

**BOROUGH OF JAMESBURG
GOVERNING BODY MEETING
MINUTES
NOVEMBER 12, 2014
7:00 PM**

CALL TO ORDER: This meeting is being held pursuant to the Open Public Meetings Act of 1974 and all provisions of that Act have been met. Any contracts awarded require the contractor to comply with N.J.S.A.10:5-31 et.seq. and N.J.A.C. 17:27. Also, in the event of a fire and pursuant to the N.J. Uniform Fire Code, members of the audience are requested to take notice of the exits at the front and rear of the Council Chambers as well as in the main hallway.

FLAG SALUTE: Led by Mayor Lowande

ROLL CALL: Mayor Lowande
Council Member Busco
Council Member Gibbons
Council Member Spillane
Council Member Sussman
Council Member Taylor
Council President Ludas
Administrator Jawidzik
Borough Attorney – Raffetto – ***ABSENT***

MAYORAL COMMENDATIONS: Mayor Lowande read commendations to Detective Jason Muller, as well as, Officers Joseph Quinn and Richard Bruno for their hard work and dedication in recent investigations and arrests. Chief Horvath added his congratulations to Detective Muller and Officers Quinn and Bruno for a job well done.

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

Motion Open to Public Comment:

Proposed By: Taylor

Seconded By: Ludas

All in Favor

NO PUBLIC COMMENT

Motion to Close to Public Comment:

Proposed By: Sussman

Seconded By: Spillane

All in Favor

ORDINANCES – FIRST READING BY TITLE (PUBLIC HEARING SET FOR DECEMBER 10, 2014):

ORDINANCE #08-14

AN ORDINANCE PROVIDING FOR IMPROVEMENTS OF THE SANITARY SEWER SYSTEM AND APPROPRIATING THE SUM OF \$35,708 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 \$35,708 in funding from the Middlesex County 2014 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 2014 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.

COUNCIL MEMBER	MOTION TO INTRODUCE	2nd	VOTE
Council Member Busco			X
Council Member Gibbons			X
Council Member Spillane			X
Council Member Sussman			X
Council Member Taylor	X		X
Council President Ludas		X	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:

Council Member Taylor asked that Resolution #116-11-12-14 be pulled from the Consent Agenda as further discussion is necessary.

#115-11-12-14** Accepting Monthly Reports

RESOLUTION ACCEPTING MONTHLY REPORTS

BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that the following reports be and are hereby received and filed:

Investment Report	September 2014
Finance Report	September 2014
Report of the Tax Collector	September 2014
Report of the Sewer Administrator	September 2014

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Busco			X			
Council Member Gibbons			X			
Council Member Spillane		X	X			
Council Member Sussman			X			
Council Member Taylor	X		X			
Council President Ludas			X			

Mayor Lowande						
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NON-CONSENT AGENDA RESOLUTIONS:

#117-11-12-14 Accepting Meeting Minutes – October 8, 2014
RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL

October 8, 2014

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

#118-11-12-14 Authorize Transfers in the 2014 Municipal Budget
RESOLUTION AUTHORIZING TRANSFERS IN THE 2014 MUNICIPAL BUDGET

WHEREAS, pursuant to N.J.S.A. 40A:4-58, appropriation transfers are allowable during the last two months of a fiscal year; and

WHEREAS, it is deemed necessary that said transfers be done through various accounts.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg, County of Middlesex, New Jersey, that the following transfers be made in the 2014 budget appropriations.

From:

Clerk SW	4-01-20-120-012	\$1,500.00
Tax Assessor OE	4-01-20-150-027	\$2,000.00
Engineering OE	4-01-20-165-040	\$4,000.00
Zoning SW	4-01-21-205-011	\$2,500.00
Electricity	4-01-31-430-071	\$3,000.00

To:

Legal OE	4-01-20-155-027	\$2,000.00
Health Insurance	4-01-23-220-092	\$6,000.00
Street Lighting	4-01-31-435-075	\$3,000.00
Water	4-01-31-445-072	\$2,000.00

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Busco		X	X			
Council Member Gibbons			X			
Council Member Spillane			X			
Council Member Sussman	X		X			
Council Member Taylor			X			

WHEREAS, the Mayor and Council of the Borough of Jamesburg wish to enter into a trash reimbursement agreement with Lake 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 Lake Realty Partners have agreed to the terms of the attached contracts for apartments located at:

8 Cherry Street (Block 17, Lot 7)

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 Lake Realty Partners.

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 Gibbons			X			
Council Member Spillane		X	X			
Council Member Sussman			X			
Council Member Taylor	X		X			
Council President Ludas			X			
Mayor Lowande						

#121-11-12-14 Execution of Trash Reimbursement Agreement – 16 Lake St
RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR TRASH REIMBURSEMENT BETWEEN THE BOROUGH OF JAMESBURG AND LAKE REALTY PARTNERS

WHEREAS, the Mayor and Council of the Borough of Jamesburg wish to enter into a trash reimbursement agreement with Lake 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 Lake Realty Partners have agreed to the terms of the attached contracts for apartments located at:

16 Lake Street (Block 17, Lot 3)

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 Lake Realty Partners.

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 Gibbons			X			
Council Member Spillane			X			
Council Member Sussman			X			
Council Member Taylor		X	X			
Council President Ludas	X		X			
Mayor Lowande						

#122-11-12-14 Execution of Trash Reimbursement Agreement – 8 Vine St.
RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR TRASH REIMBURSEMENT BETWEEN THE BOROUGH OF JAMESBURG AND LAKE REALTY PARTNERS

WHEREAS, the Mayor and Council of the Borough of Jamesburg wish to enter into a trash reimbursement agreement with Lake 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 Lake Realty Partners have agreed to the terms of the attached contracts for apartments located at:

8 Vine Street (Block 37, Lot 11)

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 Lake Realty Partners.

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 Gibbons			X			
Council Member Spillane			X			
Council Member Sussman			X			
Council Member Taylor	X		X			
Council President Ludas		X	X			
Mayor Lowande						

#116-11-12-14 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 \$1,331,463.24.

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

Council Member Taylor explained that he asked to pull this resolution because one of the vouchers to be paid is a legal bill for \$3,307 for legal services that our Borough Attorney had performed for us. At the last meeting when this issue was brought up Council Member Taylor did not have the bill in hand. There was a Cranbury Press article written explaining what happened at the last meeting and since that article had been published, Council Member Taylor explained that he has received numerous complaints and calls from residents and constituents urging him to continue to try and recoup the taxpayer's money back. In speaking with Borough Attorney Raffetto at the last meeting, as to not incur further legal fees, Borough Attorney Raffetto explained to Council Member Taylor that some kind of forceful payment is a long shot and may not even be legal at this time. So as to not incur any additional legal fees, Council Member

Taylor has asked for it to be put on record that he is asking Council Member Gibbons to reimburse the town the \$3307 cost in legal fees that the taxpayer's shelled out for this. In his opinion when spending taxpayer's money, the taxpayer should get something back in return; for example, if you buy a plow truck they get their roads plowed, if you buy a leaf machine they get their leaves picked up, if you hire an employee you get the services that employee was hired for. He continued that the taxpayer's got nothing out of this \$3,307 legal bill, which is more than the entire years' worth of legal costs incurred by the Borough last year. Council Member Taylor asked Council Member Gibbons to reimburse the Borough either through his councilmatic pay that he receives every month or his own pocket. Council Member Taylor continues that he is advocating for the taxpayer's who reached out to him over the last month. Mayor Lowande asked Council Member Gibbons if he had any comments, to which Council Member Gibbons responded that he had no comment. Council Member Taylor recommended that Council Member Gibbons response be recorded in the minutes. Council Member Spillane asked if we have a budgeted fund for legal services, Administrator Jawidzik responded. Council Member Spillane then commented that we are not actually transferring anything as we already have legal funds in the budget for the year; Council Member Taylor and Administrator Jawidzik explained that we have exceeded the amount that's been budgeted, therefore the transfer is necessary in order to pay the legal bill. Council Member Spillane asked how much is budgeted in our legal fund, to which Council Member Taylor responded \$6,000. Council Member Spillane asked how much this case was; Council Member Taylor answered. Council Member Spillane asked if we have incurred any additional legal fees; Administrator Jawidzik explained that we have incurred legal fees all year. Council Member Taylor explained further that anytime our Borough Attorney comes to a meeting it gets deducted from the legal fund as well as anytime we call him, etc. We do not have enough money to cover this bill in the line item budget which is why we have to transfer from other line items to cover this bill.

COUNCILMATIC COMMITTEE REPORTS:

- FINANCE COMMITTEE
Council Member Sussman

No Report.

- EDUCATION COMMITTEE
Council Member Spillane

Council Member Spillane reported that at the October 23rd Board of Education meeting student presentations were given from the new enrichment classes that are being offered. The students can take classes such as knitting and robotics now which has been a wonderful addition to the school. GMB's Drama Club will be performing "It's a Wonderful Life"; as soon as dates are confirmed Council Member Spillane would like to hang posters at Borough Hall promoting the dates. Also, a settlement has been reached in the debt service litigation. The tuition will remain the same and Jamesburg will not be held liable for any additional costs if Monroe has to build any additional schools. Mr. Robert Czarneski confirmed Council Member Spillane's report adding his thanks for all of the hard work involved in settling this issue.

Mayor Lowande added that she attended GMB's Halloween Dance which was a successful event with teachers and students all dressed up and having a great time.

- POLICE COMMITTEE
Council Member Gibbons

Council Member Gibbons reported that Chief Horvath has filed his monthly report with the clerk and added that police negotiations have been ongoing.

- PERSONNEL COMMITTEE
Council Member Busco

Council Member Busco had no personnel matters to report on but did report on behalf of the library. The library will be hosting their annual bake sale on December 6th from 9am-1pm, as well as, a cookie decorating event on December 18th from 3pm-4pm. Also, the Friends of the Library will be holding several restaurant fundraisers to help raise money for books on the states for school projects. The first one will be going on this week until Saturday at Cheeburger Cheeburger located on Route 9 in the Best Buy Shopping Mall. Ruby Tuesday's will also host a Friday night dinner fundraiser to be held every Friday in December, in which 20% of the bill will be donated back to the library. Lastly, the Friends of the Library membership is going on now, \$10 to start.

- PUBLIC WORKS COMMITTEE

Council Member Taylor

Council Member Taylor reported that he has met with the resident who had concerns over the lighting at Veteran's Park, and with the addition of the "barn doors" that were made and placed on the lights to reduce the exposure, there is a marked improvement and the resident thanked the Council for working to rectify this issue for him. Also, the DPW has begun leaf collection; the schedules are on the website.

- PUBLIC EVENTS COMMITTEE

Council President Ludas

Council President Ludas extended thanks to all involved in helping with the street fair, as well as, everyone who has reached out to her with get well wishes while she was gone. She reported that the tree lighting will be held on December 5th at 6:30pm at Veteran's Park with a Scavenger Hunt to be held afterwards at the Jamesburg Elks. Also, Council President Ludas mentioned that the day after Thanksgiving is also known as "Small Business Shopping Day", and she will advertise in the newspapers to encourage those out shopping to shop local that day and help support small businesses.

- ADMINISTRATOR'S REPORT

Denise Jawidzik

No Report.

- PUBLIC SAFETY COMMITTEE/MAYOR'S REPORT/CONSOLIDATION COMMITTEE

Mayor Marlene Lowande

Mayor Lowande reported she attended the Veteran's Day Celebration this past Tuesday at Veteran's Park which was wonderful as always. The American Legion Star Post 127 does a great job in everything they are involved in, adding that Veteran's Park looks beautiful. Also, basketball will start the week after Thanksgiving. She will be emailing all participants with a schedule in the upcoming weeks. Lastly, Mayor Lowande noted that Jeff Miller has agreed to be Recreation Director, which she adds is a huge help and is greatly appreciated.

Council Member Taylor added that he wanted to wish Mayor Lowande a very Happy Birthday.

MOTION TO ADJOURN:

Proposed By: Taylor

Seconded By: Spillane

All in favor.

TIME OF ADJOURNMENT:

7: 31PM

Tanya Pannucci
Registered Municipal Clerk
Borough of Jamesburg