

**BOROUGH OF JAMESBURG**  
**GOVERNING BODY SPECIAL VIRTUAL MEETING**  
**MINUTES**  
**November 3, 2021**  
**7:00 PM**

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**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  
Council Member Czarnaki  
Council Member Ludas  
Council Member Rampacek  
Council Member Rutsky  
Council Member Shaughnessy

Borough Attorney – Raffetto - *ABSENT*

**MOTION TO OPEN TO PUBLIC COMMENT:**

Proposed By: Shaughnessy  
Seconded By: Rampacek

No one from the public wished to speak.

**MOTION TO CLOSE TO PUBLIC COMMENT:**

Proposed By: Shaughnessy  
Seconded By: Rampacek

Borough Administrator Capabianco discussed Best Practices Inventory.

**NON-CONSENT AGENDA RESOLUTIONS:**

RESOLUTION #158-11-03-21

**APPOINTING PHOENIX ADVISORS, LLC AS THE BOROUGH'S MUNICIPAL FINANCIAL ADVISOR FOR THE REMAINDER OF 2021**

**WHEREAS**, the Borough of Jamesburg is in need of Financial Advisor services; 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**, Phoenix Advisors has submitted a proposal indicating that the firm will provide services as Municipal Financial Advisor at rates set forth in the agreement on file with the CFO and Borough Clerk; and

**WHEREAS**, the Mayor, Clerk and the Borough Administrator are hereby authorized to sign any documents related to this appointment; 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 Phoenix Advisors, LLC shall be appointed as the Municipal Financial Advisor for the remainder of 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						

- Councilwoman Ludas asked Michael if he has ever worked with these advisors before. Administrator Capabianco explained he did work with them in Little Ferry and Seaside Park.

RESOLUTION #159-11-03-21

**APPOINTING McMANIMON, SCOTLAND & BAUMANN, LLC AS THE BOROUGH'S BOND COUNSEL FOR THE REMAINDER OF 2021**

**WHEREAS**, the Borough of Jamesburg is in need of Bond Counsel; 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**, McManimon, Scotland & Baumann has submitted a proposal indicating that the firm will provide services as Municipal Financial Advisor at rates set forth in the agreement on file with the CFO and Borough Clerk; and

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

**WHEREAS**, a certified copy of this Resolution shall be sent to McManimon, Scotland & Baumann and the Administrator/CFO.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Jamesburg that McManimon, Scotland & Baumann, LLC shall be appointed as the Borough’s Bond Counsel for the remainder of 2021.

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						

- Councilwoman Ludas asked Michael if he has worked with this bond Council before. He explained that he did and Attorney Fred Raffetto has also worked with them.

RESOLUTION #160-11-03-21

**EMERGENCY AUTHORIZATION – TROPICAL STORM IDA**

**WHEREAS**, an emergency has arisen as a result of Tropical Storm Ida which occurred on September 1, 2021. Significant damage was sustained to public property owned by the Borough of Jamesburg. This emergency appropriation is being issued consistent with Executive Order #259 issued by Governor Philip Murphy on September 1, 2021, and the Federal Disaster Declaration issued by President Biden on September 5, 2021, FEMA-4614-DR-NJ; and

**WHEREAS**, N.J.S.A. 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and no provision was made in the 2021 budget for this purpose; and

**WHEREAS**, as per N.J.S.A. 40A:4-48 the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$ 188,000.00 and three (3) percent of the total operating appropriations in the budget for 2021 is \$6,284,619.00 and

**WHEREAS**, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2021,

**NOW, THEREFORE, BE IT RESOLVED**, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is hereby made for Hurricane IDA in the amount of \$188,000.00
2. That said emergency appropriation shall be provided for in full in the 2021 budget and maybe financed with Notes or Bonds as per N.J.S.A. 40A:2, and is requested to be excluded from CAPS, pursuant to N.J.S.A. 40A:4-53.3c(1)
3. That an Emergency Note not in excess of the above amount does not need to be authorized pursuant to NJS 40A:4-51 at this time

**WHEREAS**, the Borough Clerk shall provide a certified copy of this Resolution to the CFO who shall submit said Resolution and the Certification of Emergency Appropriation Form to the Director of Local Government Services as required.

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 #161-11-03-21

**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.

	<b><u>CURRENT FUND</u></b>	
<u>FROM</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
1-01-20-100-001-011	Gen Admin SW	\$6,000.00
1-01-20-165-000-046	Engineering	\$4,000.00
1-01-23-219-000-092	Health Waiver	\$3,000.00
1-01-26-290-000-026	Public Works – OE	\$8,000.00
1-01-27-340-000-011	Animal Control – SW	\$10,000.00
1-01-31-430-000-071	Electricity	\$18,300.00
<u>TO</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
1-01-20-100-000-023	Gen Admin OE	\$2.00
1-01-20-130-000-020	Finance - SW	\$4,000.00
1-01-20-130-000-023	Finance - OE	\$298.00
1-01-20-155-000-027	Legal	\$3,000.00
1-01-25-240-000-020	Police - SW	\$30,000.00
1-01-25-275-000-046	Prosecutor	\$1,500.00
1-01-26-305-000-046	Solid Waste	\$1,000.00
1-01-31-435-000-075	Street Lighting	\$2,000.00
1-01-36-472-000-715	Social Security	\$7,500.00
		\$49,300.00

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						

- Administrator Capabianco explained these transfers had to be done now since we have no November meeting. We are doing this so we don't get slammed in December. The Police have been spoken to regarding their spending.

**MOTION TO ADJOURN:**

Proposed By: Rampacek  
 Seconded By: Ludas

**TIME OF ADJOURNMENT:**                      7:12PM

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Susan Boulogne  
 Registered Municipal Clerk  
 Borough of Jamesburg