS FIVE (5) YEARS.

SHOULD THE APPLICANT NOT HAVE A BOND FILED WITH THE BOROUGH OF JAMESBURG, THE APPLICANT SHALL POST A CASH OR CERTIFIED CHECK DEPOSIT ACCORDING TO THE FOLLOWING SCHEDULE:

A.	UNIMPROVED ROADS OR UNPAVED SHOULDER PER SQUARE FOOT MINIMUM	\$ 6.00 \$ 325.00
B.	IMPROVED STONE OR ROAD OIL PER SQUARE FOOT MINIMUM	\$ 6.00 \$ 325.00
C.	PENETRATING MACADAM /SIMILAR SURFACE PER SQUARE FOOT MINIMUM	\$ 9.00 \$ 550.00
D.	REINFORCED CONCRETE OR BITUMINOUS CONCRETE/ SIMILAR SURFACE PER SQUARE FOOT MINIMUM	\$ 9.00 \$ 550.00

WHERE THE EXCAVATION IS MADE IN A HEAVILY TRAVELLED STREET OR WHERE FOR ANY REASON IT IS NECESSARY FOR THE BOROUGH TO STATION A POLICE OFFICER NEAR THE EXCAVATION TO DIRECT TRAFFIC, THE APPLICANT SHALL ALSO BE CHARGED THE CURRENT RATE FOR SPECIAL DUTY ASSIGNMENT OF POLICE OFFICERS.

SEWER CONNECTION INSPECTIONS

ENGINEERING INSPECTION - BILLED @ \$60.00 PER HOUR WITH MINIMUM FEE OF \$500.00 TO BE SUBMITTED WITH APPLICATION. UNUSED PORTION OF FEE IS TO BE RETURNED TO APPLICANT AT COMPLETION OF WORK AND SETTLEMENT OF BILLING.

SEWER CONNECTIONS

APPLICATION FEE	\$ 50.00
DWELLINGS WITHIN THE BOROUGH OF JAMESBURG:	
SINGLE FAMILY DWELLING	\$ 500.00
TWO-FAMILY DWELLING SIDE-BY-SIDE	\$ 500.00
MULTI-FAMILY DWELLING, INCLUDING BUT NOT LIMITED TO GARDEN APARTMENTS	\$ 500.00
EACH ADDITIONAL UNIT AFTER THE FIRST SINGLE FAMILY LIVING UNIT	\$ 400.00
EACH TOWNHOUSE SINGLE-FAMILY DWELLING SIDE-BY-SIDE	\$ 500.00
PROFESSIONAL OFFICE BUILDING, INDUSTRIAL BUILDING AND ALL OTHER BUILDINGS NOT OTHERWISE PROVIDED FOR	\$ 500.00
EACH ADDITIONAL LAVATORY AFTER FIRST	\$ 300.00
LAUNDRY CLOTHES WASHING MACHINES, DOMESTIC, COMMERCIAL AND INDUSTRIAL	\$ 500.00
EACH ADDITIONAL WASHING MACHINE AFTER FIRST TWO WASHING MACHINES IN A SINGLE BUILDINGSTRUCTURE	\$ 50.00
EACH ADDITIONAL FIXTURE (FIXTURES INCLUDE LAVATORIES, KITCHEN SINKS, SLOP SINKS, URINALS, BATH TUBS, SHOWER STALLS, LAUNDRY TUBS, FLOOR DRAINS, HOSE BIBB AND SUMP PUMPS)	\$ 8.00
FEE FOR A DWELLING OUTSIDE OF JAMESBURG TO BE TIED INTO THE BOROUGH'S SEWER SYSTEM.	\$ 800.00

SOLICITORS, PEDDLERS, AUCTIONEERS \$ 50.00

SIGNS - Fine for Violation of Sign Ordinance as per Borough Code Chapter 27, sec. 139 \$ 500.00

SPECIAL EVENT PERMIT
Non-Profit \$ 50.00

All Others	\$ 200.00
<u>TATTOO LICENSE</u>	
INITIAL APPLICATION	\$ 500.00
ANNUAL RENEWAL OF LICENSE	\$ 150.00
LATE FEE - per month, after July 1	\$100.00/Month
<u>TAX OFFICE:</u>	
TAX RECORD SEARCH (per year)	\$ 15.00
COMPUTER PRINT-OUTS (each block & lot)	\$ 1.00
USE OF DUPLICATE (MEMO) TAX BILL	\$ 5.00
ELECTRONIC FILE TRANSFER FEE – PER TRANSFER	\$ 10.00
TAX SALE NOTICE IN LIEU OF ADVERTISING	\$ 25.00
REDEMPTION CALCULATIONS 1 ST AND 2 ND	FREE
REDEMPTION CALCULATIONS 3 RD OR MORE	\$ 50.00/EA
<u>TOWER'S LIST APPLICATION FEE</u>	
\$ 250.00	
TOWING SERVICES:	
MONDAY THROUGH FRIDAY 6:00AM TO 6:00PM	\$ 110.00
MONDAY THROUGH FRIDAY 6:01PM TO 5:59AM	\$ 120.00
WEEKENDS AND HOLIDAYS	\$ 130.00
STORAGE FEES:	
INSIDE STORAGE FACILITY	\$ 40.00/DAY
OUTSIDE STORAGE FACILITY	\$ 30.00/DAY
HEAVY DUTY TOWING:	
CONVENTIONAL TOW 6,001 POUNDS TO 25,000 POUNDS	\$ 185.00
CONVENTIONAL TOW 25,001 POUNDS TO 55,000 POUNDS	\$ 310.00
CONVENTIONAL TOW 55,001 POUNDS TO 80,000 POUNDS	\$ 460.00
CONVENTIONAL TOW BUS COACH	\$ 460.00
NIGHTS, WEEKENDS, AND HOLIDAYS – ADDITIONAL	\$ 85.00
<u>TRANSCRIPTS OF MEETINGS</u>	
DEPOSIT (PER MEETING)	\$ 100.00
<u>TRAVELING SHOWS, CARNIVALS, & CIRCUSES</u>	
Traveling Show/Circus License (each day of performance)	\$ 25.00
Bond to be deposited at time of application	\$ 200.00
Carnival License (each day)	\$ 100.00
Bond to be deposited at time of application	\$ 1,000.00
<u>TWO HUNDRED FOOT LIST</u> per Block & Lot requested	\$ 10.00
<u>ZONING</u>	
1. APPLICATION FOR VARIANCE AS SET FORTH IN R.S. 40:55D-39a, APPEAL FROM ADMINISTRATIVE OFFICIAL OR AGENCY	\$ 50.00
2. APPLICATION FOR VARIANCE AS SET FORTH IN R.S. 40:55D-39b, SPECIAL EXCEPTION	\$ 50.00
3. APPLICATION FOR VARIANCE AS SET FORTH IN R.S. 40:55D-39c, HARDSHIP	\$ 50.00
4. APPLICATION FOR VARIANCE AS SET FORTH IN R.S. 40:55D-39d, SPECIAL REASONS.	\$
150.00	
5. ZONING PERMIT, FENCE OR POOL	\$ 25.00
6. ALL OTHER ZONING PERMITS	\$ 20.00
<u>ZONING MAP</u>	\$ 10.00

1. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
2. This ordinance shall take effect January 1, 2011, following adoption and publication pursuant

to law.

RECORD OF VOTE:
FIRST READING: JANUARY 2, 2013

COUNCIL MEMBER	MOTION TO INTRODUCE	2nd	VOTE
Council Member Busco			X
Council Member Carpenter			X
Council Member Kostbar			X
Council Member Ludas	X		X
Council Member Sussman			X
Council Member Taylor		X	X
Mayor Lowande			

ORDINANCE #02-13

AN ORDINANCE AMENDING CHAPTER XV (SEWERS) OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG,(2000)"

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AS FOLLOWS:

1. CHAPTER XV (SEWERS) OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG, (2000)" IS HEREBY AMENDED AND SUPPLEMENTED TO READ AS FOLLOWS:

SECTION 15-12.11(i) – (*Formula for Operational Charge*). THE ANNUAL SEWER RATES TO BE UTILIZED FOR THE USE OF THE JAMESBURG SEWER SYSTEM, ARE AS FOLLOWS (ADDITIONS ARE UNDERLINED, DELETIONS SHOWN WITH STRIKETHROUGH):

RATE:

CATEGORY	DESCRIPTION	ANNUAL RATE
R01	Residential	\$374.00 <u>\$388.00</u>
R02	Senior Citizens	\$135.00 <u>\$140.00</u>
R03	Single Apts.	\$286.00- <u>\$297.00</u>
C01	Laundromat	\$416.00 per washer <u>\$432.00</u>
C02	Bakery	\$6,084.00 <u>\$6,312.00</u>
C03	Office Complex	\$1,986.00 <u>\$2,060.00</u>
C04	Small Restaurant	\$913.00 <u>\$947.00</u>
C05	Medium Restaurant	\$3190.00 <u>\$3,309.00</u>
C06	Large Restaurant	\$5,412.00 <u>\$5,615.00</u>
C07	Gas Station	\$1,138.00 <u>\$1,180.00</u>
C08	Schools	\$2,190.00 <u>\$2,272.00</u>
C09	Office	\$312.00 <u>\$324.00</u>
C10	333 Forsgate	\$6,550.00 <u>\$6,795.00</u>
C11	Car Wash	\$5,980.00 <u>\$6,204.00</u>
C12	NJ American Water Company	\$5.64 per 1,000 gallons <u>\$5.64</u>

The Sewer Administrator is hereby given the authority to determine which rate schedule each property shall be billed under based upon past consumption and factual data. Senior citizens are those individuals who qualify for a senior citizen tax deduction as determined by the State of New Jersey. Restaurant categories shall be based upon a combination of: 1.) the seating capacity, as determined by the Jamesburg Fire Official and; 2.) Assessed property value, as determined by the Jamesburg Tax Assessor.

2. ALL OTHER ORDINANCES OR PART OF ORDINANCES HEREWITH ARE HEREBY REPEALED.
3. THIS ORDINANCE SHALL TAKE EFFECT UPON FINAL PASSAGE AND PUBLICATION IN ACCORDANCE WITH THE LAW.

RECORD OF VOTE:
FIRST READING: JANUARY 2, 2013

COUNCIL MEMBER	MOTION TO INTRODUCE	2nd	VOTE
Council Member Busco			X
Council Member Carpenter			X
Council Member Kostbar			X
Council Member Ludas		X	X
Council Member Sussman			X
Council Member Taylor	X		X
Mayor Lowande			

ORDINANCE 03-13

AN ORDINANCE PROVIDING FOR THE REMEDIATION OF UNDERGROUND STORAGE TANK SITES AND APPROPRIATING THE SUM OF \$53,000 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 \$53,000 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 2013 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.

RECORD OF VOTE:

FIRST READING: January 2, 2013

COUNCIL MEMBER	MOTION TO INTRODUCE	2nd	VOTE
Council Member Busco			X
Council Member Carpenter		X	X
Council Member Kostbar			X
Council Member Ludas	X		X
Council Member Sussman			X
Council Member Taylor			X
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:

#002-01-02-13**

Appoint Borough Prosecutor - Rafano

APPOINT BOROUGH PROSECUTOR

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE COUNCIL, DO HEREBY APPOINT CHRISTOPHER D. RAFANO, ESQ. AS BOROUGH PROSECUTOR, HIS TERM TO EXPIRE DECEMBER 31, 2013 OR UNTIL A SUCCESSOR IS DULY APPOINTED AND QUALIFIED.

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

#003-01-02-13**

Appoint Public Defender - Miller

APPOINT PUBLIC DEFENDER

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT LOWELL S. MILLER, ESQ., TO THE POSITION OF PUBLIC DEFENDER FOR A TERM TO EXPIRE DECEMBER 31, 2013 OR UNTIL A SUCCESSOR IS DULY APPOINTED AND QUALIFIED.

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

#004-01-02-13**

Appoint Town Historian – Soden

APPOINT AN HONORARY TOWN HISTORIAN

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT HAL SODEN, JR. TO THE VOLUNTEER POSITION OF HONORARY TOWN HISTORIAN.

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

#005-01-02-13**

Appoint Administrative Assistant - Pannucci

APPOINT ADMINISTRATIVE ASSISTANT

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT TANYA PANNUCCI AS ADMINISTRATIVE ASSISTANT FOR THE BOROUGH OF JAMESBURG.

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

#006-01-02-13**

Appoint Deputy Registrar - Pannucci

APPOINT DEPUTY REGISTRAR

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT TANYA PANNUCCI AS DEPUTY REGISTRAR FOR THE BOROUGH OF JAMESBURG.

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

#007-01-02-13**

Appoint Tax Search Officer - Jawdzik

APPOINT TAX SEARCH OFFICER

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT DENISE JAWIDZIK, C.T.C. AS TAX SEARCH OFFICER FOR THE BOROUGH OF JAMESBURG.

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

#008-01-02-13**

Appoint Insurance Commissioner - Jawdzik

APPOINT INSURANCE COMMISSIONER

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE COUNCIL, DO HEREBY APPOINT DENISE JAWIDZIK AS INSURANCE COMMISSIONER FOR THE BOROUGH OF JAMESBURG.

--	--	--	--	--	--	--

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

#009-01-02-13**

Appoint Certifying Officer - Jawidzik

APPOINT CERTIFYING OFFICER AS REQUIRED BY THE DIVISION OF PENSIONS AND BENEFITS

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT CHIEF FINANCIAL OFFICER DENISE JAWIDZIK, AS CERTIFYING OFFICER FOR THE YEAR 2013, AS REQUIRED BY THE NEW JERSEY DIVISION OF PENSIONS AND BENEFITS.

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

#010-01-02-13**

Appoint PACO Officer - Jawidzik

APPOINT PUBLIC AGENCY COMPLIANCE OFFICER

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE COUNCIL, DO HEREBY APPOINT DENISE JAWIDZIK AS PUBLIC AGENCY COMPLIANCE OFFICER FOR THE BOROUGH OF JAMESBURG.

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

#011-01-02-13**

Appoint Special Police Officers

APPOINT SPECIAL POLICE OFFICERS

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT THE FOLLOWING AS SPECIAL CLASS II OFFICERS TO THE JAMESBURG POLICE DEPARTMENT.

SPECIAL CLASS II OFFICERS

CHARLES GERNDT

GREGORY MOTARD

ANTHONY MENDOZA

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

#012-01-02-13**

Appoint Crossing Guards

APPOINT CROSSING GUARDS

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT THE FOLLOWING AS CROSSING GUARDS FOR THE BOROUGH OF JAMESBURG::

CATHY BRANCACCIO
DINA BRUCATO
PENNY BURGHARDT
ESTHER MAE CLAYTON
LYNETTE EMENS
ANITA GENTHE
DIANE KLECHA
KATHLEEN P. LEONARD
MARIA NIEDZWIECKI
ANA RUIZ
CHRISTINE WALKO
DEBORAH ZELASKO

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

#013-01-02-13**

Appoint Emergency Service Dispatchers – Holmes and Galaway

APPOINT PART-TIME EMERGENCY SERVICE DISPATCHERS

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT CHRISTINE HOLMES and RYAN GALAWAY AS PART-TIME EMERGENCY SERVICE DISPATCHERS FOR THE BOROUGH OF JAMESBURG.

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

#014-01-02-13**

Appoint Police Chaplain - Filson

APPOINT CHAPLAIN TO POLICE DEPARTMENT

I, MAYOR MARLENE LOWANDE, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT REV. GARY FILSON AS CHAPLAIN TO THE BOROUGH POLICE DEPARTMENT.

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

#015-01-02-13**

Appoint Deputy Court Administrator - Ward

APPOINT DEPUTY MUNICIPAL COURT ADMINISTRATOR

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT CHRISTINE WARD TO THE POSITION OF DEPUTY MUNICIPAL COURT ADMINISTRATOR.

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

#016-01-02-13**

Appoint Library Board of Trustees

APPOINT MEMBERS TO THE LIBRARY BOARD OF TRUSTEES

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT THE FOLLOWING TO THE LIBRARY BOARD OF TRUSTEES FOR THE POSITIONS AND TERMS AS SPECIFIED:

<u>Name</u>	<u>Position</u>	<u>Expiration of Term</u>
Peter Godfrey	Member	12/31/17

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

#017-01-02-13**

Appoint Citizens Advisory Committee Members

APPOINT MEMBERS OF CITIZENS ADVISORY COMMITTEE

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT THE FOLLOWING TO THE CITIZENS ADVISORY COMMITTEE FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT, THEIR TERMS TO EXPIRE DECEMBER 31, 2013:

THOMAS BUSCO
 OTTO KOSTBAR
 ROBERT LEBRUN
 DELLA FITCH

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

#018-01-02-13**

Appoint Clean Communities Coordinator – Jawidzik

APPOINT CLEAN COMMUNITIES COORDINATOR

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT DENISE JAWIDZIK AS CLEAN COMMUNITIES COORDINATOR FOR THE BOROUGH OF JAMESBURG.

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

#019-01-02-13**

Appoint Safety Officer – Jawidzik

APPOINT SAFETY OFFICER PURSUANT TO DCA BEST PRACTICES

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT DENISE JAWIDZIK TO THE POSITION OF SAFETY OFFICER FOR THE BOROUGH OF JAMESBURG PURSUANT TO DCA BEST PRACTICES.

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

#020-01-02-13**

Appoint Safety and Loss Control Commission

ESTABLISHING AND APPOINTING SAFETY AND LOSS CONTROL COMMITTEE

WHEREAS, THE BOROUGH OF JAMESBURG IS A MEMBER OF THE MIDDLESEX COUNTY MUNICIPAL JOINT INSURANCE FUND (M.C.M.J.I.F.); AND

WHEREAS, THE MIDDLESEX COUNTY MUNICIPAL JOINT INSURANCE FUND MANDATES THAT EACH MEMBER MUNICIPALITY ESTABLISH A LOCAL SAFETY AND LOSS CONTROL COMMITTEE UNDER THE DIRECTION OF THE M.C.M.J.I.F. EXECUTIVE OFFICER AND/OR SAFETY AND LOSS CONTROL MANAGER;

NOW, THEREFORE BE AND IT IS HEREBY RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG AS FOLLOWS:

1. THAT A SAFETY AND LOSS CONTROL COMMITTEE IS ESTABLISHED AS PER THE MANDATES OF THE MIDDLESEX COUNTY MUNICIPAL JOINT INSURANCE FUND, WHICH IS GRANTED THE AUTHORITY TO RECOMMEND POLICY AND PROCEDURES.
2. THAT FINANCE OFFICER/INSURANCE COMMISSIONER DENISE JAWIDZIK, AND PUBLIC WORKS FOREMAN JOSEPH INTRAVARTOLA AND POLICE CHIEF MARTIN HORVATH SHALL SERVE AS MEMBERS OF THE SAFETY AND LOSS CONTROL COMMITTEE FOR THE YEAR 2013.
3. THAT A CERTIFIED COPY OF THIS RESOLUTION BE FORWARDED TO THE MIDDLESEX COUNTY MUNICIPAL JOINT INSURANCE FUND FOR THEIR RECORDS.

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

#021-01-02-13**

Appoint Right to Know Coordinator - Intravartola

APPOINT RIGHT-TO-KNOW COORDINATOR

I, MARLENE LOWANDE, MAYOR., WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT JOSEPH INTRAVARTOLA AS THE RIGHT-TO-KNOW COORDINATOR FOR THE BOROUGH OF JAMESBURG..

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

#022-01-02-13**

Appoint Recycling Coordinator – Intravartola

APPOINT RECYCLING COORDINATOR

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT JOSEPH INTRAVARTOLA AS THE RECYCLING COORDINATOR FOR THE BOROUGH OF JAMESBURG.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT

Council Member Busco			X			
Council Member Carpenter			X			
Council Member Kostbar	X		X			
Council Member Ludas		X	X			
Council Member Sussman			X			
Council Member Taylor			X			
Mayor Lowande						

#023-01-02-13**

Appoint Deputy Housing Inspector – Wright

APPOINT DEPUTY HOUSING INSPECTOR - WRIGHT

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT BRIAN WRIGHT TO THE POSITION OF DEPUTY HOUSING INSPECTOR.

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

#024-01-02-13**

Appoint Emergency Management Council

APPOINT EMERGENCY MANAGEMENT COUNCIL

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT THE FOLLOWING TO SERVE ON THE MIDDLESEX COUNTY EMERGENCY MANAGEMENT COUNCIL FOR 2013:

ALERT WARNING COMMUNICATIONS	POLICE CHIEF
DAMAGE ASSESSMENT	BOROUGH ENGINEER
EMERGENCY OPERATING CENTER	COORDINATOR BRIAN WRIGHT
EMERGENCY MEDICAL SERVICES	FIRST AID CAPTAIN
PUBLIC INFORMATION	MAYOR MARLENE LOWANDE
EVACUATION	POLICE CHIEF
FIRE	FIRE CHIEF
HAZARDOUS MATERIALS	CARLOS MORALES
LAW ENFORCEMENT	POLICE CHIEF
PUBLIC HEALTH	COUNTY HEALTH INSPECTOR
PUBLIC WORKS	FOREMAN JOSEPH INTRAVARTOLA
RADIOLOGICAL	RADIOLOGICAL OFFICE FIRE DEPARTMENT CARLOS MORALES
RESOURCE MANAGEMENT	CHIEF FINANCIAL OFFICER DENISE JAWIDZIK
SHELTER COORDINATOR	ROBERT LEBRUN
ASST. SHELTER COORDINATOR	KELLY TAYLOR

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

#025-01-02-13**

Appoint Class III Member of the Land Use Board – Ludas

APPOINTMENT OF CLASS III MEMBER TO THE COMBINED LAND USE BOARD - LUDAS

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT DARIA LUDAS, AS THE CLASS III MEMBER TO THE COMBINED LAND USE BOARD OF WHICH TERM TO EXPIRE DECEMBER 31, 2013, OR UPON A SUCCESSOR BEING DULY APPOINTED AND QUALIFIED.

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

#026-01-02-13**

Appoint Animal Control Officer - Intravartola

APPOINT BOROUGH ANIMAL CONTROL OFFICER

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT JOSEPH INTRAVARTOLA AS ANIMAL CONTROL OFFICER FOR THE BOROUGH OF JAMESBURG.

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

#027-01-02-13**

Appoint Towing Contractors

APPOINT TOWING CONTRACTORS TO A ROTATING LIST TO BE UTILIZED BY THE JAMESBURG POLICE DEPARTMENT

WHEREAS, on September 25, 2002, the governing body of the Borough of Jamesburg did approve Ordinance #20-02, which regulates the towing of vehicles; and

WHEREAS, the aforementioned Ordinance mandates that Towing Contractors must submit certification of their compliance with the Ordinance, by October 31 of each year; and

WHEREAS, Section 7-3.3 of the Ordinance calls for the Borough Council to annually establish, by Resolution, a list of Automobile Towing Contractors and a list of Truck Towing Contractors to be utilized by the Borough Police Department on a rotating basis;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Borough Council of the Borough of Jamesburg that the following Towing Contractors shall be used on a rotating basis, by the Borough Police Department for the year 2013:

AUTOMOBILE TOWING CONTRACTORS

George Logan Towing
1979 Old Georges Road
North Brunswick, NJ 08902

Mendola’s Towing Inc.
189 Texas Road
Old Bridge, NJ 08857

Monroe Auto Body
31 Bordentown Tpk.
Monroe Township, NJ 08831

First Due Towing & Recovery
1615 Englishtown Rd
Old Bridge, NJ 08857

Boyce’s Towing
1706 Englishtown Road
Old Bridge, NJ 08857

Riporti;s Auto Wholesalers
1615 Englishtown Road
Old Bridge, NJ 08857

Mothers Towing & Recovery LLC
84 Tracy Station Road
Manalapan, NJ 07726

Tarantino Auto Body
134 Helmetta Rd
Monroe Twp., NJ 08831

DeFalco’s Automotive Services LLC
843 State Road 33 West
Monroe Twp., NJ 08831

TRUCK TOWING CONTRACTORS

George Logan Towing
1979 Old Georges Road
North Brunswick, NJ 08902

Boyce’s Towing
1706 Englishtown Road
Old Bridge, NJ 08857

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

#028-01-02-13**

Appoint Cash Management Plan

ACCEPT THE 2013 CASH MANAGEMENT PLAN AND INVESTMENT POLICY OF THE BOROUGH OF JAMESBURG

WHEREAS, N.J.S.A. 40A:5-14, REQUIRES THAT “EACH LOCAL UNIT SHALL ADOPT A CASH MANAGEMENT PLAN AND SHALL DEPOSIT ITS FUNDS ACCORDING TO THAT PLAN”; AND

WHEREAS, THE CHIEF FINANCIAL OFFICER OF THE BOROUGH OF JAMESBURG HAS SUBMITTED A CASH MANAGEMENT PLAN, A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG THAT THE ATTACHED 2013 CASH MANAGEMENT PLAN OF THE BOROUGH OF JAMESBURG BE ACCEPTED AND FILED.

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

#029-01-02-13**

General Business

GENERAL BUSINESS

BE IT RESOLVED, in the matter of making prompt provision for the efficient conduct of the business of this Borough, that the Borough Council of the Borough of Jamesburg make the following determinations and authorizations, to wit:

1. The Home News Tribune, Star Ledger and the Cranbury Press are hereby designated for the year 2013 as the official newspapers for the Borough of Jamesburg in the County of Middlesex for the publication of all legal notices and advertisements of the Borough and all its Boards, Bodies, Committees, Offices and Agencies, as required by N.J.S.A. 40:53-1, and the statutes in such case made and provided.
2. The Bulletin Board in the lobby of the Borough of Jamesburg Municipal Building, 131 Perrineville Road, the seat of the government of the Borough, is designated as the Municipal Bulletin Board, and as the place where all public notices, including pending ordinances shall be posted as required by law.
3. PNC Bank and the New Jersey Cash Management Fund are hereby designated as the depositories for the funds and monies of the Borough of Jamesburg for the year 2013. The aforementioned banks are hereby authorized and directed to honor checks drawn upon Borough funds, signed by the Mayor and the Chief Financial Officer. All Borough monies shall be paid out by checks bearing the two (2) signatures, with at least one being an original signature. However, this regulation shall not govern monies collected by and deposited by the Municipal Court Administrator. This regulation shall not apply to any other necessary transactions or transfers.
4. The rate of interest to be charged for the non-payment of taxes and assessments or before the date when they would become delinquent is fixed pursuant to N.J.S.A. 54:4-67 at the rate of 8% per annum on the first \$1,500.00 of taxes becoming delinquent after the due date and 18% per annum on any amount of taxes in excess of \$1,500.00 becoming delinquent after due date and if the delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31st, an additional penalty of 6% shall be charged against the delinquency. No interest shall be charged if payment of any installment is made within ten days after the date upon which the same became payable.
5. The rate of interest to be charged for non-payment of sewer utility charges or before the date when they would become delinquent is fixed pursuant to N.J.S.A. 54:4-67 at the rate of 8% per annum on the first \$1,500.00 of taxes becoming delinquent after the due date and 18% per annum on any amount of taxes in excess of \$1,500.00 becoming delinquent after due date and if the delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31st, an additional penalty of 6% shall be charged against the delinquency. No interest shall be charged if payment of any installment is made within ten days after the date upon which the same became payable.
6. The Tax Collector is empowered by statute to conduct and preside over the sale of liens and N.J.S.A. 54-5 et. seq., provides for the enforcement and collection of such delinquencies through a tax lien sale. The Borough of Jamesburg Tax Collector is authorized to conduct a tax lien sale for 2012 delinquent taxes and sewer utility charges and is authorized to charge \$25.00 mailing costs, per property, to the costs of the lien sale as per N.J.S.A. 54:5-26, which allows the Tax Collector to mail two (2) notices in lieu of two (2) newspaper advertisements in preparation for the tax lien sale.
7. Anyone issuing a check to the Borough that is returned by the bank for any reason shall be charged a \$20.00 returned check charge pursuant to N.J.S.A. 40A:5-18
8. The Tax Collector is authorized as follows:
 - a. to process, pursuant to N.J.S.A. 40A:5-17.1, without further action on the part of the Governing Body the cancellation any property tax/sewer refund or delinquency of less than \$10.00;

- b. to correct any and all errors of fees levied against properties held by entities that are exempt from taxes or that is held by the Borough of Jamesburg; and
 - c. to cancel and reimburse, pursuant to N.J.S.A. 54:4-3.30, real property taxes collected for permanently disabled veterans and senior citizens, and to correct the tax records of said veterans and senior citizens.
9. The Tax Assessor is authorized to file corrective tax appeals with the Middlesex County Board of Taxation concerning those properties wherein errors were made, and is authorized to file cross-petitions and cross-claims for appeals to both the Middlesex County Board of Taxation and the New Jersey Tax Court requesting increases in tax assessments. The Tax Assessor and Borough Attorney are hereby authorized to settle any and all appeals filed with the Middlesex County Tax Board, New Jersey Tax Court, and any appeals to the Appellate Division or Supreme Court. The Borough Attorney or designee is authorized to file all appeals, counterclaims in accordance with the local and Court Rules the Tax Assessment appeals.
 10. The Chief Financial Officer is hereby authorized to cancel outstanding checks issued by the Borough of Jamesburg on an as needed basis.
 11. The Tax Collector is hereby authorized to issue and execute new certificates of sale to replace lost or destroyed tax title certificates for a fee of \$100.00 pursuant to N.J.S.A. 54:5-52.1
 12. Pursuant to N.J.S.A. 54:4-54, the Borough Tax Assessor is hereby authorized to correct any errors in assessment and cause the tax record to be corrected. Pursuant to N.J.S.A. 54:4-54, the Borough Tax Assessor is hereby authorized to cancel an assessment intended for one parcel that has been placed upon another parcel, and may cancel the erroneous assessment. Pursuant to N.J.S.A. 54:4-54, the Borough Tax Assessor may cancel an erroneous assessment, and the Tax Collector may return without interest any money paid by one not the owner of a parcel intended to be assessed, and enter upon the record the assessment and tax against the proper parcel.
 13. Pursuant to the Borough personnel policy, the following dates in 2013 shall constitute the official holidays of the Borough of Jamesburg:

January 21, 2013	Martin Luther King's Birthday
February 18, 2013	Presidents Day
March 29, 2013	Good Friday
May 27, 2013	Memorial Day
July 04, 2013	Independence Day
September 02, 2013	Labor Day
October 14, 2013	Columbus Day
November 05, 2013	Election Day
November 28, 2013	Thanksgiving Day
November 29, 2013	Day after Thanksgiving
December 24, 2013	Day before Christmas (in exchange for Veterans Day)
December 25, 2013	Christmas Day
January 01, 2014	New Year's Day

14. The regular meetings of the Borough Council for the year 2013, will be held at the Borough Hall, 131 Perrineville Road, Jamesburg, New Jersey and shall be held on the dates set forth below. The time set for said meetings is 7:00 pm, prevailing time and the Borough Clerk is directed to advertise notice of meetings in accordance with the Open Public Meetings Act and said notice shall also be posted on the Municipal Bulletin Board.

Reorganization – January 02, 2013

January 16, 2013

February 27, 2013 *Budget Workshop at 7:00 pm, Council meeting to follow.

March 13, 2013 “Joint Annual Municipal/School Community Needs Budget Presentation”

April 10, 2013

May 15, 2013

June 19, 2013

July 10, 2013

August 14, 2013

September 11, 2013

October 09, 2013

November 13, 2013

December 11, 2013

Reorganization – January 07, 2014

15. The 2013 Rates related to the Special Duty Assignment of Police Officers are:

\$60.00 PER HOUR FOR THE OFFICER
\$25.00 PER HOUR FOR ADMINISTRATIVE FEES
\$85.00 PER HOUR TOTAL

16. Pursuant to N.J.S.A. 40A:4-8, the Borough of Jamesburg hereby authorizes the reading of the proposed 2012 Municipal Budget by title only at the time of the public hearing as long as the following has occurred:

1. At least one (1) week prior to the date of the public hearing on the proposed 2013 municipal budget, a complete copy of the approved budget shall be made available for public inspection at the Jamesburg Library located at 229 Gatzmer Avenue, Jamesburg, NJ; and
2. The Municipal Clerk of the Borough of Jamesburg shall deliver the copies of the approved budget to the library and shall forward to the Mayor and Council an attestation that such delivery was made; and
3. Copies are made available to each person requesting the same, during said week and during the public hearing.

17. The Borough of Jamesburg officially adopts Robert’s Rules of Order for the conduct of its meetings.

18. The Borough of Jamesburg establishes it is unlawful for any minor under the age of eighteen (18) years to loiter, idle, wander, stroll or play in or upon or to remain in or upon any public place which shall mean any place to which the public has access, including but not limited to a public street, road, thoroughfare, sidewalk, bridge, alley, plaza, park, recreation or shopping area, public transportation, parking lot or any other public building, structure or area, either on foot or in any vehicle within the confines of the Borough between the hours of 8:00 PM and 6:00 AM on October 30 and 31, 2013 unless accompanied by his parent, guardian or other adult person having custody, care and control of the minor, or in the event the minor is upon an emergency errand or legitimate business directed or consented to by his parent, guardian or other adult having care and custody of the minor.

19. The Borough of Jamesburg shall reimburse for mileage as per the current IRS rate.

20. The Borough of Jamesburg has adopted as its official Open Public Records Act request form the model form that has been adopted by the State of New Jersey’s Government Records Council.

21. For the calendar year of 2013, the Borough of Jamesburg hereby delegates the authority to act as the “issuing authority” to the Municipal Clerk for the purpose of approving the granting of the following licenses; raffle and bingo, junk yard permit, laundries/laundrettes, coin operated games/amusements, news racks, juke boxes, vending machines, pool/billiard table pinball including coin operated tables, annual renewal of tattoo license.

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

#030-01-02-13**

Approve Temporary Budget

APPROVE TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40A:4-19 provides that where any contract or payments are to be made prior to the final adoption of the 2012 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of January 2013; and

WHEREAS, the total appropriations in the 2012 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance is the sum of \$4,945,425.36; and

WHEREAS, 26.25% of the total appropriations in the 2012 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance is the sum of \$1,298,174.15.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Jamesburg, County of Middlesex, State of New Jersey that the following appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for her records.

	Code	Salary/Wages	Code	Other Expenses
General Admin	100.01	\$ 13,000.00	100.021	\$ 13,000.00
Mayor & Council	110.01	\$ 9,000.00	110.030	\$ 1,000.00
Municipal Clerk	120.01	\$ 10,000.00	120.021	\$ 2,000.00
Financial Admin	130.01	\$ 30,000.00	130.023	\$ 3,000.00
Audit Services			135.049	
Data Processing			140.046	\$ 8,000.00
Tax Collection	145.01	\$ 5,000.00	145.021	\$ 2,000.00
Tax Assessor	150.01	\$ 5,000.00	145.023	\$ 5,000.00
Legal			155.027	\$ 4,000.00
Engineering			165.046	\$ 4,000.00
Planning Board	180.01	\$ 2,000.00	180.023	\$ 5,000.00
Zoning	205.01	\$ 13,000.00	205.025	\$ 1,000.00
Liability Insurance			210.094	\$ 50,000.00
Other Insurance			211.090	\$ 30,000.00
Health Insurance			220.092	\$ 80,000.00
Unemployment			225.116	\$ 5,000.00
Police	240.01	\$ 450,000.00	240.023	\$ 40,000.00
Emergency Management			252.030	\$ 500.00
Fire Prevention	264.01	\$ 4,000.00	264.025	\$ 2,000.00
Prosecutor	275.01	\$ 3,000.00		
Public Works	290.01	\$ 60,000.00	290.025	\$ 10,000.00
Solid Waste			305.046	\$ 45,000.00
Buildings/Grounds			310.024	\$ 12,000.00
Health Dept.	330.01	\$ 1,000.00	330.023	\$ 6,000.00
Animal Control	340.01		340.046	\$ 5,000.00
Library			390.046	\$ 35,000.00
Electricity			430.071	\$ 12,000.00
Street Lighting			435.075	\$ 10,000.00
Telephone			440.076	\$ 3,000.00
Water/Sewer			445.072	\$ 1,000.00
Natural Gas			446.070	\$ 3,000.00
PERS			471.114	
Social Security			472.115	\$ 20,000.00
PFRS			475.114	
Recycle Tax			479.046	\$ 4,000.00
MCIA Recycling			482.103	\$ 20,000.00
SPCA Interlocal			486.046	\$ 4,000.00
Third Party			487.116	\$ 20,000.00
Court	490.01	\$ 24,000.00	490.022	\$ 1,000.00
Dispatch	491.01	\$ 58,000.00	491.026	\$ 30,000.00
Gasoline ILSA			494.074	\$ 11,000.00
Public Defender	495.01	\$ 500.00		
MCUA Solid Waste			500.116	\$ 30,000.00
Capital Improvement Fund			901.000	\$ 50,000.00

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT KELLY TAYLOR AS ASSISTANT TO THE TAX COLLECTOR IN THE BOROUGH OF JAMESBURG.

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

#034-01-02-13

Appoint Assistant to the Chief Financial Officer – Taylor

APPOINT ASSISTANT TO THE CHIEF FINANCIAL OFFICER

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT KELLY TAYLOR AS ASSISTANT TO THE CHIEF FINANCIAL OFFICER IN THE BOROUGH OF JAMESBURG.

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

#035-01-02-13

Award Borough Attorney Contract – Raffetto

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE BOROUGH OF JAMESBURG AND FREDERICK C. RAFFETTO, ESQ OF ANSELL, GRIMM & AARON P.C.

WHEREAS, A RESOLUTION HAS BEEN ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG APPOINTING FREDERICK C. RAFFETTO, ESQ. TO SERVE AS BOROUGH ATTORNEY FOR THE BOROUGH OF JAMESBURG; AND

WHEREAS, THE MAYOR IS AUTHORIZED TO ENTER INTO AND EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR THE SERVICES AND COMPENSATION OF THE BOROUGH ATTORNEY FOR THE TERM OF JANUARY 1, 2013 TO DECEMBER 31, 2013; AND

WHEREAS, THE LOCAL PUBLIC CONTRACTS LAW, N.J.S.A. 40A:11-1 et seq., AUTHORIZES THE AWARDING OF A CONTRACT FOR PROFESSIONAL SERVICES WITHOUT PUBLIC ADVERTISING FOR BIDS AND BIDDING THEREFOR, PROVIDED THAT THE RESOLUTION AUTHORIZING THE CONTRACT AND THE CONTRACT ITSELF BE AVAILABLE FOR PUBLIC INSPECTION IN THE OFFICE OF THE CLERK AND THAT NOTICE OF THE AWARDING OF THE CONTRACT BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE MUNICIPALITY:

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG AS FOLLOWS:

1. THAT THE MAYOR IS AUTHORIZED TO EXECUTE AND THE BOROUGH CLERK TO ATTEST THE ATTACHED AGREEMENT BETWEEN THE BOROUGH OF JAMESBURG AND FREDERICK C. RAFFETTO, ESQ. REGARDING THE ABOVE-REFERENCED SERVICES, AND THAT SAID CONTRACT IS HEREBY RATIFIED AND CONFIRMED.

2. THAT THIS CONTRACT IS AWARDED WITHOUT COMPETITIVE BIDDING AS A PROFESSIONAL SERVICE IN ACCORDANCE WITH N.J.S.A. 40A:11-5 OF THE LOCAL PUBLIC CONTRACTS LAW OF NEW JERSEY, BECAUSE THE SERVICES WILL BE PERFORMED BY PERSONS AUTHORIZED BY LAW TO PRACTICE A RECOGNIZED PROFESSION AND IT IS NOT POSSIBLE TO OBTAIN BIDS FOR SUCH NEEDED QUALITATIVE SERVICES.

3. THAT THE CHIEF FINANCIAL OFFICER IS DIRECTED TO FILE A CERTIFICATE OF AVAILABILITY OF FUNDS FOR THIS CONTRACT AND TO ATTACH SAME TO THIS RESOLUTION.

4. THAT NOTICE OF THE ADOPTION OF THIS RESOLUTION SHALL BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE BOROUGH.

5. THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:

- a. FREDERICK C. RAFFETTO, ESQ.
- b. DENISE JAWIDZIK, CHIEF FINANCIAL OFFICER.

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

#036-01-02-13

Appoint Borough Labor Attorney – Shaklee

APPOINT BOROUGH LABOR ATTORNEY - SHAKLEE

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT RICHARD J. SHAKLEE, ESQ., OF THE FIRM MCLAUGHLIN GELSON, D’APOLITO & STAUFFER, LLC., AS BOROUGH LABOR ATTORNEY, HIS TERM TO EXPIRE DECEMBER 31, 2013, OR UPON A SUCCESSOR BEING DULY APPOINTED AND QUALIFIED.

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

#037-01-02-13

Award Labor Attorney Contract – Shaklee

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE BOROUGH OF JAMESBURG AND RICHARD J. SHAKLEE, ESQ.

WHEREAS, A RESOLUTION HAS BEEN ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG APPOINTING RICHARD J. SHAKLEE, ESQ. OF MCLAUGHLIN GELSON, D’APOLITO & STAUFFER, LLC TO SERVE AS LABOR ATTORNEY FOR THE BOROUGH OF JAMESBURG; AND

WHEREAS, THE MAYOR IS AUTHORIZED TO ENTER INTO AND EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR THE SERVICES AND COMPENSATION OF THE LABOR ATTORNEY FOR THE TERM OF JANUARY 1, 2013 TO DECEMBER 31, 2013; AND

WHEREAS, THE LOCAL PUBLIC CONTRACTS LAW, N.J.S.A. 40A:11-1 et seq., AUTHORIZES THE AWARDED OF A CONTRACT FOR PROFESSIONAL SERVICES WITHOUT PUBLIC ADVERTISING FOR BIDS AND BIDDING THEREFOR, PROVIDED THAT THE RESOLUTION AUTHORIZING THE CONTRACT AND THE CONTRACT ITSELF BE AVAILABLE FOR PUBLIC INSPECTION IN THE OFFICE OF THE CLERK AND THAT NOTICE OF THE AWARDED OF THE CONTRACT BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE MUNICIPALITY:

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG AS FOLLOWS:

1. THAT THE MAYOR IS AUTHORIZED TO EXECUTE AND THE BOROUGH CLERK TO ATTEST THE ATTACHED AGREEMENT BETWEEN THE BOROUGH OF JAMESBURG AND RICHARD J. SHAKLEE, ESQ. REGARDING THE ABOVE-REFERENCED SERVICES, AND THAT SAID CONTRACT IS HEREBY RATIFIED AND CONFIRMED.

2. THAT THIS CONTRACT IS AWARDED WITHOUT COMPETITIVE BIDDING AS A PROFESSIONAL SERVICE IN ACCORDANCE WITH N.J.S.A. 40A:11-5 OF THE LOCAL PUBLIC CONTRACTS LAW OF NEW JERSEY, BECAUSE THE SERVICES WILL BE PERFORMED BY PERSONS AUTHORIZED BY LAW TO PRACTICE A RECOGNIZED PROFESSION AND IT IS NOT POSSIBLE TO OBTAIN BIDS FOR SUCH NEEDED QUALITATIVE SERVICES.

3. THAT THE CHIEF FINANCIAL OFFICER IS DIRECTED TO FILE A CERTIFICATE OF AVAILABILITY OF FUNDS FOR THIS CONTRACT AND TO ATTACH SAME TO THIS RESOLUTION.

4. THAT NOTICE OF THE ADOPTION OF THIS RESOLUTION SHALL BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE BOROUGH.

5. THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:

- a. RICHARD J. SHAKLEE, ESQ. OF MCLAUGHLIN GELSON, D'APOLITO & STAUFFER, LLC
- c. DENISE JAWIDZIK, CHIEF FINANCIAL OFFICER.

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

#038-01-02-13

Appoint Borough Engineer – Remington

APPOINT BOROUGH ENGINEER

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL, DO HEREBY APPOINT THE FIRM REMINGTON, VERNICK AND VENA ENGINEERS, AS BOROUGH ENGINEER FOR A TERM TO EXPIRE DECEMBER 31, 2013 OR UPON A SUCCESSOR BEING DULY APPOINTED AND QUALIFIED.

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

#039-01-02-13

Award Engineer Contract- Remington

AUTHORIZING AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES

WHEREAS, the Borough of Jamesburg has a need to retain an engineer to serve as the Borough Engineer for the year 2013 and to provide professional engineering services; and

WHEREAS, the Purchasing Official has determined and certified in writing that the value of this contract shall exceed \$17,500, and therefore the contract is subject to the provisions of the State’s Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, *et seq.*; and

WHEREAS, the firm of Remington, Vernick & Vena Engineers, has submitted a proposal to perform the necessary engineering services; and

WHEREAS, this contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(I), because engineering services are a recognized profession licensed and regulated by law; and

WHEREAS, Remington, Vernick & Vena Engineers has completed and submitted a Business Entity Disclosure Certification pursuant to the Local Unit Pay-to-Play law (specifically, at N.J.S.A. 19:44A-20.8), which certifies that Remington, Vernick & Vena Engineers has not made any reportable contributions to a political or candidate committee in the Borough of Jamesburg in the previous year, and that the contract will prohibit Remington, Vernick & Vena Engineers from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for “professional services” without public advertising for bids and bidding therefor, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

WHEREAS, the Borough Chief Financial Officer has certified to the availability of funds for this contract.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Borough Council of the Borough of Jamesburg, in the County of Middlesex and State of New Jersey, as follows:

1. That the Mayor is authorized to execute and the Borough Clerk to attest the attached Agreement between the Borough of Jamesburg and Remington, Vernick & Vena Engineers regarding the above-referenced professional engineering services.
2. That this contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services will be performed by persons authorized by law to practice a recognized profession and it is not possible to obtain bids for such needed qualitative services.
3. That notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.
4. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Remington, Vernick & Vena Engineers
 - b. Denise Jawidzik, Borough Administrator

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

#040-01-02-13

Appoint Borough Auditor – Hutchins

APPOINT BOROUGH AUDITOR

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE COUNCIL, DO HEREBY APPOINT THE FIRM OF HUTCHINS, FARRELL, MEYER & ALLISON, P.A., AS BOROUGH AUDITORS FOR A TERM TO EXPIRE DECEMBER 31, 2013, OR UPON A SUCCESSOR BEING DULY APPOINTED AND QUALIFIED.

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

#041-01-02-13

Award Auditor Contract – Hutchins

AUTHORIZING AGREEMENT FOR PROFESSIONAL AUDITOR – HUTCHINS, FARRELL, MEYER & ALLISON, P.A.

WHEREAS, THE BOROUGH OF JAMESBURG HAS A NEED TO RETAIN AN AUDITOR FOR THE YEAR 2013; AND

WHEREAS, THE PURCHASING OFFICIAL HAS DETERMINED AND CERTIFIED IN WRITING THAT THE VALUE OF THIS CONTRACT SHALL EXCEED \$17,500, AND THEREFORE THE CONTRACT IS SUBJECT TO THE PROVISIONS OF THE STATE’S LOCAL UNIT PAY-TO-PLAY LAW, N.J.S.A. 19:44A-20.4, *ET SEQ.*; AND

WHEREAS, HUTCHINS, FARRELL, MEYER & ALLISON, P.A., HAS SUBMITTED A PROPOSAL TO PERFORM THE NECESSARY AUDITING SERVICES; AND

WHEREAS, THIS CONTRACT IS AWARDED WITHOUT COMPETITIVE BIDDING AS A PROFESSIONAL SERVICE UNDER THE PROVISIONS OF THE LOCAL PUBLIC CONTRACTS LAW, N.J.S.A. 40A:11-5(1)(A)(I), BECAUSE PROFESSIONAL LEGAL SERVICES ARE A RECOGNIZED PROFESSION LICENSED AND REGULATED BY LAW; AND

WHEREAS, HUTCHINS, FARRELL, MEYER & ALLISON, P.A HAS COMPLETED AND SUBMITTED A BUSINESS ENTITY DISCLOSURE CERTIFICATION PURSUANT TO THE LOCAL UNIT PAY-TO-PLAY LAW (SPECIFICALLY, AT N.J.S.A. 19:44A-20.8), WHICH CERTIFIES THAT HUTCHINS, FARRELL, MEYER & ALLISON, P.A HAS NOT MADE ANY REPORTABLE CONTRIBUTIONS TO A POLITICAL OR CANDIDATE COMMITTEE IN THE BOROUGH OF JAMESBURG IN THE PREVIOUS YEAR, AND THAT THE CONTRACT WILL PROHIBIT HUTCHINS, FARRELL, MEYER & ALLISON, P.A FROM MAKING ANY REPORTABLE CONTRIBUTIONS THROUGH THE TERM OF THE CONTRACT; AND

WHEREAS, THE SERVICES TO BE PROVIDED ARE CONSIDERED “PROFESSIONAL SERVICES” UNDER THE LOCAL PUBLIC CONTRACTS LAW, N.J.S.A. 40A:11-1, *ET SEQ.*; AND

WHEREAS, THE LOCAL PUBLIC CONTRACTS LAW AUTHORIZES THE AWARDED OF A CONTRACT FOR “PROFESSIONAL SERVICES” WITHOUT PUBLIC ADVERTISING FOR BIDS AND BIDDING THEREFORE, PROVIDED THAT THE RESOLUTION AUTHORIZING THE CONTRACT AND THE CONTRACT ITSELF BE AVAILABLE FOR PUBLIC INSPECTION IN THE OFFICE OF THE MUNICIPAL CLERK AND THAT NOTICE OF THE AWARDED OF THE CONTRACT BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE MUNICIPALITY; AND

WHEREAS, THE BOROUGH CHIEF FINANCIAL OFFICER HAS CERTIFIED TO THE AVAILABILITY OF FUNDS FOR THIS CONTRACT.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY, AS FOLLOWS:

5. THAT THE MAYOR IS AUTHORIZED TO EXECUTE AND THE BOROUGH CLERK TO ATTEST THE ATTACHED AGREEMENT BETWEEN THE BOROUGH OF JAMESBURG AND HUTCHINS, FARRELL, MEYER & ALLISON, P.A. REGARDING THE ABOVE-REFERENCED PROFESSIONAL AUDITING SERVICES.
6. THAT THIS CONTRACT IS AWARDED WITHOUT COMPETITIVE BIDDING AS A "PROFESSIONAL SERVICE" IN ACCORDANCE WITH N.J.S.A. 40A:11-5(1)(A) OF THE LOCAL PUBLIC CONTRACTS LAW BECAUSE THE SERVICES WILL BE PERFORMED BY PERSONS AUTHORIZED BY LAW TO PRACTICE A RECOGNIZED PROFESSION AND IT IS NOT POSSIBLE TO OBTAIN BIDS FOR SUCH NEEDED QUALITATIVE SERVICES.

7. THAT NOTICE OF THE ADOPTION OF THIS RESOLUTION SHALL BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE BOROUGH.
8. THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:
 - c. HUTCHINS, FARRELL, MEYER & ALLISON, P.A
 - d. DENISE JAWIDZIK, BOROUGH ADMINISTRATOR

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

#042-01-02-13

Transfer of Appropriation Reserves

TRANSFER OF APPROPRIATION RESERVES

WHEREAS, various 2012 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2012 Budget Appropriations in the last two months of 2012; and

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward at the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the previous fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Jamesburg that the transfers in the amount of \$300.00 be made between the 2012 Budget Appropriation Reserves as follows:

	<u>FROM</u>	<u>TO</u>
Fire Prevention OE	\$300.00	
Salary & Wage		\$300.00

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

#043-01-02-13

Appoint County Housing & Community Development Representative – Kostbar

REPRESENTATIVE TO COUNTY HOUSING AND COMMUNITY DEVELOPMENT PROGRAM

WHEREAS, EACH MUNICIPALITY IN THE COUNTY OF MIDDLESEX, HAVING ENTERED INTO AN AGREEMENT WITH THE COUNTY OF MIDDLESEX TO PLAN FOR THE USE OF AND RECEIVE FROM THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1972; AND

WHEREAS, THIS COMMITTEE HAS BEEN NAMED THE MIDDLESEX COUNTY HOUSING AND COMMUNITY DEVELOPMENT PROGRAM COMMITTEE; AND

WHEREAS, EACH MUNICIPLITY IS REQUESTED TO APPOINT TWO MEMBERS TO SAID COMMITTEE, THE FIRST BEING A MAYOR'S APPOINTMENT AND THE SECOND BEING AN APPOINTMENT OF THE GOVERNING BODY;

WHEREAS, ROBERT LEBRUN IS THE MAYORAL APPOINTEE; AND

NOW, THEREFORE, BE IT RESOLVED, THAT OTTO KOSTBAR IS HEREBY APPOINTED AS THE GOVERNING BODY'S REPRESENTATIVE TO THE MIDDLESEX COUNTY HOUSING AND COMMUNITY DEVELOPMENT PROGRAM COMMITTEE FOR THE YEAR 2013.

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

MOTION TO OPEN TO PUBLIC COMMENT:

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

Mr. Tom Van de Sande – 2 Fernwood Lane: Mr. Van de Sande asked about what monies were transferred for Resolution #042-01-02-13; Administrator Jawdzik answered.

Mr. Van de Sande asked if the Borough Attorney and the Land Use Board Attorney were paid; Administrator Jawdzik answered that the Borough Attorney was paid an hourly rate and the Land Use Board Attorney has a retainer.

He also asked if the mayor and council's first priority was to represent the residents and business owners whom they levy taxes on in Jamesburg; Mayor Lowande and Council Member Ludas both answered yes.

Mr Van de Sande also inquired how the revenue collected will be used; Mayor Lowande and Council Member Taylor answered that the budget has not been done yet and budget talks will begin in February.

MOTION TO CLOSE TO PUBLIC COMMENT:

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

MOTION TO ADJOURN:

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

TIME OF ADJOURNMENT: 7:17 PM

Tanya Pannucci
 Acting Municipal Clerk
 Borough of Jamesburg