

**BOROUGH OF JAMESBURG  
GOVERNING BODY MEETING  
MINUTES  
NOVEMBER 13, 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  
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: Carpenter  
Seconded By: Ludas  
All in Favor

**No Public Comment**

**Motion to Close to Public Comment:**  
Proposed By: Carpenter  
Seconded By: Ludas  
All in Favor

**ORDINANCES – FIRST READING BY TITLE (Public Hearing set for December 11, 2013):**

**Ordinance #09-13**

**AN ORDINANCE PROVIDING FOR IMPROVEMENTS SANITARY SEWER SYSTEM AND APPROPRIATING THE SUM OF \$38,371 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 make improvements to Sanitary Sewer System; and

**WHEREAS**, the Borough of Jamesburg has been approved for \$38,371 in funding from the Middlesex County 2013 Community Development Block Grant Program for such improvements.

**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 this 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 improvements to the Sanitary Sewer System, together with all items necessary, incidental or appurtenant thereto.

Section 3. the 2013 capital budget of the Borough of Jamesburg is hereby amended to 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.

**Ordinance #09-13**

**AN ORDINANCE PROVIDING FOR IMPROVEMENTS TO SANITARY SEWER SYSTEM AND APPROPRIATING THE SUM OF \$38,371 THEREFORE, AUTHORIZED IN AND BY THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

**RECORD OF VOTE:**

FIRST READING: November 13, 2013

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

Y = YES    N = OPPOSED    A = ABSTAINED    AB = ABSENT

Council Member Kostbar explained that this is from the money we received from the CDBG grants, which is the federal money we get from HUD, which will be utilized to improve the sewer system for the area of Lincoln Avenue next year.

**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:**

#134-11-13-13\*\*      Accepting Monthly Reports – September & Tax Sale Report (October)

**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	September 2013
Finance Report	September 2013
Report of the Tax Collector	September 2013
Report of the Sewer Administrator`	September 2013
Tax Sale Report	October 2013

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

#135-11-13-13\*\* 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 \$1,093,778.23.

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

#136-11-13-13\*\* Authorize Refund of Tax Overpayment

**AUTHORIZE REFUNDS OF TAX OVERPAYMENTS**

**WHEREAS**, overpayments of taxes have been received by the Tax Collector’s office in the aggregate amount of three thousand, three hundred and twenty four dollars and eight cents (\$3,324.08); and

**WHEREAS**, these payments have been certified by the Tax Collector as overpayments;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Jamesburg that the Tax Collector be and is hereby authorized to make such refunds and the Chief Financial Officer is hereby directed to issue such checks in accordance with the certification(s) attached hereto.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	

						<b>ABSENT</b>
Council Member Busco			X			
Council Member Kostbar			X			
Council Member Ludas	X		X			
Council Member Sussman		X	X			
Council Member Taylor			X			
Council President Carpenter			X			
Mayor Lowande						

#137-11-13-13\*\* Authorizing Renewal of Membership in the Middlesex County Municipal Joint Insurance Fund

**Authorizing Renewal of Membership in the Middlesex County Municipal Joint Insurance Fund**

**WHEREAS**, the Borough of Jamesburg has participated as a member of the Middlesex County Municipal Joint Insurance Fund (hereafter the “Fund”) existing pursuant to Chapter 372, Laws of 1983 (N.J.S.A. 40A:10-36 et. seq.); and is desirous of continuing said membership for a term expiring on December 31, 2013 ; and

**WHEREAS**, the governing body of the Borough of Jamesburg has determined that continued membership in the Fund is in the best interest of the municipality;

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

**SECTION 1.** The Borough of Jamesburg hereby agrees to continue as a member of the Fund for a period commencing January 1, 2014, and terminating on December 31, 2016 for the purpose of securing the following types of insurance coverage:

- a) Workers Compensation and Employer’s Liability.
- b) General Liability Coverage (including Public Official, Police Professional).
- c) Motor Vehicle and Equipment Liability Coverage.
- d) Property Damage Coverage (including Building & Contents, Automobile Physical Damage, Contractors Equipment, Boiler & Machinery and Public Employee Blanket Bonds).

After the expiration of the said three (3) year period of membership, participation may be canceled or extended in accordance with the ByLaws of the Fund.

**SECTION 2.** For the purposes of contribution of sums into the Fund to be designated for administrative costs and claims, the Borough of Jamesburg hereby agrees to obtain the types of coverage from the Fund as are set forth in Section 1 of this Resolution and the Indemnity and Trust Agreement to be signed by it.

**SECTION 3.** The ByLaws of the Middlesex County Municipal Joint Insurance Fund, attached hereto, have been adopted and accepted.

**SECTION 4.** The Governing Body is hereby authorized and directed to execute an Indemnity and Trust Agreement signifying continued membership.

**DATED: 11/13/2013**

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

**NON-CONSENT AGENDA RESOLUTIONS:**

#138-11-13-13            Accepting Meeting Minutes – October 9, 2013

**RESOLUTION ACCEPTING MINUTES**

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

**MAYOR AND COUNCIL**

October 9, 2013

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

#139-11-13-13            Execution of Trash Reimbursement Agreement

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR TRASH REIMBURSEMENT BETWEEN THE BOROUGH OF JAMESBURG AND 123 STEVENS, LLC**

**WHEREAS**, the Mayor and Council of the Borough of Jamesburg wish to enter into a trash reimbursement agreement with Jamesburg Realty Partners in order to comply with Chapter 26 of the Laws of the State of New Jersey (signed into law May 11, 2000); and

**WHEREAS**, the Borough of Jamesburg and 123 Stevens, LLC have agreed to the terms of the attached contracts for apartments located at:

Jamesburg Apartments located on Stevens Avenue (Block 33, Lot1)

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Jamesburg, in the County of Middlesex, New Jersey approve of the attached agreements between the Borough of Jamesburg and 123 Stevens, LLC.

**BE IT FURTHER RESOLVED**, that the Mayor is hereby authorized to execute and the Borough Clerk attest the attached agreements.

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

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

#140-11-13-13 Termination of Lease Agreement with Monroe Community Church  
**RESOLUTION AUTHORIZING THE TERMINATION OF THE LEASE AGREEMENT BETWEEN THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AND MONROE COMMUNITY CHURCH.**

**WHEREAS**, resolution #062-02-09-11 authorized the Borough of Jamesburg to execute and enter into a lease agreement with the Monroe Community Church; and

**WHEREAS**, on October 5, 2013 the Borough was notified by letter that the Monroe Community Church requests to terminate the lease agreement at the end of this year due to the dissolution of the congregation.

**WHEREAS**, Monroe Community Church will continue to fulfill the monthly rent obligation as set forth in the lease agreement until the end of this year and request that the lease terminate at the end of the year opposed to the original end date set forth in the lease agreement; and

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Jamesburg, in the County of Middlesex, New Jersey approve to terminate the lease agreements between the Borough of Jamesburg and Monroe Community Church.

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

Mayor Lowande clarified that Monroe Community Church has asked the Borough to get out of their lease because they are struggling financially and can no longer afford to pay us to rent the space as per the lease agreement signed with the Borough. Mayor Lowande explained that we will offer the building for lease again in hopes of finding a replacement. Council Member Sussman asked if it had to be a church that was willing to rent out the space, to which Mayor Lowande, Administrator Jawidzik and Council Member Kostbar answered no. Council Member Sussman asked if work can be done to the property to whomever leases it; Council Member Taylor answered that the Borough owns the property so no renovation or remodeling can be done as the space is available only to use it the space.

#141-11-13-13 Approving Payment of Certificate #1 Buckelew Mansion Phase II Rehabilitation Project

**RESOLUTION OF THE BOROUGH OF JAMESBURG APPROVING PAYMENT OF CERTIFICATE #1 BUCKELEW MANSION PHASE II REHABILITATION PROJECT**

**WHEREAS**, the Contractor, Dell-Tech Inc., has submitted a partial payment Certificate No.1 for the Buckelew Mansion Rehabilitation Project; and

**WHEREAS**, the Borough Engineer has reviewed said quantities and is in agreement with same; and

**WHEREAS**, the Engineer recommends the approval of payment certificate #1, dated October 14, 2013, in the amount of thirty-one thousand, six hundred five dollars and zero cents (\$31,605.00),

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Jamesburg that Payment Certificates No. 1 in the aggregate amount thirty-one thousand, six hundred five dollars and zero cents (\$31,605.00), be hereby authorized for payment to Dell-Tech Inc.

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

Council Member Taylor asked if this was paying for Phase II; Administrator Jawidzik answered that this was paying a portion of it. Council Member Kostbar asked how many payments are expected to be made; Administrator Jawidzik responded that it is a \$400,000 project and this payment is for only approximately \$31,000, as we are paying them as the work is completed. The Mayor and Council added they are all happy to see that work is being done to the mansion.

**COUNCILMATIC COMMITTEE REPORTS:**

- FINANCE COMMITTEE  
Council Member Taylor

No Report.

- EDUCATION COMMITTEE  
Council Member Sussman

Council Member Sussman reported that at the last Board of Education meeting, Dr. Verona the principal and superintendent has submitted her resignation as of the end of the school year. There is no information as of yet as to who may replace her. Council Member Kostbar asked what the status of the relationship with Monroe Twp. Council Member Sussman replied that it was his understanding that there is no lawsuit and we are at a stalemate.

- POLICE COMMITTEE  
Council Member Kostbar

Council Member Kostbar reported that the police have had a normal and busy month with 163 stops, 142 summonses issued and 15 arrests.

The recruits are nearing the end of their police academy training and all reports have been very good. The new car has been received and has been added to the fleet, as well as, the new firearms being issued, as everyone has qualified using them and are all happy with them.

The Chief of Police asked Council Member Kostbar to report that there will be a water main project which will be starting after Thanksgiving. The project is anticipated to take 4 to 6 weeks beginning over on Half Acre Road. The road will be closed in sections.

Council Member Kostbar also reported that he had left minutes from the Middlesex County Transportation Committee meetings in everyone’s box; the minutes explain the project of widening the Panama Canal which will have an impact in the Jamesburg area with increased traffic. In summary the super ships which now do not fit through the canal, will come through the New York area bringing a lot more goods, which will be stored in warehouses. Exit 8A is the top warehouse area in the state so it is anticipated that there will be a great increase in truck traffic throughout this area beginning next year.

It was also reported that during tonight’s meeting there was mention of the CDBG grant for sewers; the last grant was used to complete the sidewalk across the Baptist Church and Council Member Kostbar relayed that he is very gratified by that as it has been an issue back 14 years ago when he started to first campaign. It has been worked on since then along with other places that have taken precedence over that area but has finally been completed and quite gratifying to see before leaving council.

Council Member Sussman asked if there were no plans in doing any other sidewalks in town, to which Council Member Kostbar and Mayor Lowande responded.

Council Member Sussman also commented about the bridge and truck traffic over on Gatzmer Avenue and if the drivers were summonsed for having to turn around before reaching the bridge. Council Member Kostbar and Council Member Taylor responded.

- PERSONNEL COMMITTEE  
Council Member Ludas

Council Member Ludas reported the Personnel Committee is currently in negotiations with the DPW union regarding their contract.

A SERV meeting was held in October and SERV has held monthly fire drills and evacuations for their residents.

Saturday, November 30<sup>th</sup> is “Small Business Shopping Saturday”. Council Member Ludas will contact the local newspapers to invite people to come to Jamesburg and shop at our local businesses that day. Also, Council Member Ludas welcomed two new businesses that have and will be opening up: Tess Fashions which has opened on West Railroad Avenue and Per Tutti’s restaurant which will be opening 5pm on Friday, November 15<sup>th</sup>.

- PUBLIC WORKS COMMITTEE  
Council Member Busco

Council Member Busco reported that leave pickup will be ongoing throughout the end of November. Residents are encouraged to bring brush down to the recycling yard. Also, regular maintenance has been done on the pump station.

- PUBLIC EVENTS COMMITTEE  
Council President Carpenter

Council President Carpenter concurred with Council Member Kostbar that the sidewalks are gorgeous as she has seen many residents utilizing them walking their dogs and riding their bicycles.

The Fall Festival was a huge hit with thousands of people attending. All of the information regarding the vendors has been transferred over to Mayor Lowande for next year.

The tree lighting event will be held on December 4<sup>th</sup> at 6:30pm at Veteran’s Park. Flyers will go out to the schools and papers; a new addition will be a DJ who will be there playing Christmas songs and the schools and Mt. Ararat will be in attendance singing.

Council President Carpenter extended thanks to Mayor Lowande, Council Member Ludas and her daughter Jenny, as well as, all of council for their support and help.

- ADMINISTRATOR’S REPORT  
Denise Jawidzik

No Report.

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

Mayor Lowande reported that basketball and wrestling is underway.

Sunday, November 9<sup>th</sup> was the 1<sup>st</sup> Annual Starlight Cancer Walk here in town; the walk was a mile and a half starting at 5pm, with approximately 150 people in attendance. Mayor Lowande extended her thanks to Alexia Wilson and the Wilson Family for getting this walk together and will present Alexia and her family with a certificate of appreciation at the next council meeting.

A reminder that December 4<sup>th</sup> is our tree lighting ceremony at Veteran’s Park.

On December 6<sup>th</sup> there will be a holiday scavenger hunt with more details to come which will be a lot of fun.

Lastly, the book “Surviving Sandy” put together by a school is available to view in the Mayor’s office. The book can be purchased with all of the money going to help victims of Hurricane Sandy.

Council President Carpenter commented that the pumpkin festival and scarecrows were great this year as well and thanked Mayor Lowande for offering that.

**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: Kostbar  
Seconded By: Ludas  
All in Favor

**Elliot Stroul – 110 Mendoker Drive:** Mr. Stroul extended his thanks to Council Member Otto Kostbar and Council President Barbara Carpenter for all of their hard work and dedication during their terms on council.

The Buckelew Mansion work is great to see and he has been receiving a lot of positive comments on it. There is a lawsuit between us and Monroe Twp., as we are currently in discovery. It is hoped that with the cost of the discovery and the legal fees associated it will wake up the taxpayers in Monroe Twp. to understand that this is costing a lot of money for nothing. We had no say in the building of this high school and the cost and we only have a send/receive relationship with Monroe Twp. that is it. Mr. Stroul is hoping that the courts will see it that way once it gets through discovery. Council Member Sussman asked what kind of discovery was requested, to which Mr. Stroul explained that they are looking for everything from attendance records, financials, formulas, etc.

Mr. Stroul recapped on the Farmer's Market, reporting that there was an attendance of approximately 2,700 during the course of the market which is great with some new vendors added as well.

The Fall Festival was the best ever and Saturday turned out to be a great day to have it.

Mr. Stroul added that if the Borough is inclined to do a proclamation for the new memorial at Veteran's Park, Commander Allan Brown will not accept one solely but rather on behalf of all the members of the American Legion as the new memorial was a collective effort done by all of the members.

Lastly, carriage rides will take place December 5<sup>th</sup> and 12<sup>th</sup> with the routes all staying the same. The rides will run between 7pm and 9pm.

Motion to Close to Public Comment:

Proposed By: Busco  
Seconded By: Ludas  
All in Favor

**MOTION TO ADJOURN:**

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

**TIME OF ADJOURNMENT:**            7:25 PM

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Tanya Pannucci  
Acting Municipal Clerk  
Borough of Jamesburg