

BOROUGH OF JAMESBURG
GOVERNING BODY MEETING
MINUTES
AUGUST 21, 2019
7:00 PM

CALL TO ORDER: (7:05PM) 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 Rampacek - ***ABSENT***
Council Member Czarneski
Council Member Ludas
Council Member Rutsky
Council Member Sussman
Council Member Valiant - ***ABSENT***
Administrator Frueh - ***ABSENT***
Borough Attorney – Raffetto -

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 TO OPEN TO PUBLIC COMMENT:

Proposed By: Sussman
Seconded By: Ludas

Mel. Alkazar – 49 Garden Terrace, East Windsor, NJ – Mr. Alkazar does volunteer work for ASEZ and the Church of God. They are a group that helps clean up public parks.

MOTION TO CLOSE TO PUBLIC COMMENT:

Proposed By: Ludas
Seconded By: Czarneski

ORDINANCES – SECOND READING BY TITLE: PUBLIC HEARING):

ORDINANCE #07-19

**AN ORDINANCE TO ESTABLISH ONE-WAY FLOW OF TRAFFIC IN
THE ALLEYWAY LOCATED IN BLOCK 37, BETWEEN HOOKER STREET
AND VINE STREET, AND AMENDING AND SUPPLEMENTING SECTION 7-23,
ENTITLED “ONE-WAY STREETS,” OF CHAPTER VII, “VEHICLES AND TRAFFIC,”
OF THE “REVISED GENERAL ORDINANCES OF THE
BOROUGH OF JAMESBURG” ACCORDINGLY.**

WHEREAS, the Borough of Jamesburg (the “Borough”) previously designated certain streets or parts of streets as One-Way Streets within the Borough, as set forth in Section 7-23, entitled “One-Way Streets,” of Chapter VII, “Vehicles and Traffic,” of the “Revised General Ordinances of the Borough of Jamesburg”; and

WHEREAS, by Resolution dated September 6, 2018 (the “Resolution”), the Borough’s Combined Land Use Board memorialized the granting of Preliminary and Final Site Plan approval to the owners (the “Applicants”) of the property located at 79 East Railroad Avenue within the Borough, more commonly known and designated as Block 37, Lot 3.01 on the Borough’s Tax Map (the “Property”); and

WHEREAS, one of the conditions of approval as set forth in the Resolution requires the Applicants to request that the Mayor and Council of the Borough change the traffic flow in the alleyway located to the rear of the Property (the “alleyway”) to a one-way direction so that the flow of traffic will be permitted to travel in a southeasterly direction only; and

WHEREAS, the alleyway is presently a ten (10’) foot wide gravel/dirt driveway extending approximately two hundred (200’) feet in length, bounded by Hooker Street to the north and Vine Street to the south; and

WHEREAS, said condition also requires the Applicants to pave the full length of the alleyway and provide one-way signage per the typical Borough cross section, if allowed by the Mayor and Council; and

WHEREAS, the Applicant’s attorney appeared at the May 15, 2019 Council meeting in order to formally set forth the Applicant’s request for the Borough to change the flow of traffic in the alleyway to a one-way direction, as set forth above, and to perform the other improvements as set forth in the Resolution; and

WHEREAS, in anticipation of said Council meeting, notice was provided to all other property owners who own properties within Block 37, as well as to others who may be affected by said conversion; and

WHEREAS, said notice was sent by the Borough by certified mail, return receipt requested, and regular mail to those referenced above; and

WHEREAS, the notice advised the recipients that all interested parties would be given an opportunity to address the Mayor and Council at said meeting regarding the Applicant’s proposals; and

WHEREAS, no interested parties appeared at the May 15, 2019 Council meeting to oppose the Applicant’s proposals, or to otherwise address the Mayor and Council regarding this matter; and

WHEREAS, the Mayor and Council now wish to implement the condition set forth in the Resolution to change the flow of traffic within the alleyway, as set forth above; and

WHEREAS, the Mayor and Council also wish to amend and supplement the Borough Code accordingly.

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

SECTION 1. That the alleyway located in Block 37, between Hooker Street and Vine Street, is hereby designated as a One-Way street in the direction indicated.

SECTION 2. That Section 7-23, entitled “One-Way Streets,” of Chapter VII, “Vehicles and Traffic,” of the “Revised General Ordinances of the Borough of Jamesburg” is hereby amended and supplemented in order to add the following (additions are shown with underline):

CHAPTER VII VEHICLES AND TRAFFIC

7-23 ONE-WAY STREETS.

The following described streets or parts of streets are hereby designated as One-Way Streets in the direction indicated. Parking on these streets will be permitted on the sides indicated below.

<i>Name of Street</i>	<i>Direction</i>	<i>Limits</i>	<i>Parking Permitted</i>
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Willow Street	East	Entire Length	Both
Church Street	West	From West Railroad Avenue to Gatzmer Avenue	North Side
Church Street	East	From Gatzmer Avenue to West Railroad Avenue.	South Side
<u>Unnamed Alleyway located in Block 37 between Hooker Street and Vine Street</u>		<u>Entire Length</u>	<u>No</u>

SECTION 3. That this Ordinance shall be conditioned upon any approvals deemed necessary by the New Jersey Department of Transportation. All relevant Borough officials and/or employees are hereby authorized and directed to undertake all actions necessary in order to obtain said approvals, and to erect appropriate signage and/or to mark the curbs accordingly.

SECTION 4. If any section, subsection or part of this Ordinance is adjudged by a Court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not impair or invalidate the remainder of this Ordinance.

SECTION 5. The remaining portions of Chapter VII, entitled "Vehicles and Traffic," shall remain in full force and effect except as modified hereunder. All parts and provisions of any Ordinance which are inconsistent with the provisions of this Ordinance shall be repealed to the extent of such inconsistency.

SECTION 6. This Ordinance shall take effect upon final adoption and publication as provided by law.

RECORD OF VOTE

FIRST READING: July 17, 2019

COUNCIL MEMBER	MOTION	2 ND	VOTE
Council President Ludas		X	X
Council Member Czarneski			X
Council Member Rutsky			X
Council Member Sussman			
Council Member Valiant			
Council President Rampacek	X		X

PUBLICATION: July 26, 2019
 SECOND READING: August 21, 2019
 PUBLIC HEARING: August 21, 2019

COUNCIL	MOTION TO OPEN	2 ND	MOTION TO CLOSE	2 ND	MOTION TO ADOPT	2 ND	VOTE
Council Member Czarneski	Y				Y		Y
Council Member Ludas		Y				Y	Y
Council Member Rutsky							Y
Council Member Sussman			Y	Y			Y
Council Member Valiant							AB
Council President Rampacek							AB

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

CONSENT AGENDA:

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:

RESOLUTION #110-08-21-19**

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	July 2019
Finance Report	July 2019
Report of the Tax Collector	July 2019

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski			X			
Council Member Ludas	X		X			
Council Member Rutsky			X			
Council Member Sussman		X	X			
Council Member Valiant						X
Council President Rampacek						X
Mayor Lowande						

RESOLUTION #111-08-21-19**

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 \$1,630,977.48.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski			X			
Council Member Ludas	X		X			
Council Member Rutsky			X			
Council Member Sussman		X	X			
Council Member Valiant						X
Council President Rampacek						X
Mayor Lowande						

RESOLUTION #115-08-21-19**

APPOINT FULL-TIME CROSSING GUARD

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT THE FOLLOWING AS FULL-TIME CROSSING GUARD EFFECTIVE SEPTEMBER 5, 2019

DIANE M. SHARPE

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski			X			
Council Member Ludas	X		X			
Council Member Rutsky			X			
Council Member Sussman		X	X			
Council Member Valiant						X
Council President Rampacek						X
Mayor Lowande						

NON-CONSENT AGENDA RESOLUTIONS:

MOTION TO REMOVE RESOLUTION #109-08-21-19 FROM AGENDA:

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski		X	X			
Council Member Ludas	X		X			
Council Member Rutsky			X			
Council Member Sussman			X			
Council Member Valiant						X
Council President Rampacek						X
Mayor Lowande						

RESOLUTION #112-08-21-19

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL

JULY 17, 2019

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski		X	X			
Council Member Ludas	X		X			
Council Member Rutsky			X			
Council Member Sussman			X			
Council Member Vailant						X
Council President Rampacek						X
Mayor Lowande						

RESOLUTION #113-08-21-19

RESOLUTION ACCEPTING EXECUTIVE SESSION MINUTES

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

MAYOR AND COUNCIL

July 17, 2019

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski			X			
Council Member Ludas	X		X			
Council Member Rutsky		X	X			
Council Member Sussman			X			
Council Member Vailant						X
Council President Rampacek						X
Mayor Lowande						

RESOLUTION #114-08-21-19

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR TRASH REIMBURSEMENT BETWEEN THE BOROUGH OF JAMESBURG AND LAKE STREET APARTMENTS, LLC

WHEREAS, THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG WISH TO ENTER INTO A TRASH REIMBURSEMENT AGREEMENT WITH LAKE STREET APARTMENTS, LLC 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 STREET APARTMENTS, LLC HAVE AGREED TO THE TERMS OF THE ATTACHED CONTRACT.

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 AGREEMENT BETWEEN THE BOROUGH OF JAMESBURG AND LAKE STREET APARTMENTS, LLC.

BE IT FURTHER RESOLVED, THAT THE MAYOR IS HEREBY AUTHORIZED TO EXECUTE AND THE BOROUGH CLERK ATTEST THE ATTACHED AGREEMENT.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski			X			
Council Member Ludas		X	X			
Council Member Rutsky			X			
Council Member Sussman	X		X			
Council Member Valiant						X
Council President Rampacek						X
Mayor Lowande						

RESOLUTION #116-08-21-19

A RESOLUTION ESTABLISHING THE MUNICIPAL GREEN BUSINESS RECOGNITION PROGRAM

WHEREAS, the Borough of Jamesburg strives to build a community that is sustainable economically, environmentally, and socially; and

WHEREAS, the Borough of Jamesburg wishes to build a model of government that benefits our residents now and far into the future with green community initiatives that are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on environmental issues, the Borough of Jamesburg wishes to establish a Green Business Recognition Program in alignment with Sustainable Jersey economic initiatives; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Jamesburg that we do hereby establish a Green Business Recognition Program

BE IT FURTHER RESOLVED by the Mayor and Borough Council of the Borough of Jamesburg that the Objectives and Recognition Criteria for the Program through are established as follows: **Objectives**

The Jamesburg Green Business Recognition Program is hereby established to promote sustainable practices throughout the business community, and by extension, inspire residents and visitors alike. The primary practices encouraged include:

- Waste management and reduction
- Reduced energy and water consumption
- Sustainable construction and development
- Community and social responsibility

Criteria

Applicant businesses must qualify for registration with the New Jersey Sustainable Business Registry. Once registered with the NJSBR, an initial audit of the described actions will be conducted within six weeks by a member of the Jamesburg Green team.

An application and initial Green Team report will be submitted to the Jamesburg Environmental Commission for review. A decision for approval or rejection will be forwarded to the Borough. If awarded recognition, appropriate materials will be distributed to the qualifying business and listing added to the Green Jamesburg page of the municipal website.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski			X			
Council Member Ludas	X		X			
Council Member Rutsky		X	X			
Council Member Sussman			X			
Council Member Valiant						X
Council President Rampacek						X
Mayor Lowande						

RESOLUTION #117-08-21-19

AUTHORIZE REFUND OF TAX OVERPAYMENT

WHEREAS, overpayment of sewer has been received by the Tax Collector’s office resulting from an overpayment in the aggregate amount of two thousand one hundred ninety dollars and ninety-six cents (\$2,190.96).

WHEREAS, the payment has been certified by Tax Collector as overpayment on 1st and 2nd Quarter Taxes for the year 2019;

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

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski		X	X			
Council Member Ludas	X		X			
Council Member Rutsky			X			
Council Member Sussman			X			
Council Member Valiant						X
Council President Rampacek						X
Mayor Lowande						

RESOLUTION #118-08-21-19

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Committee of the Borough of Jamesburg, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski		X	X			
Council Member Ludas	X		X			
Council Member Rutsky			X			
Council Member Sussman			X			
Council Member Valiant						X
Council President Rampacek						X
Mayor Lowande						

COUNCILMATIC COMMITTEE REPORTS:

- FINANCE COMMITTEE
Council President Rampacek was absent. No report.

Finance:

Library:

Public Events:

- EDUCATION COMMITTEE
Council Member Sussman

Council Member Susman reported that Father Michael from St. James Church gave backpacks full of school supplies to the 6th Grade. The Soccer fields at JFK School will not be usable this Fall due to the construction that went on over the Summer. The construction continues with installation of the trailers at JFK School. They are installing a plastic enclosure from the school to the trailers to protect the students and make it harder for someone from the outside to enter the school. The mayor is working with the BOE on getting together a Borough VS. school dodge ball game.

- POLICE COMMITTEE
Council Member Valiant

Council Member Valiant was absent. No report.

- PERSONNEL COMMITTEE
Council Member Czarneski

Council Member Czarneski reported she spoke with Business Administrator Frueh and reviewed the day to day of the Borough personnel. All continues to operate smoothly with no issues. Welcome new full-time crossing guard Diane Sharpe. Restaurant week will be September 21—27. We are working on getting restaurants on board.

- PUBLIC WORKS COMMITTEE
Council Member Rutsky

Council Member Rutsky reported regular maintenance and duties continue through the summer for DPW. The new sewer machine will be delivered on Monday. I would like to thank Paul, John and Guido in their assistance at last months food truck event as well as for tomorrow's. I would like to make a note as to how nice the railroad track section of our town has been maintained along with Veterans Park. I do have concerns with the upkeep or the lack there of outside store fronts. One of the greatest problems is in front of Mendokers down to Four Boys. Councilwoman Ludas and I met for lunch at the Diner today and walked the area. Crab grass and weeds are in excess, garbage thrown about s well as beer cans and more. Sadly, there was also a gentleman sleeping in the old pharmacy store front. He then began asking people for money and cigarettes. "It doesn't have to be this way." A plan needs to be put in place and followed through with consistency and accountability. I've spoken to Scott, Bill, Paul, Mayor and Chief over the years on this subject. I have initiated and organized several town clean ups, as this is not a sustainable solution. This is a problem for all of us that needs to be addressed.

Where do we stand on repairs for the front of Borough Hall. Paul will be getting quotes. Also, any follow up on the promises from the county for the bridge, lights and signage? Mayor explained nothing will be done until all the construction is completed with the new warehouses.

- ENVIRONMENT/ GREEN COMMITTEE:
Council Member Ludas

Council Member Ludas reported the Green Team has been donating fresh herbs from our community garden to the Elks for the Thursday Veteran's Lunches. We will continue this until the first frost. Hopefully, the remaining herbs can be harvested to use during the winter months. The Green Team has a weed/garden clean up project on Saturday, August 24th at the Jamesburg Public Library from 9-11am. Upcoming projects are clean ups at the Buckelew House, and at the Church Street Creek on September 21st. The Watershed has scheduled a major Creek Cleanup for Sunday, October 13th. There will be a combined Environment /Green Team meeting at Borough Hall September 10th at 7:00pm. Jamesburg has partnered with Monroe to work o n the Green Fair which is held on September 29th this year. We have also partnered with Monroe for a new Green Business Initiative where we encourage and recognize town businesses who are applying green initiatives in their businesses.

- ADMINISTRATOR'S REPORT
Scott Frueh

Administrator Frueh was absent. No report.

- PUBLIC SAFETY COMMITTEE / RECREATION / COMMUNITY EVENTS:
Mayor Marlene Lowande

Mayor Lowande reported she attended a leadership conference with Scott about attracting businesses to Middlesex. There was also discussion on truck problems and issues all over the county. The county is looking to hire a traffic expert to look into where truck traffic is heaviest. We discussed our truck situation in town as well as other small towns. There was a complaint about the way the entrance of the park is being maintained. Pictures have been sent to the head of the county parks. The park is a county park. It is their responsibility to keep it clean.

Council woman Ludas added they will be ordering planters to go o Railroad Ave. by Chase Bank and Four Boys.

MOTION TO ADJOURN:

Proposed By: Sussman

Seconded By: Czarneski

- The motion to adjourn has been withdrawn in order to allow the Board of Education to approach the Mayor and Council.

Peter Shaughnessy – Jamesburg Board of Ed.: Mr. Shaughnessy discussed there will be a dodge ball game November 15th at the JFK school with the school employees against Borough employees. We would like to include Police, Fire, Library and EMS. School staff and the PTA would like to have a spot at the Fall Festival on October 19th. JFK school has a new Principal, Christie DeFazio. Miss. DeFazio was the head of our Pre-k department. The school would like to be involved in the Green Fair clean up initiative. We currently have a security committee and are working with the Police Dept. to come up with a solution for security to be in both schools. We are looking into possible going into a shared service agreement.

MOTION TO ADJOURN:

Proposed By: Sussman

Seconded By: Ludas

TIME OF ADJOURNMENT:

8:00 PM

Susan Boulogne
Registered Municipal Clerk
Borough of Jamesburg

