

**BOROUGH OF JAMESBURG**  
**GOVERNING BODY MEETING**  
**MINUTES**  
**OCTOBER 9, 2013**  
**7:00 PM**

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**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 Carpenter  
Council Member Busco  
Council Member Kostbar  
Council Member Ludas - *Absent*  
Council Member Sussman  
Council Member Taylor  
Administrator Jawidzik  
Borough Attorney Raffetto

**1<sup>ST</sup> 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 per citizen.

**Motion Open to Public Comment:**

Proposed By: Taylor  
Seconded By: Kostbar  
All in Favor

Jerry Riccardi , JCPL Representative – Mr. Riccardi addressed the Mayor and Council with new technologies that JCP&L has introduced in light of Hurricane Sandy: Alerts and Text Messaging. Residents can now sign up to receive alerts and text messaging regarding weather updates/outages and their personal billing and meter reading information as well. The JCP&L website has also been redone to include specific information regarding outages in your own specific municipality with users now being able to log on to the website and see current outages, snapshots of each community’s electric infrastructure and links to other important information. Mr. Riccardi also extended to the Mayor and Council to contact him directly if they would like more information on how to sign up to receive these alerts. Mayor Lowande and the Council all agreed this was a great new technology and the informational handouts Mr. Riccardi passed out will be put on our own Borough web and Facebook pages so residents can start signing up.

**Motion to Close to Public Comment:**

Proposed By: Sussman  
Seconded By: Carpenter  
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:**

#126-10-09-13\*\*      Accepting Monthly Reports – August  
**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 2013
Finance Report	August 2013
Report of the Tax Collector	August 2013
Report of the Sewer Administrator`	August 2013

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

#127-10-09-13\*\*      Accepting Meeting Minutes – September 11, 2013  
**RESOLUTION ACCEPTING MINUTES**

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

*MAYOR AND COUNCIL*

September 11, 2013

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

#128-10-09-13\*\*      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

\$674,873.38.

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

#129-10-09-13\*\*      Appoint Crossing Guard – McPherson  
**APPOINT CROSSING GUARD - MCPHERSON**

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT SHARON MCPHERSON AS A CROSSING GUARD AT A RATE OF PAY OF \$12.04 PER HOUR FOR TERMS COMMENCING OCTOBER 7, 2013 AND EXPIRING DECEMBER 31, 2013 OR UNTIL A SUCESSOR IS DULY APPOINTED AND QUALIFIED.

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

**NON-CONSENT AGENDA RESOLUTIONS:**

#130-10-09-13      Amending Section 6 – Vacation, Section 7 – Paid Sick Leave & Section 13 – Training and Tuition Reimbursement of the Borough of Jamesburg’s Personnel Policy

**RESOLUTION AMENDING SECTION 6 - VACATION, SECTION 7 - PAID SICK LEAVE AND SECTION 13 - TRAINING AND TUITION REIMBURSEMENT OF THE BOROUGH OF JAMESBURG PERSONNEL POLICY**

**WHEREAS**, the Mayor and Council of the Borough of Jamesburg adopted an amended Personnel Policy with respect to the employees of the Borough on August 12, 2009; and

**WHEREAS**, the Mayor and Council of the Borough of Jamesburg have determined to make the following amendment:

Section 6 – Vacation:

- \* Between 11-20 years: 160 hours
- Between 21-25 years: 176 hours
- After 25 years: 200 hours

Section 7 – Paid Sick Leave:

- \* Full-time employees hired after October 1, 2013 shall not be entitled to any sick time pay out at retirement or termination.

Section 13 – Training and Tuition Reimbursement:

\* When the Borough of Jamesburg pays tuition for certification classes, the employee must remain in the Borough's employ for at least 18 months after the completion of the courses or reimburse the Borough for all costs.

**NOW, THEREFORE, BE IT RESOLVED,** by the Mayor and Council of the Borough of Jamesburg that the above amendments to the Personnel Policy is hereby adopted.

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

#131-10-09-13 Amending the Contract between the Borough of Jamesburg & Robert LeBrun  
**RESOLUTION AMENDING THE CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND ROBERT LEBRUN**

**WHEREAS,** Resolution #166-11-07-12 appointing Zoning Officer/Property Maintenance Inspector/COAH Municipal Housing Liaison was adopted on November 7, 2012; and

**WHEREAS,** that appointment included a contract specifying that certain certifications would be obtained and a salary increase would be given upon successful certification; and

**WHEREAS,** the certification for "Rutgers Inspector of Hotels and Multiple Dwellings" is only available to State employees and the Mayor and Council wish to substitute "National Incident Management System" certification courses ICS-100, ICS-200, ICS-300 and ICS-400 as these certifications will benefit the residents of the Borough of Jamesburg during Emergency Response. These classes are at no cost to the Borough.

**NOW, THEREFORE, BE IT RESOLVED,** by the Mayor and Council of the Borough of Jamesburg that contract between the Borough of Jamesburg and Robert LeBrun is hereby amended with the above certification substitution

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

Councilman Taylor clarified that this was just changing a class that was no longer available to Mr. Lebrun.

#132-10-09-13 Best Practices Inventory Acknowledgement  
**RESOLUTION ACKNOWLEDGING DISCUSSION OF BEST PRACTICE INVENTORY AND AUTHORIZING SUBMISSION OF PUBLIC MEETING CERTIFICATION**

**WHEREAS**, the State’s Fiscal 2014 Appropriations Act (P.L. 2013, c.77) requires the Division of Local Government Services (DLGS) to determine how much of each municipality’s final 5% allocation of its CMPTRA and ETR aid will be disbursed based upon the results of a Best Practices Inventory; and

**WHEREAS**, the Chief Financial Officer (CFO) has completed the attached Best Practices Inventory on behalf of the Borough of Jamesburg; and

**WHEREAS**, the Mayor and Council have reviewed and discussed the Best Practices Inventory as prepared by the CFO.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Jamesburg that the Municipal Clerk is hereby authorized to file the attached Best Practice Public Meeting Certification Form with the DLGS.

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

Administrator Jawidzik explained that the State requires us to submit a Best Practices Inventory in order for us to receive all of our State Aid; requiring a passing grade, which we do have of an 88%, meaning we will receive 100% of our State Aid.

#133-10-09-13 Urging Voters in the Borough of Jamesburg to Vote Yes to Ballot Question #2 - Minimum Wage Increase at the November 5<sup>th</sup>, 2013 election.

**A RESOLUTION OF THE BOROUGH OF JAMESBURG IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, URGING RESIDENTS OF THE BOROUGH OF JAMESBURG TO SUPPORT BALLOT QUESTION #2 TO RAISE NEW JERSEY’S MINIMUM WAGE TO \$8.25**

**WHEREAS**, the federal minimum wage was signed into law in 1938 by President Franklin Roosevelt, at the height of the Great Depression; and

**WHEREAS**, the minimum wage increases consumer purchasing power, increases workers’ standards of living, reduces poverty, and stimulates the economy; and

**WHEREAS**, the cost of living in New Jersey continues to rise, yet there has been no state legislative action approved to increase the minimum wage since 2005; and

**WHEREAS**, unlike New Jersey, 19 other states and the District of Columbia currently maintain a minimum wage above the federal rate of \$7.25; and

**WHEREAS**, 10 states provide for the annual adjustment of their minimum wage to ensure that the real value of the lowest paid workers’ wages does not shrink as normal costs of living go up, and four of these states have amended their constitutions to do so; and

**WHEREAS**, according to New Jersey Policy Perspective, 429,000 workers in New Jersey earn at or near the minimum wage, more than 350,000 are over the age of 20, 250,000 are women, 79,000 are men, 154,000 are Hispanic, 69,000 are Black and 31,000 are Asian; and

**WHEREAS**, because Governor Chris Christie vetoed a minimum wage increase this year, the state legislature voted to place the question before voters on the November 5, 2013 ballot to raise the minimum wage and adjust it annually according to the consumer price index; and

**WHEREAS**, by raising the standard of living through a higher minimum wage, New Jersey would likely realize various societal benefits such as improved education, safer communities, greater opportunity for upward mobility, and more financial stability for families; and

**WHEREAS**, the Chicago Federal Reserve Bank conducted a study in 2011 that estimates that for every dollar increase in the minimum wage, there is a \$2,800 in new consumer spending by that household the following year. This revenue is injected into the local economy which translates into greater consumer demand for local goods and services, thereby requiring employers to hire additional workers to meet this demand which translates into job creation; and

**THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Jamesburg, urge the residents of the Borough of Jamesburg to vote yes on Ballot Question #2 to Raise New Jersey’s Minimum Wage from \$7.25 to \$8.25 an hour and to adjust annually based on the Consumer Price Index to reflect the economic conditions facing New Jersey workers and to ensure that New Jersey’s minimum wage is not a poverty wage but is a fair wage for workers.

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

**COUNCILMATIC COMMITTEE REPORTS:**

- FINANCE COMMITTEE  
Council Member Taylor

No Report as there is not too much going on this time of year. Discussions will start in regards to the budget for next year in the next coming weeks.

- EDUCATION COMMITTEE  
Council Member Sussman

Council Member Sussman reported that he attended the Board of Education meeting, and the results of a suggestion made approximately 8 months prior by Mr. Siccore (sp) who is on the school board, that proof of residency be checked for the Jamesburg students attending the high school have been founded. Proof of residency has been checked for 10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup> graders attending the high school resulting in 19 students not being eligible to attend. This translates into a \$304,000 savings. Council Member Sussman gave kudos to the board and the officer for his due diligence.

- POLICE COMMITTEE  
Council Member Kostbar

Council Member Kostbar spoke with Chief Horvath in the afternoon regarding a number of police matters. The new guns have been issued and several officers are now carrying them. The officers will continue to be qualified to carry throughout the month of October and that will continue until all of the officers are carrying the new guns.

The two Specials are progressing nicely in their 5<sup>th</sup> week of the Police Academy with all reports being very satisfactory.

The new vehicle, the Tahoe, has been delivered and is going into the shop to receive lights, lettering, etc. and should be ready by the end of the month to join the fleet. That vehicle was purchased to replace one of the vehicles destroyed by Hurricane Irene.

Also, on October 26 between 10am-2pm, the police department will be holding a “Take Back NJ” program which is being run by the Federal Dept. of Drug Enforcement. Residents can come and drop off any unneeded medication. The purpose being to get rid of medication safely so it does not turn up on the streets being sold or used to make other drugs.

Council Member Kostbar also reported that the police department has been very busy, with a number of drug arrests made. Detective Muller has been very busy with the other officers chipping in. There was an armed robbery/home invasion on September 30<sup>th</sup> on John Street resulting in two arrests and two others remaining at large that the police department is searching for. Also, last Saturday October

5<sup>th</sup>, there was a large brawl on Buckelew Avenue involving 40 people, with backup from the Monroe Twp. Police Department who was needed to help break it up.

Council Member Kostbar reiterated that we are a very safe town due to our police department working hard to keep everyone safe.

102 tickets were written, which is down a bit from previous months, due to being short handed with the Specials.

Council Member Kostbar attended the Middlesex County Transportation meeting and will bring in his report to share with the rest of council and Mayor Lowande.

- PERSONNEL COMMITTEE  
Council Member Ludas

No Report - Absent

- PUBLIC WORKS COMMITTEE  
Council Member Busco

No Report.

- PUBLIC EVENTS COMMITTEE  
Council President Carpenter

Council President Carpenter gave an update of the Fall Festival; 86 vendors are confirmed with more coming in, the weather is supposed to be nice, and the Cub Scouts will be doing their races. There are a variety of vendors and the EMS truck will be doing free blood pressure screenings, as well as, having some children's games, etc. Newspaper advertisements will be in next week's papers. Council President Carpenter asked if the Mayor and Council can report early that day to help out as vendors will start to arrive very early to pick their spot; a "all hands on deck" approach is appreciated. The holiday tree lighting is scheduled for December 4<sup>th</sup> at Veteran's Park with more information being announced at next month's meeting.

The Friends of the Library received 30 boxes of children's books from the New Jersey Library Association. The books will be handed out free of charge at the Fall Festival. There will be a 1 hour presentation of affordable health care on November 14<sup>th</sup> and November 16<sup>th</sup>, for further details please contact the library.

Council President Carpenter also mentioned that the Elks will be having their 50<sup>th</sup> anniversary charity ball, being held at the Battleground Country Club. Bus rides will be provided and information can be sought at the Jamesburg Elks.

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

Mayor Lowande reported that sign-ups for wrestling and basketball will be taking place.

October 26<sup>th</sup> will be Halloween Day at the Jamesburg Firehouse, with Deacon's Pantry doing a food drive and the Ladies Auxiliary having pumpkin decorating. There will be scarecrow decorating and a "trunk-or-treat".

- ADMINISTRATOR'S REPORT  
Denise Jawidzik

No Report.

**2<sup>nd</sup> 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 per citizen.

**Motion Open to Public Comment:**

Proposed By: Sussman

Seconded By: Taylor

All in Favor

Henry Pindo, Business Owner of JMS Taxi LLC – 180 Buckelew Avenue : Mr. Pindo addressed the Mayor and Council regarding the issue of illegal taxis. He reminded everyone that he reported this problem over a year ago to us, the police department, the County and the DMV and is still seeing a problem with illegal taxis in the borough. He asked for the Mayor and Council's advice on what the next course of action should be.

Council Member Taylor responded that in his experience as prior law enforcement Mr. Pindo needs to realize this will be a long term issue. The police have indicated that they have gone out and even conducted a “sting” to address this issue resulting in tickets being issued. If the illegal operators of these taxi services then go ahead and either change plates or vehicles to still conduct their illegal service then Council Member Taylor advised Mr. Pindo that it will have to be an ongoing effort between himself and the police department to address. Council Member Taylor suggested that we as council can deny an application for license but cannot enforce on the street what happens as that is the police department’s job. Council Member Taylor believes the best course of action for Mr. Pindo is to be in constant contact with the police department and pass along information to them.

Mayor Lowande also commented that she is aware that Mr. Pindo has spoken with the Chief and she personally has spoken with the Director of Consumer Affairs in regard to a letter Mr. Pindo has written to them regarding this issue. In speaking with Consumer Affairs, Mayor Lowande explained to him our situation and has not heard back from him as to a solution to this issue in fact he had no solutions on this growing problem. The biggest problem Mayor Lowande feels is the people who are continuing to use these illegal services which are usually the immigrant population in this town. Mr. Pindo disagreed saying that everyone uses the service not just immigrants, to which Mayor Lowande responded that our residents are unaware of the illegal taxi services in town and if they are using the illegal services they too are breaking the law. Mayor Lowande also added that she has tried explaining this to Consumer Affairs and has gone as far as Mr. Pindo in trying to get a solution to this problem and has tried everything that can be offered in helping this issue, but that is all that can be done until a solution is presented. Mr. Pindo said he has spoken with an investigator from DMV who advised him that the vehicles operating these illegal services should be towed according to the law. Mayor Lowande advised him to speak with the Chief in regards to that information he has received from DMV. Mr. Pindo explained that he was advised from Consumer Affairs to continue to attend council meetings and addressing this issue. Council Member Taylor asked Mr. Pindo to have the gentleman he spoke with from Consumer Affairs contact the council and advise on how to address this issue; when Consumer Affairs spoke with Mayor Lowande he did not have an answer as to how we, as Mayor and council, can help you. Mr. Pindo said that Consumer Affairs explained to him that the DMV would have to meet up with the police department, to which Council Member Taylor explained that they have; the police department with the DMV’s help conducted a sting and tickets were issued. This will have to be a continued effort between Mr. Pindo and the police department in a time frame that will work for both. Council Member Taylor also advised Mr. Pindo that he needs to also understand that other matters may take precedence over this issue as the police department prioritizes what comes first. Council Member Taylor reiterated that this will have to be a continued effort amongst all parties to get a solution in place.

**Motion to Close to Public Comment:**

Proposed By: Sussman

Seconded By: Busco

All in Favor

**MOTION TO ADJOURN:**

Proposed By: Sussman

Seconded By: Busco

All in favor.

**TIME OF ADJOURNMENT:**

7: 27 PM

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Tanya Pannucci  
Acting Municipal Clerk  
Borough of Jamesburg