

BOROUGH OF JAMESBURG
GOVERNING BODY MEETING
MINUTES
October 20, 2021
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 Sussman - **ABSENT**
Council Member Czarneski
Council Member Ludas
Council Member Rampacek
Council Member Rutsky
Council Member Shaughnessy
Administrator Capabianco
Borough Attorney – Raffetto

MOTION TO OPEN TO PUBLIC COMMENT:

Proposed By: Shaughnessy
Seconded By: Rampacek

Dawn Santello – 4 Glenn Court – Ms. Santello addressed the Mayor and Council regarding the ongoing issue with the creek that runs behind her home. There is trash being dumped into it. When we get heavy rain her property floods. She showed frustration that no one is getting back to her or helping her. Council Woman Rutsky addressed Ms. Santello since she was making statements that weren't true.

Mayor Lowande explained we are aware of the issues. Our DPW has been there and we are trying to partner with the county. This is a problem for several residents. We will help out the best we can.

Adam Bushman – 280 Gatzmer Ave: - Mr. Bushman thanked the Mayor and borough Attorney Raffetto for getting him information needed from Dan Benson's office. He also explained how Costco and Manalapan Lake are the issues for the flooding in our town as well as in Helmetta. You need to put pressure on the right people in order to get stuff done. He is willing to write a letter to the CEO of Costco.

Rosemarie Spillane – 29A Lincoln Ave. – Ms. Spillane is on the Library Board of Trustees. The library is open but using the 1st floor only due to recent flooding in the basement. Thank you all for helping the library has 2 great programs coming up. Contact myself or Gabriella if you have any questions.

John Santello – 4 Glenn Court – Mr. Santello has been pulling garbage out of the creek for the last 20 years. It seems to be coming from up the river in Monroe Township. He would like the DPW to use their equipment to clean up the property.

Brian Taylor – 9 Hillside Avenue - Mr. Taylor asked for Councilmember Czarneski to resign due to an incident that occurred in town with Ms. Czarneski on the 4th of July. He read the police report to Mayor and Council. Three years ago, a politician from the Port Authority was forced to resign after police stop. He would like the Governing Body to decide if she should resign. Two reasons she should step down are: poor decision making and chair of the personnel committee. I am asking you again to step down.

MOTION TO CLOSE TO PUBLIC COMMENT:

Proposed By: Czarneski
Seconded By: Ludas

ORDINANCES FIRST READING BY TITLE ONLY

ORDINANCE #12-21

AN ORDINANCE AMENDING ORDINANCE 05-20 PROVIDING FOR IMPROVEMENTS OF THE SANITARY SEWER SYSTEM AND APPROPRIATING THE SUM OF \$2,391.00 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 \$42,920.00 and not the \$40,549.00 as listed in Ordinance 05-20 in funding from the Middlesex County 2019 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 2021 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.

RECORD OF VOTE:

FIRST READING: October 20, 2021

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 Shaughnessy			X
Council President Sussman			AB
Mayor Lowande			

PUBLICATION: October 29, 2021

SECOND READING: December 15, 2021

PUBLIC HEARING: December 15, 2021

ORDINANCE #13-21

AN ORDINANCE AMENDING ORDINANCE 09-20 PROVIDING FOR IMPROVEMENTS OF THE SANITARY SEWER SYSTEM AND APPROPRIATING THE ADDITIONAL SUM OF \$249.00 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 \$23,169.00 and not the \$22,920 as listed in Ordinance 09-220 in funding from the Middlesex County 2020 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 2021 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.

RECORD OF VOTE:

FIRST READING: October 20, 2021

COUNCIL MEMBER	MOTION		
	TO INTRODUCE	2nd	VOTE
Council Member Czarneski			X
Council Member Ludas	X		X
Council Member Rampacek			X
Council Member Rutsky			X
Council Member Shaughnessy		X	X
Council President Sussman			AB
Mayor Lowande			

PUBLICATION: October 29, 2021
 SECOND READING: December 15, 2021
 PUBLIC HEARING: December 15, 2021

ORDINANCE #14-21

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$15,000 FOR THE PREPARATION OF AN REEXAMINATION REPORT FOR THE BOROUGH OF JAMESBURG PURSUANT TO N.J.S.A. 40A:4-53(d)

BE IT ORDAINED by the Borough of Jamesburg Council of the Borough of Jamesburg, County of Middlesex, State of New Jersey, as follows:

Section 1. Pursuant to the Local Budget Law of New Jersey, and in particular N.J.S.A. 40A:4-53(d), a special emergency appropriation in the amount of \$15,000 is hereby authorized and made for the purpose of the preparation of an approved tax map for the Borough of Jamesburg in the County of Middlesex, New Jersey (the "Borough").

Section 2. The Borough is hereby authorized to finance such appropriation from surplus funds available or by issuing special emergency notes from time to time in accordance with the provisions of N.J.S.A. 40A:4-55, all as shall be determined by and pursuant to a resolution or resolutions of the Borough to be hereafter adopted. The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least 1/5 of the amount authorized pursuant to N.J.S.A. 40A:4-55.

Section 3. In accordance with the requirements of N.J.S.A. 40A:4-53, a copy of this ordinance as finally adopted shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

Section 4. This ordinance shall take effect 10 days after the first publication thereof after final adoption, as provided by law.

RECORD OF VOTE:

FIRST READING: October 20, 2021

COUNCIL MEMBER	MOTION		
	TO INTRODUCE	2nd	VOTE
Council Member Czarneski		X	X
Council Member Ludas			X
Council Member Rampacek	X		X
Council Member Rutsky			X
Council Member Shaughnessy			X
Council President Sussman			AB
Mayor Lowande			

PUBLICATION: October 29, 2021

SECOND READING: December 15, 2021

PUBLIC HEARING: December 15, 2021

- Councilmember Shaughnessy pointed out a typo in the 1st paragraph of the Ordinance. Borough Clerk Boulogne will make the correction.
- Administrator Capabianco explained re-examination reports should be done every 0 years. We are at 12 years. This will allow us to pay over 5 years, approximately \$3,000 per year.

ORDINANCES SECOND READING BY TITLE

ORDINANCE #11-21

AN ORDINANCE FURTHER AMENDING AND SUPPLEMENTING ORDINANCE #02-21 RELATING TO THE ESTABLISHMENT OF SALARY AND COMPENSATION LIMITS FOR CERTAIN OFFICES, POSITIONS AND EMPLOYEES IN THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY.

WHEREAS, the Borough Council previously adopted Ordinance #02-21 (also referenced as the “2021 Salary Ordinance”) on February 17, 2021, which established limits for salary and compensation of certain offices, positions and employees in the Borough of Jamesburg, County of Middlesex and State of New Jersey; and

WHEREAS, on August 18, 2021, the Borough Council adopted Ordinance #10-21, which amended the 2021 Salary Ordinance to reflect revisions that were needed relating to the positions of Business Administrator, Chief Financial Officer, and Qualified Purchasing Official; and

WHEREAS, the Mayor and Borough Council have determined that further revisions are necessary to the 2021 Salary Ordinance in order to effectuate certain staffing changes within the Borough’s administrative offices.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Jamesburg, in the County of Middlesex and State of New Jersey, that Ordinance #02-21, as adopted on February 17, 2021, and amended on August 18, 2021, is hereby further amended and revised in the following limited respects (additions are shown with underline; deletions are shown with ~~strikeout~~):

<u>SALARY/POSITION</u>	<u>PAY SCHEDULE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
ASST CFO — FULL TIME	PAYABLE — BI-MONTHLY — PER ANNUM	\$60,000.00	\$80,000.00
<u>PAYROLL ADMINISTRATOR</u>	<u>PAYABLE BI-MONTHLY PER ANNUM</u>	<u>\$5,000.00</u>	<u>\$20,000.00</u>

BE IT FUTHER ORDAINED, that 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.

BE IT FUTHER ORDAINED, that the remaining portions of Ordinance #02-21, as modified by Ordinance #10-21, shall remain in full force and effect except as revised above.

BE IT FUTHER ORDAINED, that this Ordinance shall take effect upon final adoption and publication as provided by law.

RECORD OF VOTE:
FIRST READING: September 15, 2021

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

PUBLICATION: September 24, 2021
SECOND READING: October 20, 2021
PUBLIC HEARING: October 20, 2021

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 #140-10-20-21**

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	July 2021
Report of the Tax Collector	July 2021
Report of the Sewer Administrator	July 2021

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

RESOLUTION #141-10-20-21**

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	August 2021
Report of the Tax Collector	August 2021
Report of the Sewer Administrator	August 2021

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

Council Member Rampacek	X		X			
Council Member Rutsky			X			
Council Member Shaughnessy		X	X			
Council President Sussman						X
Mayor Lowande						

RESOLUTION #142-10-20-21**

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	September 2021
Report of the Tax Collector	September 2021
Report of the Sewer Administrator	September 2021

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

RESOLUTION #156-10-20-21**

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 \$138,796.78.

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

RESOLUTION #157-10-20-21**

A RESOLUTION CONFIRMING THE APPOINTMENT OF A MUNICIPAL PROSECUTOR FOR THE BOROUGH OF JAMESBURG FOR THE REMAINDER OF 2021.

WHEREAS, due to a vacancy, it is necessary for the Borough of Jamesburg (the “Borough”) to engage the services of a new Municipal Prosecutor in the Borough’s Municipal Court for the remainder of the year 2021, in accordance with N.J.S.A. 2B:25-4, *et seq.*; and

WHEREAS, the Mayor has nominated Mohamed S. Jalloh, Esq. to fill the vacancy as the Municipal Prosecutor for the remainder of 2021; and

WHEREAS, Mr. Jalloh shall be compensated for services rendered during the regular court dates of the Jamesburg Borough Municipal Court on a monthly basis for the remainder of 2021 in the pro rated amount of \$8,000.00 per annum; and

WHEREAS, Mr. Jalloh shall be paid an additional flat fee of \$300.00 per session for any additional court sessions that may be necessary outside of the regularly scheduled sessions; and

WHEREAS, Mr. Jalloh shall be paid at the rate of \$150.00 per hour for any matters that are appealed to the Superior Court; and

WHEREAS, the contemplated services are considered to be “professional services” under the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.* (specifically, at N.J.S.A. 40A:11-2), because the services shall be performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study; and

WHEREAS, the contemplated services are therefore exempt from the requirement of competitive bidding per N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Borough’s Chief Financial Officer has certified the availability of funds for said contract; and

WHEREAS, the Borough Council wishes to confirm the appointment of Mr. Jalloh to this position under the terms set forth above.

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

1. That the Mayor’s nomination of Mohamed S. Jalloh, Esq. to fill the vacancy and serve as the Municipal Prosecutor in the Borough’s Municipal Court for the remainder of the year 2021, at the rates set forth above, is hereby approved and confirmed.
- 2.
3. That the Mayor is hereby authorized to execute, and the Municipal Clerk to attest, an Agreement between the Borough of Jamesburg and Mohamed S. Jalloh, Esq., which Agreement shall be in a form satisfactory to the Borough Attorney, for the above-referenced services for the remainder of the year 2021 in accordance with the provisions set forth above.
4. That the within contract is awarded as a “professional service” contract in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services will be performed by a person authorized by law to practice a recognized profession.
5. That said contract has been further awarded through a restricted (a/k/a “non-fair and open”) process, pursuant to and in accordance with the State’s Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, *et seq.* (the Pay-to-Play Law).
6. That notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.
7. That a certified copy of this Resolution shall be provided to each of the following:

- a. Mohamed S. Jalloh, Esq.;
- b. Hon. Michael A. Toto, A.J.S.C.;
- c. Hon. Christine M. Heitmann, P.J.M.C.;
- d. Tiffany Leverett-Agboola, Municipal Division Manager - Middlesex Vicinage;
- e. Christine Ward, Municipal Court Administrator;
- f. Michael N. Capabianco, Borough Administrator; and
- g. Frederick C. Raffetto, Esq., Municipal Attorney.

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

NON-CONSENT RESOLUTIONS:

RESOLUTION #143-10-20-21

RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL

September 15, 2021

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

RESOLUTION #144-10-20-21

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 twenty-nine dollars and eighty cents (\$2,2029.80):

WHEREAS, the payment has been certified by the Tax Collector as overpayment on 4th Quarter Taxes for the year 2021 on property known as Block 73, Lot 4 Qual: C-068

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	2 nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski			X			
Council Member Ludas	X		X			

Council Member Rampacek		X	X			
Council Member Rutsky			X			
Council Member Shaughnessy			X			
Council President Sussman						X
Mayor Lowande						

RESOLUTION #145-10-20-21

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 seven hundred fifty-seven dollars and seventy-five cents (\$757.75):

WHEREAS, the payment has been certified by the Tax Collector as overpayment on 4th Quarter Taxes for the year 2021 on property known as Block 70 Lot 9

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 Rampacek	X		X			
Council Member Rutsky			X			
Council Member Shaughnessy			X			
Council President Sussman						X
Mayor Lowande						

RESOLUTION #146-10-20-21

AUTHORIZE REFUND OF TAX OVERBILL

WHEREAS, overpayment of tax has been received by the Tax Collector resulting from an overpayment resulting from an overbilling due to a 100% disabled veteran exemption 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 the Tax Collector as overpayment on 4th Quarter Taxes for the year 2021 on property known as Block 70 Lot 9

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			
Council Member Rampacek		X	X			
Council Member Rutsky			X			
Council Member Shaughnessy	X		X			
Council President Sussman						X
Mayor Lowande						

RESOLUTION #147-10-20-21

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GIFT FROM UNITED TARP LLC. LOCATED AT 2 JOHN STREET, JAMESBURG, NEW JERSEY

WHEREAS, United Tarp LLC., a business located within the Borough of Jamesburg, has a business of providing tarps for trucks to comply with various laws and regulations; and

WHEREAS, United Tarp LLC. has donated new tarps and repair services of existing Borough tarps on certain trucks within the Department of Public Works; and

WHEREAS, N.J.S.A. 40A:12-5 and N.J.S.A. 40A:5-29 authorized the acceptance bequests, legacies and gifts

WHEREAS, the Mayor and Council wish to acknowledge and thank those whose generosity make our community one of the best.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Mayor and Council of the Borough of Jamesburg acknowledge the acceptance of donated tarps for certain trucks within the Department of Public Works by United Tarp LLC. of the Borough of Jamesburg.

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

- Administrator Capabianco explained this is a new company. The DPW tarps are in bad condition so they offered to donate tarps to replace the dilapidated ones.

RESOLUTION #148-10-20-21

RESOLUTION AMENDING THE CASH MANAGEMENT PLAN

WHEREAS, N.J.S.A. 40A:5-14 requires that each local unit annually adopt a cash management plan, which from time-to-time can be amended by the governing body; and

WHEREAS, the CFO is requesting that the governing body amend the Cash Management Plan to allow for the creation of a one-hundred dollar (\$100.00) change fund; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Mayor and Council of the Borough of Jamesburg amend the cash management plan to include a one-hundred dollar (\$100.00) change fund for the Police Department.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski			X			
Council Member Ludas			X			
Council Member Rampacek		X	X			
Council Member Rutsky			X			

Council Member Shaughnessy	X		X			
Council President Sussman						X
Mayor Lowande						

RESOLUTION #149-10-20-21

RESOLUTION CREATING A CLAIMANT CERTIFICATION POLICY

WHEREAS, N.J.A.C. 5:30-9A.6(c) and 5:31-4.1 allows for local units discretion to not require claimant certification under certain circumstances; and

WHEREAS, Local Finance Notice 2018-13 created procedures for implementation of claimant certification; and

WHEREAS, the following rules and regulations shall establish the Borough’s Claimant Certification policy:

- Claimant certification for transactions where a local unit makes payment through standard EFT technologies is no longer required
- Claimant certification where the vendor or claimant does not provide such certification as part of its normal course of business is no longer required
- Claimant certification shall not be required for small purchases under the amount of one-thousand (\$1,000.00) dollars
- Claimant certification shall not be required for small and immediate repairs less than the quote threshold for equipment that is considered vital for the health, safety and welfare of the public
- The vendors with signatures on file prior to this policy shall continue to be accepted
- Payment obligations to the State or to federal governments; membership in a non-profit organization; educational courses, including, but not limited to, those where continuing education credits are awarded; registration for a conference or convention sponsored by a nonprofit organization; and website hosting, including registration and maintenance of a domain name
- Payments to counties, local governments, authorities or utilizes within New Jersey
- Entities and utilities regulated by the New Jersey Board of Public Utilities such as water, phone, electric, natural gas, etc.
- This policy must be applied in a non-arbitrary fashion and affirmatively communicated to vendors
- From time-to-time the CFO shall be authorized to use discretion in implementing this policy but it must be applied in a non-arbitrary fashion

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Mayor and Council of the Borough of Jamesburg that the rules and regulations outlined in this Resolution shall serve as the Borough’s Claimant Certification policy.

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

RESOLUTION #150-10-20-21

AUTHORIZE THE CFO TO PAY CERTAIN BILLS BETWEEN MEETINGS

WHEREAS, the adopted annual meeting schedule of the Borough of Jamesburg can occasionally cause delays in rendering payment of bills; and

WHEREAS, the CFO advises that the failure to pay certain bills will result in delinquencies on Borough accounts; and

WHEREAS, the CFO requests that any invoice that will result in a delinquency be authorized for payment and shall be listed on the subsequent bills list;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that the CFO is authorized to make payments on any invoices that will result in a delinquency between scheduled meetings and these payments shall appear on the next bills list.

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

RESOLUTION #151-10-20-21

AWARDING OF CONTRACT TO EARLE ASPHALT COMPANY RELATING TO THE 2020 NJDOT VARIOUS ROAD IMPROVEMENT PROGRAM

WHEREAS, the Borough of Jamesburg received three (3) bids for the 2020 NJDOT Project consisting of Spring, Mill and East Church Street; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a contract for the Project be awarded to the lowest responsible and responsive bidder, Earle Asphalt Company, for the total amount of two hundred seventy-four thousand nine-hundred thirteen dollars and thirteen cents, \$274,913.13; and

WHEREAS, this project is being funded through the New Jersey Department of Transportation Funds; and

WHEREAS, the Borough Attorney has reviewed the bid package and found it to be in a satisfactory format; and

WHEREAS, the CFO has Certified the Availability of Funds in account C-04-55-959-157-000; and

WHEREAS, the Mayor, Clerk and the Borough Administrator are hereby authorized to sign and documents related to this project; and

WHEREAS, a certified copy of this Resolution shall be sent to the Borough Engineer, Director of Public Works, and the Administrator/CFO.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that Earle Asphalt Company shall be awarded a contract to perform various road improvements from the 2020 NJDOT grant.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Czarneski			X			
Council Member Ludas	X		X			
Council Member Rampacek		X	X			
Council Member Rutsky			X			
Council Member Shaughnessy			X			

Council President Sussman						X
Mayor Lowande						

RESOLUTION #152-10-20-21

AUTHORIZE REFUND OF TAX OVERPAYMENT

WHEREAS, overpayment of tax has been received by the Tax Collector resulting from an overpayment from a lien holder in the aggregate amount of two hundred nine dollars and five cents (\$209.05):

WHEREAS, the payment has been certified by the Tax Collector as overpayment on 1st Quarter Taxes for the year 2021 on property known as Block 12, Lot 9:

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 Rampacek			X			
Council Member Rutsky			X			
Council Member Shaughnessy	X		X			
Council President Sussman						X
Mayor Lowande						

RESOLUTION #153-10-20-21

AWARDING OF CONTRACT REMINGTON & VERNICK ENGINEERS FOR PROFESSIONAL SERVICES ASSOCIATED WITH THE FY2021 NJDOT MUNICIPAL AID GRANT PROGRAM

WHEREAS, the Borough of Jamesburg \$321,065.00 from the FY2021 NJDOT Municipal Aid Grant Program; and

WHEREAS, the Borough requires the engineering services of Remington & Vernick Engineers to provide the various services outlined in their November 30, 2020 letter, including but not limited to design and construction management services; and

WHEREAS, this project is being funded through the New Jersey Department of Transportation Funds; and

WHEREAS, the cost of engineering services is an eligible grant related expense and such services are at no cost to the Borough; and

WHEREAS, the cost of said engineer services shall not exceed \$64,321.00; and

WHEREAS, additional costs such as testing, permitting, etc. are not included in the not-to-exceed amount but are understood to be part-and-parcel or required services to complete the road improvement project and these costs shall be pad at the exact rate; and

WHEREAS, the CFO has Certified the Availability of Funds in account C-04-55-959-157-000; and

WHEREAS, the Mayor, Clerk and the Borough Administrator are hereby authorized to sign and documents related to this project; and

WHEREAS, a certified copy of this Resolution shall be sent to the Borough Engineer, Director of Public Works, and the Administrator/CFO.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Jamesburg that Remington & Vernick Engineers shall be awarded a contract for services related to the FY2021 NJDOT Municipal Aid Grant Program in a not-to-exceed cost of \$64,321.00.

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

RESOLUTION #154-10-20-21

Resolution of the Borough of Jamesburg Appointing Designated Employer Representative for Controlled Substances and Alcohol Use and Testing Policies for Commercial Drivers Licenses as per 49 CFR Part 382 And Authorizing the Internal Adoption of the Appropriate Rules and Regulations

WHEREAS, the United States Department of Transportation and the Federal Motor Carrier Safety Administration as mandated in 49 CFR Part 382, require every entity who employs employees with commercial driver’s licenses appoint a Designated Employer Representative who will make formal decisions regarding the approved drug and alcohol testing policy and;

WHEREAS, the D.E.R. must be authorized and empowered to take immediate action to remove employees from safety-sensitive duties if test results warrant such action and;

WHEREAS, the D.E.R. must be available 24 hours, 7 days a week in order to take immediate action; and

WHEREAS, the D.E.R. is hereby authorized to adopt internal operating procedures as per 49 CFR Part 382.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Jamesburg, County of Middlesex, State of New Jersey, that the Borough Administrator Michael Capabianco is hereby appointed as the D.E.R. and shall promulgate internal controls as federal law 49 CFR Part 382.

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

COUNCILMATIC COMMITTEE REPORTS:

- FINANCE COMMITTEE
Council Member Rampacek

Finance Report:

Our previous business administrator/CFO is still working with our current business administrator to transition our finance records and make sure all of our ledgers and documents are in good standing. As you can see from us just voting, we are working on getting all of our legal documents in order to be compliant with state laws. Also, we are implementing our purchasing policy tonight which will allow our CFO to pay statutory bills in between meetings which will ensure our payments are received by our vendors in a timely manner. This is important since we only meet monthly and often due dates fall in between our meeting dates.

Library Report:

Thank you to everyone who visited the library table during the Fire Safety Day. They had a great number of children visit their tent and take bookmarks and craft packets. The upstairs of the library is currently open, but the basement is closed until further notice. The library staff and volunteers are hard at work cleaning out and packing up the basement in order to repair damages from the storm. It will be a long process but thankfully for the volunteers, trustees, and staff members, the process is moving along. Keep checking the Library's Facebook page for announcements on different programs and activities for you and your family to take part in. Finally, there are two new programs that are available at the library. One is a birding bag which can be checked out and used to go bird watching in the area. The second is a little free library which will be a common space for a "give a book, take a book" type program.

- **EDUCATION COMMITTEE**
Council Member Shaughnessy

Councilmember Shaughnessy read the following letter which was sent to the Superintendent regarding JFK School:

We congratulate you on achieving the honor of being named a Blue-Ribbon School. John F. Kennedy Elementary school has long been a source of pride for our borough and its residents, and we are thrilled to see that it is being recognized by the Department of Education.

Our schools are a pillar of our great community, and we congratulate you on this well-deserved accolade. We thank you for consistently giving the children of Jamesburg a high-quality education. This is the result of tireless efforts by the administrators, teachers, and staff of our school district.

We recognize that this achievement is the result of the dedication and passion of so many individuals. We are, as ever, impressed by the Jamesburg Public Schools, and its ability to find the most talented and passionate educators. This effect of this award is seen throughout the borough, and it is an award in which we all take pride.

- **POLICE COMMITTEE**
Council President Sussman

Council President Sussman was absent. No report.

- **PERSONNEL COMMITTEE**
Council Member Czarneski

Co-Chair Ludas and I met with Business Administrator Capabianco on Friday, October 1st and reviewed the day to day of the Borough personnel. Administrator Capabianco provided us with updates on how things were going and his thoughts on how things can be changed for the better for the future of the Borough. We spoke again earlier today and will continue to touch base to endure everything continues to move forward with no issues.

- **PUBLIC WORKS COMMITTEE**

Council Member Rutsky

I met with Paul Intravartola last week along with his crew at our DPW yard. I was informed that the DPW building's roof has been approved for repairs.

The light bollards at Veterans Park have also been completed. Routine maintenance continues. Supervisor Intravartola reported that he looks forward to working with Mike our new BA for future borough repairs and projects.

- ENVIRONMENT/ GREEN COMMITTEE:
Council Member Ludas

The county Mosquito Control department informed me they and the county road department will be working on Pergola clearing out the culverts located behind the blacksmith shop at the Buckelew House. Sediment builds up has deepened within the culverts due to previous storms and overflow. Work is scheduled to begin on Wednesday, October 27th weather permitting and will last 1-2 weeks.

Mosquito Control is still waiting for more leaves to fall from the trees so they can obtain a clearer view of our waterways. Hopefully the drone can be sent up in November.

We have an extension on the Sustainable Jersey Sustainable Business project. This is a joint project which we are sharing with Monroe, and will begin revisiting businesses shortly.

Businesses:

All businesses affected by Henri and Ida are all re-opened and happy to be here. Please support them however you can.

- CHIEF OF POLICE
Chief Craparotta

Chief reported 8 police officers had training in September. Gun Buyback will be Saturday, October 23rd from 10-4 at the First Baptist Church of Lincoln Gardens in Somerset. On September 28th we moved Police Headquarters to 225 Gatzmer Ave (the old First Aid Building) due to mold in our old facility. A big shout out to Captain Ceras for all of his help in this transition. He did a lot of manual construction and saves us thousands. Also, a huge thank you to Guido, Paulie and JoAnn for all of their help in the move.

- ADMINISTRATOR'S REPORT
Michael Capabianco

I have a meeting next week with FEMA. Solid waste bids have been sent out. PSEG expanded their energy saving program. I met with Paulie and don Le regarding the boiler in the library. We hope to be able to upgrade it.

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

Mayor Lowande read a letter that was received from the Presbyterian Church regarding how helpful Municipal Clerk Susan Boulogne always is. The Police Station is moving along. A big thank you to the Fire Department. I have spoken to the County regarding the asphalt needing repairs between the Fire House and First Aid buildings. Thank you to Kevin Wilson for all he did for Domestic Violence Month. Halloween event coming up will be the Zombie Walk, Costume Contest and House Decorating Contest. Thank you to Peter Shaughnessy

MOTION TO ADJOURN:

Proposed By: Rampacek
Seconded By: Shaughnessy

TIME OF ADJOURNMENT: 8:05PM

Susan Boulogne
Registered Municipal Clerk
Borough of Jamesburg