

**BOROUGH OF JAMESBURG
GOVERNING BODY MEETING
MINUTES
SEPTEMBER 11, 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

MOMENT OF SILENCE – 9/11 REMEMBRANCE

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

Sergeant Kevin Wilson addressed the Mayor and Council on his daughter's idea of having a Breast Cancer Walk in Jamesburg after experiencing her own personal loss of a family member fighting this disease. The "Starlight Cancer Walk" will be held on November 10th with registration beginning at 4pm at the Jamesburg Fire Department and a community walk kicking off at 5pm that will go to Thompson Park. Sergeant Wilson passed out flyers to Mayor Lowande and Council that highlight the event and have all necessary contact information for anyone who would like to participate. Mayor Lowande added that Kevin's daughter came to her and asked permission and has put this entire walk together. She added that it is because of young people like Kevin's daughter who have taken the initiative to put events like this one together that this has been made possible. Mayor Lowande also said she put all of her support and the Council's support behind this idea in hoping that the Council would agree with her that this walk is a great idea and hopes this will become a yearly event. Council all agreed that this is a wonderful idea and commended Sergeant Wilson and his family for kicking off this 1st annual walk.

1ST PUBLIC COMMENT PERIOD – AGENDA ITEMS ONLY - EXCLUDES ORDINANCES (they have their own public hearing): Members of the public wishing to address the Mayor and Borough Council must approach the podium and state their name and address for the record. There is a five (5) minute time limit for all comments and questions per citizen.

Motion Open to Public Comment:
Proposed By: Carpenter
Seconded By: Taylor
All in Favor

NO PUBLIC COMMENT

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

CONSENT AGENDA DEFINED:

All matters listed on tonight's Consent Agenda are to be considered as one vote by the Borough Council and will be enacted by one motion. Any resolutions listed on the agenda with ** next to their respective number are to be considered as part of the Consent Agenda. There will be no discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and considered separately.

CONSENT AGENDA RESOLUTIONS:

#119-09-11-13** 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 \$1,040,509.24.

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						

#120-09-11-13** Insert Special Item of Revenue – Drive Sober Grant

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE BOROUGH OF JAMESBURG PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any such items of revenue in the budget of the municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget;

WHEREAS, said Director may also approve the insertion of any item of appropriations for an equal amount.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg, that it hereby requests that the Director of the Division of Local Government Services approve the insertion of an item of revenue in the budget for the year 2013 in the amount of \$4,400 which item is now available as revenue from the NJ Department of Law and Public Safety; and

BE IT FURTHER RESOLVED that a like sum of \$4,400 be and the same is hereby appropriated under the caption of:

NJ Drive Sober or Get Pulled Over – Other Expense

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						

NON-CONSENT AGENDA RESOLUTIONS:

#121-09-11-13 Accepting Meeting Minutes – August 14, 2013

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL

August 14, 2013

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

#122-09-11-13 Accepting Shared Services Agreement for the Provision of Yard Waste Recycling and Marketing Services

RESOLUTION ACCEPTING THE SHARED SERVICES AGREEMENT BETWEEN THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY AND THE BOROUGH OF JAMESBURG FOR THE PROVISION OF YARD WASTE RECYCLING AND MARKETING SERVICES

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. (the “Act”), authorizes local units of this State to enter into agreements with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive in its own jurisdiction; and

WHEREAS, the Mayor and Council of the Borough of Jamesburg have determined that it is in the best interest of Jamesburg to enter into a Shared Services Agreement with the Middlesex County Improvement Authority for the provision of yard waste recycling and marketing services; and

WHEREAS, the service to be provided by Middlesex County Improvement Authority to the Borough of Jamesburg is detailed in the attached agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg as follows:

1. The Borough of Jamesburg does hereby enter into an agreement with Middlesex County Improvement Authority for the provision of yard waste recycling and marketing services.
2. The Mayor and Borough Clerk are hereby authorized to execute the attached agreement.
3. An executed copy of the agreement along with the authorizing resolution shall be forwarded to the Middlesex County Improvement Authority.

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						

#123-09-11-13 Amending Resolution #114-08-14-13; Final Payment & Change Order – West Railroad Ave. Phase VII Project

RESOLUTION AMENDING RESOLUTION #114-08-14-13 AUTHORIZING A CHANGE ORDER (KNOWN AS CHANGE ORDER #1) AS WELL AS FINAL PAYMENT TO THE CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND Z. BROTHERS CONCRETE CONTRACTORS, INC. FOR THE WEST RAILROAD AVENUE, STREETSCAPE PHASE VII PROJECT

WHEREAS, the Mayor and Council of the Borough of Jamesburg authorized a change order (known as change order #1) as well as final payment to the contract between the Borough of Jamesburg and Z. Brothers Concrete Contractors, Inc. for the West Railroad Avenue, Streetscape Phase VII Project at their Council meeting of August 14, 2013 by approving resolution #114-08-14-13 and

WHEREAS, the Mayor and Council of the Borough of Jamesburg have received a revised Change Order #1 and Final Payment amount from Remington, Vernick and Vena Engineers adjusting the final payment amount due to \$53,100.02.

WHEREAS, the Borough Engineer has recommended a change order to amend the contract between the Borough of Jamesburg and Z. Brothers Concrete Contractors, Inc.; and

WHEREAS, the revised change order is described in more detail in the attached form, last dated by the Borough Engineer on July 22, 2013; and

WHEREAS, the revised change order shall change the amount of the original contract by an decrease in the contract amount of one thousand nine hundred eighty eight dollars and twenty two cents (\$1,988.22); and

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

WHEREAS, the Borough Engineer has submitted for payment a revised Final Certificate in the amount of fifty three thousand one hundred dollars and two cents (\$53,100.02) reflecting work completed through August 7, 2013 as detailed in the attached Final Certificate.

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

1. That the Borough is authorized to enter into the attached change order (known as Change Order #1) which shall be considered an amendment to the original contract between the Borough of Jamesburg and Z. Brothers Concrete Contractors, Inc. for the West Railroad Avenue, Streetscape Phase VII Project.
2. That the Borough Administrator is hereby authorized to make payment to the contract between the Borough of Jamesburg and Z. Brothers Concrete Contractors, Inc. as detailed in the attached revised Final Certificate in the amount fifty three thousand one hundred dollars and two cents (\$53,100.02).
3. That a certified copy of this resolution shall be provided to each of the following:

- a. Terence M. Vogt, Borough Engineer
- b. Z. Brothers Concrete Contractors, Inc
- c. Denise Jawidzik, Borough Business Administrator
- d. Frederick C. Raffetto, Borough Attorney.

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						

#124-09-11-13 Appoint Crossing Guard – Villiarola
APPOINT CROSSING GUARD - VILLIAROLA

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT LORI VILLIAROLA AS A CROSSING GUARD AT A RATE OF PAY OF \$12.04 PER HOUR FOR TERMS COMMENCING SEPTEMBER 12, 2013 AND EXPIRING 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 Kostbar			X			
Council Member Ludas	X		X			
Council Member Sussman		X	X			
Council Member Taylor			X			
Council President Carpenter			X			
Mayor Lowande						

Council Member Taylor clarified that one of our Crossing Guards resigned, therefore there is a need to replace with a new hire.

#125-09-11-13 Release of Performance Bond & Acceptance of Maintenance Bond – Z. Brothers Concrete Contractors Inc. – West Railroad Avenue Streetscape Phase VII Project
RELEASE OF PERFORMANCE BOND AND ACCEPTANCE OF MAINTENANCE BOND OF Z BROTHERS CONCRETE CONTRACTORS INC. BEING HELD FOR CONSTRUCTION OF THE WEST RAILROAD AVENUE, STREETSCAPE PHASE VII PROJECT

WHEREAS, the Borough of Jamesburg is in possession of a Performance Bond from Z Brothers Concrete Contractors Inc. for the Construction of the West Railroad Avenue, Streetscape Phase VII Project; and

WHEREAS, Z Brothers Concrete Contractors Inc. has submitted a Maintenance Bond and the Borough Attorney and Borough Engineer have given approval of the amount and acceptance date of the aforementioned Maintenance Bond.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Mayor and Council of the Borough of Jamesburg, that the Borough Clerk is hereby authorized to accept the aforementioned Maintenance Bond and release the Performance Bond held for the Construction of the West Railroad Avenue, Streetscape Phase VII Project; and

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						

COUNCILMATIC COMMITTEE REPORTS:

- FINANCE COMMITTEE
Council Member Taylor

Council Member Taylor reported that the Helmetta Sewer Capacity Agreement has been finalized.

- EDUCATION COMMITTEE
Council Member Sussman

Council Member Sussman reported that there was a School Board meeting held on August 22nd, and school has started on September 9th. There are new programs being implemented, as well as, a Facebook page due in part to how successful the Borough's own Facebook page is. Rutgers University will be working with our children in Science and Math. Mayor Lowande added that Rutgers will also be working with the teachers to bring them up to date with certain programs available. Council Member Sussman also added that this has been the biggest year from his memory that Rutgers is working close together with both students and teachers to bring everyone up to where they need to be which is great.

- POLICE COMMITTEE
Council Member Kostbar

Council Member Kostbar reported that the two newly hired Specials are still in the Police Academy.

- PERSONNEL COMMITTEE
Council Member Ludas

Council Member Ludas reported that the Personnel Committee has met and has made the following suggested updates to the Personnel Manual: Section 6 (page 7) – Accrued vacation time is 11 years at 160 hours which is equivalent to 4 weeks. After researching what other towns the Borough's size are offering, it is suggested that we add that at 21 years you will accumulate an additional 2 days and at 25 years you will accumulate an additional 3 days. This would be the maximum time for employees reaching 21-25 years. Also, in Section 13 (page 9) – Procedures/Training/Licensing & Certification, the Borough will pay for necessary training classes for employees. Employees are asked to remain employed with the Borough at least 18 months after course completion or reimburse the Borough the full amount for courses paid. In addition, new full time employees are not entitled to any sick time payouts at retirement or termination. Council Member Ludas asked the Mayor and Council for any suggestions. Council Member Taylor stated that our current policy ends at 11 years and it is important to have an updated policy that includes those employees who are encroaching the 21+ year mark. Council Member Ludas asked if any other member of Council had a suggestion they would email her.

Council Member Ludas read a letter from Freeholder Director Ron Rios regarding the signage issue on Gatzmer Avenue by the bridge and that the County has addressed the issue. She also added that she has asked residents that live in that area if the trucks were abiding by those signs and all have said that they were.

- PUBLIC WORKS COMMITTEE
Council Member Busco

Council Member Busco reported that lawn maintenance will continue on all Borough properties through October and leaf cleanup will begin in October as well. Council Member Busco also reported that maintenance on the new pump system is being done on a regular basis.

- PUBLIC EVENTS COMMITTEE
Council President Carpenter

Council President Carpenter reported that the Fall Festival preparation has been ongoing. She will attend some other events being held around the area to garner more vendors. She will be working on getting flyers made and passed out advertising the event as well. Allegiance Landscaping in Helmetta has expressed an interest in participating once again and requesting a larger space to add more items for sale, which is great. There will be a lot of things for children which is great and 2 animal adoptions. There will be a meeting on Monday.

Council President Carpenter reported that Eagle Scout Ben Newton will be doing a project over at the library adding some benches and creating a low maintenance /maintenance free area. Mayor Lowande asked if permission from the Mayor and Council was required first before starting that project and Administrator Jawidzik answered that it was not required. The Friends of the Library will be having a bake and mum sale on September 21st, and there have been talks that there may be a Town Wide Yard Sale in October, although Council President Carpenter was unaware of any confirmation of that. Council Member Taylor clarified that he does not believe the Town Wide Yard Sale has been set in stone and believed it was just talk amongst some residents who are interested in having one. Elliot Stroul would be in charge of clarifying that.

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

No Report.

- ADMINISTRATOR'S REPORT
Denise Jawidzik

Administrator Jawidzik reported that the Buckelew Mansion Phase will start sometime and the end of this week or early next week.

2nd PUBLIC COMMENT PERIOD – ANY ITEM - EXCLUDES ORDINANCES (they have their own public hearing): Members of the public wishing to address the Mayor and Borough Council must approach the podium and state their name and address for the record. There is a five (5) minute time limit for all comments and questions per citizen.

Motion Open to Public Comment:

Proposed By: Ludas
Seconded By: Sussman
All in Favor

NO PUBLIC COMMENT

Motion to Close to Public Comment:

Proposed By: Carpenter
Seconded By: Taylor
All in Favor

MOTION TO ADJOURN:

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

TIME OF ADJOURNMENT: 7: 19 PM

Tanya Pannucci
Acting Municipal Clerk

