

**BOROUGH OF JAMESBURG**  
**GOVERNING BODY MEETING**  
**MINUTES**  
**MARCH 19, 2020**  
**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 Czarneski  
Council Member Ludas  
Council Member Rampacek - ***ABSENT***  
Council Member Rutsky  
Council Member Shaughnessy  
Council Member Sussman  
Administrator Frueh  
Borough Attorney – Raffetto - ***ABSENT***

**MOTION TO OPEN TO PUBLIC COMMENT:**

Proposed By: Sussman  
Seconded By: Ludas

No one from the public was in attendance.

**MOTION TO CLOSE TO PUBLIC COMMENT:**

Proposed By: Sussman  
Seconded By: Shaughnessy

**INTRODUCTION TO THE 2020 MUNICIPAL BUDGET:**

Municipal Clerk Susan Boulogne read the Municipal Budget Notice. After introduction of the budget several Council Members had questions regarding the budget. Administrator Frueh answered their questions.

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

**ORDINANCES – FIRST READING BY TITLE ONLY: Public Hearing April 15, 2020**

**ORDINANCE #04-20**

**AN ORDINANCE OF THE BOROUGH OF JAMESBURG AMENDING AND SUPPLEMENTING CHAPTER IV, ENTITLED “GENERAL LICENSING,” OF THE “CODE OF THE BOROUGH OF JAMESBURG,” IN ORDER TO ESTABLISH A NEW SECTION THEREOF, TO BE KNOWN AS SECTION 4-12, ENTITLED “MOBILE RETAIL FOOD ESTABLISHMENTS.”**

**WHEREAS**, the Borough of Jamesburg (the “Borough”) encourages the growth of mobile retail food establishments within the Borough while regulating the side effects of this growing industry, such as parking, traffic and waste disposal; and

**WHEREAS**, this Ordinance seeks to regulate mobile retail food establishments through the annual issuance of licenses, which will assist the Borough with record keeping and address other issues related to such businesses; and

**WHEREAS**, the Mayor and Council of the Borough believe that the within Ordinance will further the health, safety and welfare of the Borough and its residents.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Jamesburg, County of Middlesex, State of New Jersey, that the “Code of the Borough of Jamesburg” is hereby amended and supplemented in order to establish a new Section thereof to be known as Section 4-12, entitled “Mobile Retail Food Establishments,” as follows:

**CHAPTER IV GENERAL LICENSING**

**4-12 MOBILE RETAIL FOOD ESTABLISHMENTS.**

**4-12.1 Purpose.**

The purpose of this section is to properly control mobile retail food establishments in order to prevent and discourage undesirable business practices; to help protect the public from fraud; to permit the activity regulated to a limited degree in consideration of the density of population, size of streets and public rights-of-way; and to promote the health, safety and welfare of the residents of the Borough of Jamesburg.

#### **4-12.2 Definitions.**

As used in this section:

*Mobile Retail Food Establishment* shall mean any movable restaurant, truck, van, trailer, cart, bicycle or other motor vehicle or movable unit in or on which food or beverage is transported, stored or prepared for retail sale at temporary locations.

*Motor Vehicle* as defined under New Jersey motor vehicle laws, shall mean any vehicle propelled or drawn by mechanical or electrical equipment used for transportation of people or goods.

*Person* shall mean an individual, partnership, corporation, trust, joint venture, association, society, church, congregation or other organization.

*Sale* shall mean the act of selling, holding out for sale, exchange, transfer, advertising or delivery.

#### **4-12.3 License Required; Number Limited.**

No person shall operate a mobile retail food establishment within the Borough of Jamesburg except in compliance with the provisions of this section. With the exception of Borough authorized special events, it shall be unlawful for any person to conduct a mobile retail food establishment in the Borough unless they have been issued a license pursuant to this section. Licenses shall be issued on a first-come, first-served basis by the Borough. The number of licenses that may be issued and in effect during any twelve-month period shall not exceed three (3). No person shall be issued more than one (1) license.

#### **4-12.4 Location.**

Any mobile retail food establishment that is issued a license pursuant to this section shall be assigned a specific location for the operation of its business by the Borough. With the exception of Borough authorized special events, licensed mobile retail food establishments shall not be permitted to operate at any location(s) within the Borough other than that which is specified as part of its license.

#### **4-12.5 Size of Vehicle.**

Mobile retail food establishments shall be limited in size to a maximum length of thirty (30) feet.

#### **4-12.6 Application for License.**

- a. Application for a license for a mobile retail food establishment shall be made, in writing, on a form to be provided by the Borough of Jamesburg. It shall require that the applicant and every employee shall provide two (2) photographs, taken within thirty (30) days of the application, of a size approximately 2 ½ inches by 2 ½ inches on thin paper having a white or beige background clearly showing a frontal view of the applicant's face and his/her employee's face, one of which is to be attached or posted to the application.
- b. In addition, such application for license shall require that the applicant provide the following information:
  1. Name of applicant. If the applicant is an entity other than a natural person, then the name of the primary individual who shall be operating the mobile retail food establishment shall be provided, and the responses set forth below shall relate to said individual.
  2. Specific address for the past three (3) years.
  3. Date and place of birth and citizenship.
  4. Arrests or convictions, within the past ten (10) years, of any crime or disorderly persons offense, or of any municipal ordinance or regulation.
  5. Description of all items to be sold.
  6. Description of trailer, vehicle or other unit to be used; photo, current vehicle insurance, liability insurance and registration for the trailer, vehicle or other unit to be utilized.
- c. The application shall be accompanied by payment of the license fee specified in subsection 4-12.7 below.

#### **4-12.7 License Term and Fees.**

- a. The term of each license issued under this section shall be for one (1) year. Licenses may be renewed for successive annual terms during the time period between January 1<sup>st</sup> and January 31<sup>st</sup> of each year.
- b. There shall be an annual fee for each license in the amount of Five Hundred Dollars (\$500.00), which fee shall not be prorated. The annual fee shall be in addition to all other required fees, including but not limited to the fees

associated with a food handler's license, fire inspection and County Health Sanitation.

#### **4-12.8 Investigation; Issuance of License; and Appeal.**

- a. Each application for a license shall be made to the Zoning Officer of the Borough of Jamesburg, who shall review the application to confirm that it is complete in all respects, including payment of the required license fee.
- b. Once the Zoning Officer has determined that an application is complete, then he/she shall forward same to the Police Department for an investigation.
- c. Upon satisfactory completion of the Police Department investigation, the license shall be issued to the applicant by the Municipal Clerk. If the investigation produces unsatisfactory findings, then the applicant shall be notified of the denial of its application and the reason(s) therefor.
- d. Any unsuccessful applicant may file an appeal to the Mayor and Council within ten (10) days following the applicant's receipt of a written notice of denial from the Borough. The Mayor and Council's determination shall be final and binding upon the applicant.

#### **4-12.9 Contents, Display and Transfer of License.**

- a. Each license issued by the Municipal Clerk shall set forth the specific type(s) of food and beverage(s) authorized to be sold, the location for the same, the name of each employee and the expiration date of the license.
- b. No person shall engage in any activity except that which is permitted under the license and at the location specified therein. Upon granting of the license, each licensee shall be required to prominently display said license on the trailer, vehicle or other unit employed to transact its business.
- c. No license may be transferred from one person or entity to another.

#### **4-12.10 General Regulations.**

- a. The hours of operation associated with each license shall be from 10:00 a.m. to 3:00 p.m. from Mondays through Fridays.
- b. No licensee shall transact business on Saturday or Sunday.
- c. No licensee shall transact business from its vehicle unless it is properly parked in the approved location.
- d. No licensee shall park a vehicle overnight at the approved location.

- e. No licensee shall operate at any location other than the specific location specified as part of its license.
- f. The service window associated with all mobile retail food establishments shall face the grass (curb line) on West Railroad Avenue.
- g. All mobile retail food establishments shall be responsible for all garbage created by their establishment and for removal of said garbage on a daily basis.
- h. There shall be no additional signage permitted, with the exception of vehicle markings.
- i. All mobile retail food establishments must comply with all federal, State, county and local laws, as well as all zoning laws.
- j. The above regulations may be relaxed by the Borough in connection with Borough authorized special events.

#### **4-12.11 Inspection and Certification.**

All mobile retail food establishments must, in addition to obtaining a license, be licensed by the Middlesex County Board of Health. Such Board of Health certification must be displayed to the public and renewed annually.

#### **4-12.12 Reapplication and Recertification.**

Each licensee may reapply to the Zoning Officer for a new license for the successive year, between January 1<sup>st</sup> and January 31<sup>st</sup> of the following year. The applicant must recertify the information contained in its initial application and/or complete a new application in order to provide new information. After January 31<sup>st</sup>, where an applicant fails to reapply, licenses will become available on a first-come, first-served basis to others.

#### **4-12.13 Violations and Penalties.**

Any person, firm, corporation, partnership or other entity violating any provisions of this section or any regulations promulgated by the Borough of Jamesburg pursuant hereto shall be subject to the penalties set forth in section 1-5 of the Borough Code. Each and every violation and nonconformance with this chapter on each day that any provision of this section shall have been violated shall be construed as a separate offense.

**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 Chapter IV, entitled “General Licensing,” shall remain in full force and effect except as modified hereunder. All parts and provisions of any Ordinance which are inconsistent with the provisions of this Ordinance shall be repealed to the extent of such inconsistency.

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

**RECORD OF VOTE**

FIRST READING DATE: March 19, 2020

COUNCIL MEMBER	MOTION	2 <sup>ND</sup>	VOTE
Council Member Ludas		X	X
Council Member Rampacek			
Council Member Rutsky			X
Council Member Shaughnessy	X		X
Council Member Sussman			X
Council President Czarneski			

**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 #029-03-19-20\*\*

**AUTHORIZING AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES**

**WHEREAS**, the Borough of Jamesburg has a need to retain an engineer to serve as the Borough Engineer for the year 2020 and to provide professional engineering services; and

**WHEREAS**, the Purchasing Official has determined and certified in writing that the value of this contract shall exceed \$17,500, and therefore the contract is subject to the provisions of the State’s Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, *et seq.*; and

**WHEREAS**, the firm of Remington & Vernick Engineers, has submitted a proposal to perform the necessary engineering services; and

**WHEREAS**, this contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(I), because engineering services are a recognized profession licensed and regulated by law; and

**WHEREAS**, Remington & Vernick Engineers has completed and submitted a Business Entity Disclosure Certification pursuant to the Local Unit Pay-to-Play law (specifically, at N.J.S.A. 19:44A-20.8), which certifies that Remington & Vernick Engineers has not made any reportable contributions to a political or candidate committee in the Borough of Jamesburg in the previous year, and that the contract will prohibit Remington & Vernick Engineers from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Local Public Contracts Law authorizes the awarding of a contract for “professional services” without public advertising for bids and bidding therefor, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

**WHEREAS**, the Borough Chief Financial Officer has certified to the availability of funds for this contract.

**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 is authorized to execute and the Borough Clerk to attest the attached Agreement between the Borough of Jamesburg and Remington & Vernick Engineers regarding the above-referenced professional engineering services.
2. That this contract is awarded without competitive bidding as a "Professional Service" 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 persons authorized by law to practice a recognized profession and it is not possible to obtain bids for such needed qualitative services.
3. That notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.
4. That a certified copy of this Resolution shall be provided to each of the following:
  - a. Remington & Vernick Engineers
  - b. Scott Frueh, Borough Administrator

**RESOLUTION #029-03-19-20\*\***

**AUTHORIZING AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES**

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



RESOLUTION #057-03-19-20\*\*

**RESOLUTION ACCEPTING MONTHLY REPORTS**

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

Investment Report	February 2020
Finance Report	February 2020
Report of the Tax Collector	February 2020
Report of the Sewer Administrator	February 2020

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

RESOLUTION #058-03-19-20\*\*

**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 \$843,240.44.

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

RESOLUTION #062-03-19-20\*\*

**APPOINT CROSSING GUARDS**

I, MARLENE LOWANDE, MAYOR, WITH THE ADVICE AND CONSENT OF THE BOROUGH COUNCIL DO HEREBY APPOINT THE FOLLOWING AS FULL-TIME CROSSING GUARD EFFECTIVE MARCH 11, 2020

THOMAS F. COOPER – FULL TIME

JOHN WOJCIK – PART TIME

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

**NON-CONSENT AGENDA RESOLUTIONS:**

RESOLUTION #055-03-19-20

**TEMPORARY EMERGENCY APPROPRIATION**

**WHEREAS**, an emergent condition has arisen with respect to certain mandatory expenses due to the delay of the adoption of the budget and no adequate provision has been made in the 2020 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

**WHEREAS**, the total emergency temporary resolutions adopted in the year 2020 pursuant to the provisions of Chapter 96 P.L. 1951(N.J.S.A. 40A:4-20) including this resolution total \$ 913,632.00

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Jamesburg, that in accordance with the provisions of N.J.S.A.40A:4-20 that emergency temporary appropriations be and the same is hereby made for the following appropriations:

	Code	Salary & Wages	Code	Other Expenses	Total
General Admin.	100.011		100.021	10,000.00	10,000.00
Municipal Clerk	120.011	4,500.00	120.020	1,300.00	5,800.00
Financial Admin	130.011	7,500.00	130.020		7,500.00
Collection of Taxes	145.011	1,300.00	145.021	800.00	2,100.00
Assessment of Taxes	150.011	1,700.00	150.02		1,700.00
Planning Board	180.012	1,500.00	180.02		1,500.00
Zoning Officer	205.011	3,500.00	205.022		3,500.00
Liability Insurance			210.094	7,000.00	7,000.00
Health Wavier			219.092	1,000.00	1,000.00
Police	240.011	150,000.00	240.02	30,200.00	180,200.00
Fire Prevention	264.011	2,000.00	264.025	2,100.00	4,100.00
Public Works	290.011	40,225.00	290.025	4,500.00	44,725.00
Solid Waste Removal			305.02	10,000.00	10,000.00
Board of Health	330.011	200.00	330.02		200.00
Animal Control	340.011	1,400.00	340.02		1,400.00
Electricity			430.071	10,000.00	10,000.00
Street Lighting			435.075	10,000.00	10,000.00
Telephone			440.02	10,000.00	10,000.00
Water & Sewer			445.072	2,000.00	2,000.00
Heating Oil			446.070	2,000.00	2,000.00
Natural Gas			446.117	2,000.00	2,000.00
PERS			471.114	119,127.00	119,127.00
Social Security			472.115	20,000.00	20,000.00
PFRS			475.114	414,180.00	414,180.00
Municipal Court	490.011	6,000.00	490.022	2,900.00	8,900.00
Dispatch	491.011	12,000.00	491.026	1,000.00	13,000.00
Total Current		231,825.00		640,107.00	891,932.00
Sewer Operating	501.011	20,000.00	502.02	1,700.00	21,700.00
Grand Total		251,825.00		641,907.00	913,632.00

**BE IT FURTHER RESOLVED**, that said emergency temporary appropriation will be provided for in the 2020 budget of the Borough of Jamesburg under the aforementioned titles.

**FURTHER**, that a certified copy of this resolution be forwarded to the Director of the Division of Local Government Services.

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

RESOLUTION # 056-03-19-20

**AUTHORIZING SUBMISSION OF GRANT APPLICATION AND AUTHORIZING THE MAYOR TO EXECUTE THE GRANT AGREEMENT WITH NEW JERSEY AMERICAN WATER COMPANY FOR AN ENVIRONMENTAL GRANT**

**WHEREAS**, the Borough of Jamesburg wishes to apply to the New Jersey American Water Environmental Grant to restore and protect our watersheds and water supplies in the Borough of Jamesburg

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Jamesburg, County of Middlesex, New Jersey formally approves the grant application to New Jersey American Water for the Environmental Grant.

**BE IT FURTHER RESOLVED**, that the Mayor and the Borough Administrator are hereby authorized to submit the grant to New Jersey American Water.

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Administrator are hereby authorized to sign the grant agreement on behalf of the Borough of Jamesburg and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

**SELF-EXAMINATION OF BUDGET RESOLUTION**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Jamesburg has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2020 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Jamesburg that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption

**RESOLUTION #059-03-19-20**

**SELF-EXAMINATION OF BUDGET RESOLUTION**

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

- Resolution #059-03-19-20 was approved with a minor change. The 3<sup>rd</sup> Whereas read 2017, it was changed to 2020.

RESOLUTION #060-03-19-20

**RESOLUTION ACCEPTING LENGTH OF SERVICE AWARD PROGRAM LIST OF ACTIVE VOLUNTEER MEMBERS**

**WHEREAS**, pursuant to Section 16-3.7OF Chapter VXi (Length of Service Awards Program) of the “Revised General Ordinances of the Borough of Jamesburg, New Jersey (2000)”, the Emergency Service Organization (Jamesburg Volunteer First Aid Squad) is to certify a list of active volunteer members who are eligible to participate in the plan to the Plan Administrator; and

**WHEREAS**, the Plan Administrator is to forward said certified list to the Mayor and Council for approval; and

**WHEREAS**, in accordance with the aforementioned citation, the Emergency Service Organization has certified a list of eligible members to the Plan Administrator, a copy of which is attached hereto and made a part hereof.

**NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED**, that the Mayor and Council of the Borough of Jamesburg grant approval of the attached list of active volunteer members of the Jamesburg Volunteer First Aid Squad for eligibility in the Length of Service Awards Program.

**LIST OF ACTIVE VOLUNTEER MEMBERS ELIGIBLE TO PARTICIPATE IN LOSAP**

Andrew VanWart  
Mallorie Murawski  
Michael Dolce

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

RESOLUTION #061-03-19-20

**RESOLUTION ACCEPTING MINUTES**

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

*MAYOR AND COUNCIL*

FEBRUARY 19, 2020

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

RESOLUTION # 063-03-19-20

**RESOLUTION CERTIFYING THE TAX LEVY FOR THE JAMESBURG FIRE DISTRICT NO. 1 FOR THE YEAR 2020, BY THE GOVERNING BODY OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

**WHEREAS**, voters of the Borough of Jamesburg in a duly held election on February 15, 2020, did fail to approve the Fire District Amount to be Raised by Taxation for the year 2020; and

**WHEREAS**, N.J.S.A. 40A:14-78.5 requires the Governing Body of the Borough of Jamesburg to determine and certify the amount to be raised by taxation to support the district budget to the assessor of the municipality, pursuant to N.J.S.A. 40A:14-79; and

**WHEREAS**, the Governing Body has determined the amount necessary to be appropriated.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Jamesburg, County of Middlesex, New Jersey, that the following determination is made:

The amount to be raised by taxation for the Jamesburg Fire District No. 1 2020 Budget is \$463,000.00

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

- The Fire District Budget was a tie vote. This included mail-in-votes. The council is to vote to pass. There is a zero-dollar increase. Councilmember Rutsky would like to campaign for more mail in ballots. This Election is held on a Holiday weekend every year and a lot of residents seem to be away.

RESOLUTION # 064-03-19-20

**AUTHORIZING THE BOROUGH TO ENTER INTO A DEVELOPER’S AGREEMENT RELATING TO THE PROPERTY KNOWN AND DESIGNATED AS BLOCK 37, LOT 3.01 (79 EAST RAILROAD AVENUE)**

**WHEREAS**, on September 6, 2018, the Jamesburg Borough (the “Borough”) Combined Land Use Board adopted Resolution #14-18 (the “Resolution”), which granted preliminary and final site plan approval (the “approval”) to Alla Krutyansky (the “developer”) to permit the conversion of an existing retail store to a mental health clinic and professional office (the “development”) relating to the property known and designated as Block 37, Lot 3.01 on the Tax Map of the Borough of Jamesburg, which is located at 79 East Railroad Avenue (the “property”); and

**WHEREAS**, the Resolution contained a number of conditions as part of the approval, including the following: “The applicant shall pave the 10’ alley and provide one way signage per the typical Borough cross section, if allowed by Council”; and

**WHEREAS**, in order to fulfill said condition, the developer and the Borough have prepared a proposed Developer’s Agreement and Deed Restriction relating to the property, which contain terms and



conditions associated with the improvements to be constructed to the alleyway behind the development; and

**WHEREAS**, a copy of the Developer’s Agreement is attached hereto and made a part hereof.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Jamesburg that the attached Developer’s Agreement, or one which is substantially similar thereto and in a form which meets with the approval of the Borough Attorney, is hereby approved.

**BE IT FURTHER RESOLVED**, that the Mayor is hereby authorized to execute and the Borough Clerk to attest the attached Developer’s Agreement, or one which is substantially similar thereto and in a form which meets with the approval of the Borough Attorney, on behalf of the Borough.

**BE IT FURTHER RESOLVED**, that all relevant Borough officials are hereby authorized and directed to perform all actions that are necessary in order to facilitate the execution of the attached Developer’s Agreement, or one which is substantially similar thereto and in a form which meets with the approval of the Borough Attorney, and the associated Deed Restriction which shall be signed by the developer, along with the recording of said documents with the Middlesex County Clerk’s office so that the requirements contained therein shall run with the land and be binding upon the current owner, as well as all successors in title and/or assigns of the subject property.

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution shall be provided to each of the following:

- a. Jamesburg Borough Combined Land Use Board;
- b. Michael Balint, Esq., Land Use Board Attorney;
- c. Scott Frueh, Borough Administrator;
- d. Frederick C. Raffetto, Esq., Borough Attorney; and
- e. Water Toto, Esq., Applicant’s Attorney.

RESOLUTION #064-03-19-20

**AUTHORIZING THE BOROUGH TO ENTER INTO A DEVELOPER’S AGREEMENT RELATING TO THE PROPERTY KNOWN AND DESIGNATED AS BLOCK 37, LOT 3.01 (79 EAST RAILROAD)**

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

- No Committee Reports.

**MOTION TO ADJOURN:**

Proposed By: Sussman

Seconded By: Shaughnessy

**TIME OF ADJOURNMENT:**

7:30PM

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Susan Boulogne  
Registered Municipal Clerk  
Borough of Jamesburg