

BOROUGH OF JAMESBURG
GOVERNING BODY MEETING
MINUTES
January 19, 2022
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 President Rampacek
Council Member Czarneski
Council Member Ludas
Council Member Rutsky
Council Member Spillane
Council Member Taylor
Administrator Capabianco
Borough Attorney – Raffetto

- Library presentation is being carried to the February council meeting.

MOTION TO OPEN TO PUBLIC COMMENT:

Proposed By: Rampacek

Seconded By: Taylor

Bertin Lefkovic – 27 Lake Street – Mr. Lefkovic is following up from the last meeting where is discussed the creation of a committee regarding a dispensary in town. He would like the committee to be 33 residents of Jamesburg. He also has reached out to Dan Benson and has information he could share.

Mayor Lowande explained that we spent 6 months, spent money and listened to a lot of sides on this issue. We are dealing with 2 years of COVID, 2 storms with flooding and it is budget time. At this time,

we are happy with the 2 classes of licenses that we approved. We are not ready to take this issue n again at this time. We can look at it in the future.

Council President Rampacek asked who would be in charge of this committee? Mr. Lefkovic explained he would be on it and would lie a chair and a vice chair, both from the council.

Council member Taylor will support a committee nut at this time we have other important issues that need to be addressed. He doesn't think the committee should consist of council members.

MOTION TO CLOSE TO PUBLIC COMMENT:

Proposed By: Rampacek

Seconded By: Ludas

ORDINANCES SECOND READING BY TITLE PUBLIC HEARING

ORDINANCE #01-22

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS RESULTING FROM HURRICANE IDA IN AND BY THE BOROUGH OF JAMESBUR, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$740,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$703,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBUR, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Jamesburg, in the County of Middlesex, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$740,000, including the sum of \$37,000 as the down payment required by the Local Bond Law. The

down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$703,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is various capital improvements resulting from Hurricane Ida, including, but not limited to, asbestos/mold clearance and heating, ventilation air-conditioning cleaning, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all

matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully

undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$703,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$120,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment

of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

RECORD OF VOTE:

FIRST READING: January 05-22

COUNCIL MEMBER	MOTION TO INTRODUCE	2nd	VOTE
Council Member Czarneski			X
Council Member Ludas	X		X
Council Member Rampacek		X	X
Council Member Rutsky			X
Council Member Spillane			X
Council Member Taylor			X
Mayor Lowande			

PUBLICATION: January 8, 2022

SECOND READING: January 19, 2022

PUBLIC HEARING: January 19, 2022

COUNCIL MEMBER	MOTION TO OPEN	2nd	VOTE	MOTION TO CLOSE	2nd	VOTE	MOTION TO ADOPT	2nd	VOTE
Council Member Czarneski			Y			Y			Y
Council Member Ludas		Y	Y		Y	Y	Y		Y
Council Member Rutsky			Y			Y			Y
Council Member Spillane	Y		Y			Y			Y
Council Member Taylor			Y			Y			Y
Council President Rampacek			Y	Y		Y		Y	Y
Mayor Lowande									

- Michelle Scott – 7 Fernwood Lane questioned the dollar amount of the bond. BA Capabianco explained the \$740,000 is the total repairs and \$703,000 I the down payment.

ORDINANCES FIRST READING BY TITLE – Public Hearing February 16, 2022

ORDINANCE #02-22

2022 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Borough Council of the Borough of Jamesburg in the County of Middlesex finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Borough Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$50,218.86 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, Borough Council of the Borough of Jamesburg hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Jamesburg, in the County of Middlesex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Borough of Jamesburg shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$175,766.01 and that the CY 2022 municipal budget for the Borough of Jamesburg be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years, and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days of such adoption.

ORDINANCE #02-22

2022 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

RECORD OF VOTE:

FIRST READING: January 19, 2022

COUNCIL MEMBER	MOTION TO INTRODUCE	2nd	VOTE
Council Member Czarneski			X
Council Member Ludas	X		X
Council Member Rutsky			X
Council Member Spillane		X	X
Council Member Taylor			X
Council President Rampacek			X
Mayor Lowande			

PUBLICATION: January 28, 2022

SECOND READING: February 16-2022

PUBLIC HEARING: February 16, 2022

- Councilmember Czarneski asked for an explanation of this Ordinance. Mayor Lowande explained we do this every year

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 #047-01-19-22**

RESOLUTION ACCEPTING MONTHLY REPORTS

BE IT RESOLVED, by the Mayor and Council of the borough of Jamesburg that the following reports are hereby received and filed.

Finance Report	December 2021
Report of the Tax Collector	December 2021
Report of the Sewer Administrator	December 2021

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

RESOLUTION #048-01-19-22**

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 \$74,052.49.

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

RESOLUTION #049-01-19-22

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL

January 5, 2022

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

NON-CONSENT RESOLUTIONS:

RESOLUTION #036-01-19-22

RESOLUTION AUTHORIZING TRANSFERS IN THE 2021 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 2021 budget appropriations.

	<u>CURRENT FUND</u>	
<u>FROM</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
1-01-23-220-000-092	Health Insurance	\$10,000.00
1-01-36-472-000-115	Social Security	\$7,000.00
<u>TO</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
1-01-31-440-000-076	Telephone	\$3,500.00
1-01-31-435-000-075	Street Lighting	\$800.00
1-01-31-430-000-071	Electricity	\$2,400.00
1-01-20-155-000-027	Legal	\$2,600.00
1-01-43-485-000-046	Hurricane Ida	\$4,700.00
1-01-23-211-000-097	Dental	\$900.00
1-01-26-290-000-030	DPW OE	\$800.00
1-01-20-130-000-011	Finance SW	\$1,300.00
		\$17,000.00

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

REQUESTING REALLOCATION OF CDBG PROJECT MONIES

WHEREAS, the Borough of Jamesburg has been awarded CDBG monies for various projects over the last three or four years; and

WHEREAS, these projects have sat idle; and

WHEREAS, the Borough is desirous of reallocating existing funds to the restoration process of the Federally Historic Buckelew House to ensure the timely expenditure of CDBG funds and continued improvement to the Borough’s community; and

WHEREAS, the Borough is requesting the Middlesex County Department of Community Services reallocate \$16,250.00 from the “oldest” project to the new “Buckelew House” project.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that it is requested by the Middlesex County Department of Community Services that \$16,250.00 in idle CDBG funds be utilized for the new “Buckelew House” project.

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

- Councilmember Taylor asked what this means? BA Capabianco explained we have \$120,000 not used and will be allocated to the Buckelew House. Councilmember Spillane asked what is CDBG? It was explained “Community Development Block Grant”

RESOLUTION #038-01-19-22

AWARDING OF A PROFESSIONAL SERVICES CONTRACT TO HMR ARCHITECTS FOR ARCHITECTURE SERVICES FOR PHASE THREE OF THE PROPOSED BUCKELEW HOUSE IMPROVEMENTS

WHEREAS, the Buckelew House is designated a Federally Historic structure as located on the National Register of Historic Places; and

WHEREAS, the rehabilitation of the Bucklew House is listed an item in the Historic Goals section of the 2010 Reexamination Report; and

WHEREAS, the Borough has secured external funding for the attached proposal from HMRARCHITECTS for various service including but not limited to: existing conditions survey, Master Plan update, design and construction document formulation; and

WHEREAS, the Borough is desirous of awarding a contract in an not-to-exceed price of sixty-five thousand dollars and zero cents (\$65,000.00) to HMRARCHITECTS to complete the scope of work in the attached proposal; and

WHEREAS, the CFO has certified the availability of funds in account XXXXXXXXXXXXXXXX and in account XXXXXXXXXXXXXXXX

WHEREAS, the Mayor and Council hereby award a contract to HMRARCHITECTS for various services in a not-to-exceed amount of \$65,000.00; and

WHEREAS, the Mayor, Borough Clerk and the Borough Administrator shall be authorized to sign any and all paperwork associated with this project; and

WHEREAS, the Borough Clerk is hereby authorized to advertise this award as per applicable laws, rules and regulations.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that HMRARCHITECTS be award a professional service contract as per the terms and conditions of this Resolution.

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

- Councilmember Rutsky thanked BA Capabianco for this. The Historical Association is Thrilled.

RESOLUTION #039-01-19-22

AWARDING OF A PROFESSIONAL SERVICES CONTRACT TO CLARKE CATON HINTZ FOR ARCHITECTURE SERVICES FOR THE RELOCATION OF THE POLICE DEPARTMENT

WHEREAS, the Borough of Jamesburg (the Borough) was a recipient to damage caused by Hurricane Ida; and

WHEREAS, Middlesex County has received the “major disaster declaration” by FEMA thereby ensuring eligibility for public assistance; and

WHEREAS, the disaster declaration is 4614-DR-NJ; and

WHEREAS, the Police Department received damage from Hurricane IDA; and

WHEREAS, the Police Department is in the process of relocating the area previously known as the First Aid Squad; and

WHEREAS, N.J.S.A. 40A:11-5(1)(a)(i) allows for the awarding of professional services contracts without public bidding; and

WHEREAS, attached to this Resolution is a proposal from Clarke Caton Hintz in a not-to-exceed price of twenty-five thousand five hundred dollars and zero cents (\$25,500.00) for the development of a feasibility study to ensure the proposed relocation can meet or exceed laws, codes, rules and regulations from entities that govern the operation of a police department; and

WHEREAS, the CFO has certified the availability of funds in account XXXXXXXXXXXXXXXX

WHEREAS, the Mayor and Council hereby award a contract to Clarke Caton Hintz for a feasibility study for the proposed relocation of the Police Department in an not-to-exceed amount of \$25,500.00) pending the final legal timeframes associated with the Bond Ordinance; and

WHEREAS, the Borough Administrator is instructed to seek any and all reimbursements for these costs through insurance, FEMA, or other entity; and

WHEREAS, the Mayor, Borough Clerk and the Borough Administrator shall be authorized to sign any and all paperwork associated with this project; and

WHEREAS, the Borough Clerk is hereby authorized to advertise this award as per applicable laws, rules and regulations.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that Clarke Caton Hintz be award a professional service contract as per the terms and conditions of this Resolution.

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

RESOLUTION #040-01-19-22

AWARDING OF CONTRACT TO ALL-RISK FOR REPAIRS CAUSED BY HURRICANE IDA FOR THE REMEDIATION AND REPAIRS AT THE LIBRARY

WHEREAS, the Borough of Jamesburg (the Borough) was a recipient to damage caused by Hurricane Ida; and

WHEREAS, Middlesex County has received the “major disaster declaration” by FEMA thereby ensuring eligibility for public assistance; and

WHEREAS, the disaster declaration is 4614-DR-NJ; and

WHEREAS, the Library received damage from Hurricane IDA; and

WHEREAS, the Borough Administrator sought a quotation from Servpro for remediations/repairs and they did not provide a quote; and

WHEREAS, the Borough Administrator sought a quotation from Insurance Restoration Specialists from the pricing off of the Education Services Commission cooperative and they did not provide a quote; and

WHEREAS, the Borough Administrator sought a quotation from All Risk Inc. from the pricing off of the Education Services Commission cooperative and they did provide a quote; and

WHEREAS, the Education Service Commission has awarded a publicly bid contract to all Risk Inc. under contract #ESCNJ 17/18-34; and

WHEREAS, the quotation for the required remediation/repairs as provided by All Risk is seventy-eight thousand seven hundred forty-eight dollars and sixty-five cents (\$78,748.65); and

WHEREAS, the proposal is attached; and

WHEREAS, the CFO has certified the availability of funds in account XXXXXXXXXXXXXXXX

WHEREAS, the Mayor and Council hereby award a contract to All Risk for required remediation/repairs to the Library in an not-to-exceed amount of \$78,748.65 pending the final legal timeframes associated with the Bond Ordinance; and

WHEREAS, a significant portion of these costs will be paid for by insurance and FEMA; and

WHEREAS, the Mayor, Borough Clerk and the Borough Administrator shall be authorized to sign any and all paperwork associated with this project; and

WHEREAS, the Borough Clerk is hereby authorized to advertise this award as per applicable laws, rules and regulations.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that all Risk be awarded a contract for repairs to the Library as per the terms and conditions of this Resolution.

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

- Councilmember Czarneski asked what this was for? BA Capabianco explained to remove asbestos floor from the Library, remove 2 feet of sheetrock and replace, waterproof the downstairs of the Municipal Building and build a 6” block wall to block water from getting in and remove the carpet, tile and asbestos from the Senior Center. Monies from FEMA and Insurance will help to offset the Bond. The Library has been awarded \$23,000.

RESOLUTION #041-01-19-22

AWARDING OF CONTRACT TO ALL-RISK FOR REPAIRS CAUSED BY HURRICANE IDA FOR THE AREA KNOWN AS THE POLICE DEPARTMENT WITHIN BOROUGH HALL

WHEREAS, the Borough of Jamesburg (the Borough) was a recipient to damage caused by Hurricane Ida; and

WHEREAS, Middlesex County has received the “major disaster declaration” by FEMA thereby ensuring eligibility for public assistance; and

WHEREAS, the disaster declaration is 4614-DR-NJ; and

WHEREAS, the Borough’s Police Department received damage from Hurricane IDA; and

WHEREAS, the Borough Administrator sought a quotation from Servpro for remediations/repairs and they did not provide a quote; and

WHEREAS, the Borough Administrator sought a quotation from Insurance Restoration Specialists from the pricing off of the Education Services Commission cooperative and they did not provide a quote; and

WHEREAS, the Borough Administrator sought a quotation from All Risk Inc. from the pricing off of the Education Services Commission cooperative and they did provide a quote; and

WHEREAS, the Education Services Commission has awarded a publicly bid contract to All Risk Inc. under contract #ESCNJ 17/18-34; and

WHEREAS, the quotation for the required remediation/repairs as provided by All Risk is one-hundred eight thousand six hundred ninety dollars and seventy-nine cents (\$108,690.79); and

WHEREAS, the proposal is attached; and

WHEREAS, the CFO has certified the availability of funds in account XXXXXXXXXXXXXXXX

WHEREAS, the Mayor and Council hereby award a contract to All Risk for required remediation/repairs to the Police Department in a not-to-exceed amount of \$108,690.79 pending the final legal timeframes associated with the Bond Ordinance; and

WHEREAS, a significant portion of these costs will be paid for by insurance and FEMA; and

WHEREAS, the Mayor, Borough Clerk and the Borough Administrator shall be authorized to sign any and all paperwork associated with this project; and

WHEREAS, the Borough Clerk is hereby authorized to advertise this award as per applicable laws, rules and regulations.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that all Risk be awarded a contract for repairs to the Police Department as per the terms and conditions of this Resolution.

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

RESOLUTION #042-01-19-22

AWARDING OF CONTRACT TO ALL-RISK FOR REPAIRS CAUSED BY HURRICANE IDA FOR THE REMEDIATION AND REPAIRS AT THE SENIOR CENTER

WHEREAS, the Borough of Jamesburg (the Borough) was a recipient to damage caused by Hurricane Ida; and

WHEREAS, Middlesex County has received the “major disaster declaration” by FEMA thereby ensuring eligibility for public assistance; and

WHEREAS, the disaster declaration is 4614-DR-NJ; and

WHEREAS, the Library received damage from Hurricane IDA; and

WHEREAS, the Borough Administrator sought a quotation from Servpro for remediations/repairs and they did not provide a quote; and

WHEREAS, the Borough Administrator sought a quotation from Insurance Restoration Specialists from the pricing off of the Education Services Commission cooperative and they did not provide a quote; and

WHEREAS, the Borough Administrator sought a quotation from All Risk Inc. from the pricing off of the Education Services Commission cooperative and they did provide a quote; and

WHEREAS, the Education Services Commission has awarded a publicly bid contract to All Risk Inc. under contract #ESCNJ 17/18-34; and

WHEREAS, the quotation for the required remediation/repairs as provided by All Risk is one-hundred fifty-four thousand nine-hundred sixty-four dollars and seventy cents (\$154,964.70); and

WHEREAS, the proposal is attached; and

WHEREAS, the CFO has certified the availability of funds in account XXXXXXXXXXXXXXXX

WHEREAS, the Mayor and Council hereby award a contract to All Risk for required remediation/repairs to the Senior Center in an not-to-exceed amount of \$154,964.70 pending the final legal timeframes associated with the Bond Ordinance; and

WHEREAS, a significant portion of these costs will be paid for by insurance and FEMA; and

WHEREAS, the Mayor, Borough Clerk and the Borough Administrator shall be authorized to sign any and all paperwork associated with this project; and

WHEREAS, the Borough Clerk is hereby authorized to advertise this award as per applicable laws, rules and regulations.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that All Risk be awarded a contract for repairs to the Senior Center as per the terms and conditions of this Resolution. .

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

RESOLUTION #043-01-19-22

APPOINT TAX COLLECTOR AND GRANT TENURE

WHEREAS, Mr. Kevin Hatch currently serves as the Tax Collector; and

WHEREAS, Mr. Hatch has completed his first 4-year term as the Tax Collector for the Borough of Jamesburg; and

WHEREAS, the Mayor and Council both wish to appoint Mr. Hatch to continue as Tax Collector; and

WHEREAS, N.J.S.A. 40A:9-142 states that every municipal Tax Collector hold his office for a term of four (4) years from the first day of January next following his appointment.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Mayor and Council of the Borough of Jamesburg that Mr. Kevin Hatch be granted tenure for the position of Tax Collector.

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

RESOLUTION #044-01-19-22

RESOLUTION OF THE BOROUGH OF JAMESBURG COUNTY OF MIDDLESEX, STATE OF NEW JERSEY TO AMEND THE SECTION 125 CAFETERIA PLAN

WHEREAS, Chapter 78, P.L. 2011, the Pension and Health Benefit Reform Law, requires local government employers to participate in a Section 125 Cafeteria Plan; and

WHEREAS, a Section 125 Cafeteria Plan allows employees to make the required health care insurance premium payments with pre-tax dollars (Premium Only Plan), as well as contribute a portion of his or her salary on a pre-tax basis to pay for qualified benefits such as medical care reimbursements and dependent care assistance (Flexible Spending Account); and

WHEREAS, the Governing Body complied with this requirement via Resolution 185-09-14-11; and;

WHEREAS, the Borough currently has American Fidelity as a provider for supplemental insurance which is provided at no cost to the Borough; and

WHEREAS, the Borough, upon recommendation of the Borough Administrator, hereby authorizes AFLAC to be a provider for supplemental insurance; and

WHEREAS, the Mayor and Council hereby authorize the Borough Administrator to utilize any other supplemental insurance provider as long as there is no cost to the Borough; and

WHEREAS, the Mayor, Administrator and Clerk are authorized to sign any and all paperwork in regards to supplemental insurance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg, County of Middlesex, New Jersey authorize AFLAC and other supplemental insurance providers at no cost to the Borough

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

- Administrator Capabianco explained this allows Pension and Health Benefit paid to outside AFLAC for the future.

RESOLUTION #045-01-19-22

AWARDING OF CONTRACT TO CENTRAL JERSEY WASTE & RECYCLING FOR SOLID WASTE COLLECTION AND DISPOSAL

WHEREAS, this contract is being awarded as “fair and open” pursuant to N.J.S.A.19:44A-20.5, and in addition to N.J.S.A. 40A:11-1 et seq. and N.J.A.C. 7:26H-6.1 et seq. and was published in one newspaper of general circulation and on the Borough’s website; and

WHEREAS, Borough of Jamesburg received and opened one bid on December 14, 2021; and

WHEREAS, the bids have been evaluation by the Borough Administrator/Purchasing Agent and have been deemed responsive; and

WHEREAS, WHEREAS, N.J.S.A 40A:11-15 (3) allows the collection and disposal of municipal solid waste for any term not exceeding five years; therefore, the Borough CFO will certify that sufficient, available and legally appropriated funds for this expenditure are available as required by law; and

WHEREAS, the only bid was received by Central Jersey Waste & Recycling in the following amounts; and

- Year 1; 2022 in the amount of \$233,400.00
- Year 2; 2023 in the amount of \$242,736.00
- Year 3; 2024 in the amount of \$252,445.00
- Year 4; 2025 in the amount of \$262,543.00
- Year 5; 2026 in the amount of \$273,045.00

WHEREAS, the bid is attached; and

WHEREAS, the CFO has certified the availability of funds in account 2-01-26-305-000-046; and

WHEREAS, the Mayor and Council hereby award a contract to Central Jersey Waste & Recycling for a five (5) year period at the amounts listed in this Resolution and the bid documents; and

WHEREAS, the Mayor, Borough Clerk and the Borough Administrator shall be authorized to sign any and all paperwork associated with this project; and

WHEREAS, the Borough Clerk is hereby authorized to advertise this award as per applicable laws, rules and regulations.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that Central Jersey Waste & Recycling be awarded a five (5) year contract for collection and disposal of solid waste.

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

- Mayor Lowande thanked BA Capabianco for getting tis done. Councilmember Taylor expressed a lot of residents are upset about missed pick-ups. BA Capabianco explained it is bid by State template and he will send out the specs.

RESOLUTION #046-01-19-22

AWARDING OF CONTRACT TO S&G PAVING FOR SNOW REMOVAL SERVICES

WHEREAS, Borough of Jamesburg received and opened one bid on January 11, 2022 for the dually advertised bid “Snow Removal Services”; and

WHEREAS, the bid has been evaluation by the Borough Administrator/Purchasing Agent and have been deemed responsive; and

WHEREAS, the bid documents stated this was for a “as needed” service and the contract shall be open-ended; and

WHEREAS, the contract shall sunset April 30, 2023 as per the bid documents with no extensions; and

WHEREAS, the response from S&G Paving was the only response received and included a rate of \$195.00 for the service of a TRUCK – EQUAL TO 16,000 GVW WITH PLOW (a Mason Dump); and

WHEREAS, the bid is on file with the Office of the Borough Clerk; and

WHEREAS, a Certification of Availability of Funds is not required as per N.J.A.C. 5:30-5.5(b)(2); and

WHEREAS, the Mayor and Council hereby award a contract to S&G Paving for snow plow services; and

WHEREAS, the Mayor, Borough Clerk and the Borough Administrator shall be authorized to sign any and all paperwork associated with this project; and

WHEREAS, the Borough Clerk is hereby authorized to advertise this award as per applicable laws, rules and regulations.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that S&G Paving be awarded a contract for snow removal services.

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

- Council President Rampacek asked if this was as needed? BA Capabianco explained they will be called in if someone is out or we get a large amount of snow. This is a 2-year contract.

RESOLUTION #050-01-19-22

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL

December 15, 2021

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

RESOLUTION #051-01-19-22

AUTHORIZE REFUND OF TAX OVERPAYMENT

WHEREAS, overpayment of tax has been received by the Tax Collector resulting from an overpayment in the aggregate amount of two hundred fifty dollars (\$250.00).

WHEREAS, the payment has been certified by the Tax Collector as overpayment as a result of the approval of a senior deduction on property known as Block 71.01 Lot 7:

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 check in accordance with the certification(s) attached hereto.

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

RESOLUTION #052-01-19-22

RESOLUTION AUTHORIZING THE DEFENSE LOGISTICS AGENCY (DLA) LAW ENFORCEMENT SUPPORT OFFICE (LESO) 1033 PROGRAM

WHEREAS, the United States congress authorized the Defense Logistics agency (DLA) Law Enforcement Support Office (LESO) 1033 program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal LEA, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for the specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A5-30.2 requires that the governing body of the municipality approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW THEREFORE BE IT RESOLVED by the Borough Council of Jamesburg that the Jamesburg Police Department is hereby authorized to enroll in the 1033 Program for no

more than a one-year period, with authorized to participate terminating on December 31 of the current calendar year; and

NOW THEREFORE BE IT FURTHER RESOLVED that, subject to such modifications as the Mayor, Police Chief, or the Business Administrator or, where allowable by law, their delegates are hereby authorized to execute such contracts or other instruments as may be necessary to enroll and participate therein; and

NOW THEREFORE BE IT FURTHER RESLOVED that the Jamesburg Police Department is hereby authorized to acquire items of non-controlled property designated “DEMIL A” and “DEMIL B through Q” which may include: office supplies/furniture, computers, electronic equipment, field packs, traffic control systems, exercise equipment, moving equipment, tools, medical equipment and first aid supplies, personal protection equipment, respirators, lighting supplies, generators, binoculars, non-military vehicles, cargo/utility trucks and any other supplies or equipment of a non-military nature, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Jamesburg Police Department. Armored vehicles and weapons are not authorized and shall not be requested, delivered or received.

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

- Councilmember Spillane asked what this was? BA Capabianco explained it is if the Department of Defense has extra desks, chairs, vehicles.

RESOLUTION #053-01-19-22

AUTHORIZE REFUND OF TAX OVERPAYMENT

WHEREAS, overpayment of tax has been received by the Tax Collector resulting from an overpayment in the aggregate amount of two thousand one hundred eighty-eight dollars and ninety cents (\$2,188.90).

WHEREAS, the payment has been certified by the Tax Collector as overpayment as a result of a duplicate payment for 1st Quarter Taxes for 2022 on property known as Block 77.01Lot 13:

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 check in accordance with the certification(s) attached hereto.

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

COUNCILMATIC COMMITTEE REPORTS:

- FINANCE COMMITTEE
Council President Rampacek

Finance Report:

The Annual Debt Statement has been submitted. The Annual Financial Statement has been completed and is getting signatures. Michael just did a purchase order for masks and rapid antigen COVID tests which are all 100% reimbursable through FEMA. As you can see from our ordinance tonight, we are proposing issuing \$703,000 of bonds to cover the costs of Hurricane Ida. Michael is working on drafting budget documents and other financial reports, so we should have some pages to review soon.

Library Report:

The library is working on getting all of their records up to date. An audit has not been completed since 2017. This will be expensive to complete, but necessary to ensure their accounts are accurate. Part of their proposed plan is to have the borough process all of their purchase orders, pay the library’s bills, maintain financial record spreadsheets, and run reports as needed for the library. I believe that this should be discussed by council since this will affect borough operations. I had asked in the meeting if the borough would be compensated for the CFO’s time, but they said they were not planning on it. I don’t believe this will be a large task after everything is initially set up, however it will require some time. Personally, I don’t believe the borough should commit to

- Mayor Lowande feels this will make for a more efficiently run business. We are already doing their salaries. The Library can also be a community center. Councilmember Czarneski has concerns about the amount of work it will make for Michael. Council President Rampacek explained we already have an auditing firm to get caught up. The Borough business will come first. The Library now has

order. No one on the trustees has any experience. BA Capabianco discussed all this will take place in April. There is currently no invoice back p.

- **EDUCATION COMMITTEE**
Council Member Czarneski

I spoke with Superintendent Villani and both schools continue to remain open with in-person instruction at their regular schedule.

The district is hosting another phase of Parent Academy. A virtual presentation on “Behavior Management Strategies” was held earlier today at 6pm with the second part being held on February 9th from 6pm-7pm. Both presentations are presented in English and Spanish. Parents do not need to attend both. A staff training on this topic is being held on January 31st.

The next Board of Education meeting will be held tomorrow, Thursday, January 20th in the JFK gymnasium starting at 7pm.

- **POLICE COMMITTEE**
Council Member Taylor

The Jamesburg Police Dept. had 1021 calls for service in the month of December which included 14 Motor Vehicle Accidents and 70 summonses issued. This ended the year of 2021 with a total of 10,534 calls for service. Two specific arrests were noted for December the first which included a disorderly conduct, resisting arrest and aggravated assault on a police officer after a Jamesburg Officer was struck with a closed fist. The second involved a DUI arrest after the driver struck three other vehicles.

The Police Dept. and all its officers have received their mandatory training for Community Law Enforcement Affirmative Relations as well as the 7 Module course for revision of Use of Force Policy. Several officers also received additional training in several areas of Law Enforcement functions.

A lengthy conversation about the poor condition of the Police Vehicle Fleet and how it is causing repair costs to reach an all-time high as well as the out of service time of vehicles. It was advised that the Police Dept. hasn't received any new vehicle in several years. It was agreed that this information would be relayed to the BA / CFO and Finance Committee.

Another conversation about Police Promotions took place including Retired Sergeant Smith's vacancy for more than 6 months and being filled by an Acting Sergeant as well as a vacant Corporal position. This too was agreed to be discussed with the BA / CFO and Finance Committee

- PERSONNEL COMMITTEE
Council Member Spillane

LANDUSE: January 13, 2022 Land Use had its annual reorganization Meeting. The calendar has been set for the 2nd Thursday of every month except August. Two items were pushed to Feb and March. The next meeting will be February 10th

PERSONNEL: I am currently addressing a few personnel issues with Borough Administrator Michael Capabianco. We are moving quickly to achieve resolution.

- PUBLIC WORKS COMMITTEE
Council Member Rutsky

After meeting with supervisor Paul Intravartola, he explained that the leaf pick up schedule has been completed. Cleaning and organizing of the DPW building as well as equipment maintenance has been an ongoing project. Street salting and storm maintenance is on schedule as needed.

- ENVIRONMENT/ GREEN COMMITTEE:
Council Member Ludas

Business Administrator, Capabianco, and Councilmembers Rutsky, Czarneski and myself met with County officials and Mosquito Control last week. The county scheduled the meeting in response to a recent letter Councilmember Rutsky and I had sent in asking for assistance Jamesburg's with recent flooding issues.

Mosquito Control had originally thought it would be best to send a drone to view our waterways, however, they decided it would be better to have close up photos of the problem areas. Therefore, two weeks ago they walked and photographed Wigwam Pond, the Manalapan Brook, and Church Street Creek. Several blockages were found in each area. The county is now taking the lead on this as the recent storm Henri has affected four towns in Southern Middlesex County. The county has offered to reach out to the state and federal government for assistance to help Jamesburg, Monroe, Helmetta and Spotswood. Business Administrator Capabianco and I will keep in touch with county officials on the progress.

- CHIEF OF POLICE
Chief Craparotta

My department was hit hard with COVID around Christmas. We were pretty much cut in half. My officers had to cancel vacations to fill in. Everyone stepped up. Dispatchers and officers did a wonderful job.

- ADMINISTRATOR’S REPORT
Michael Capabianco

I received the Police Department vehicle schedule at 4pm today. There will be possible replacements through 2026. Promotions are exempt from OPRA. Solid Waste can be charged \$50 for not putting cans back.

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

Discussed COVID Relief as per State Law in regards to water/sewer. The guidelines are posted on our website.

Councilmember Spillane will start on the Street Fair. We will continue to monitor the COVID situation.

MOTION TO ADJOURN:

Proposed By: Rampacek

Seconded By: Ludas

TIME OF ADJOURNMENT: 8:07 PM

Susan Boulogne
Registered Municipal Clerk
Borough of Jamesburg