

**BOROUGH OF JAMESBURG**  
**GOVERNING BODY VIRTUAL MEETING**  
**MINUTES**  
**JUNE 16, 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  
Administrator Frueh  
Borough Attorney – Raffetto

**MOTION TO OPEN TO PUBLIC COMMENT:**

Proposed By: Sussman  
Seconded By: Ludas

No one from the public wished to speak.

**MOTION TO CLOSE TO PUBLIC COMMENT:**

Proposed By: Shaughnessy  
Seconded By: Rampacek

## **INTRODUCTION TO THE 2020 MUNICIPAL BUDGET:**

Municipal Clerk Susan Boulogne read the Municipal Budget Notice. Administrator Frueh explained revenue had increased. We will be receiving \$125,000 from the American Rescue Plan and \$108,000 from the CARES Act for reimbursement of expenses from 2020. The increase to tax payers will be 3.34 cents. This increase for a home valued at \$150,000 will be approximately \$50.00 per year.

There was \$25,000 set aside for Monroe First Aid. Typically, a shared service agreement would be more than that. We want to start somewhere. Eventually we could go into a shared service agreement with Monroe First Aid. The reason for this is that our First Aid is not available 24/7.

Administrator Frueh explained our shared service agreement with Spotswood for a full-time violations clerk. We hired someone; she will be starting full time on July 19<sup>th</sup>. We pay ½ the salary and ½ the health benefits. The pension will be 2 years behind.

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			X
Mayor Lowande			

The budget passed on the 1<sup>st</sup> reading. The public hearing will be July 21, 2021.

## **ORDINANCE FIRST READING BY TITLE – Public Hearing July 21, 2021**

### **ORDINANCE #08-21**

**AN ORDINANCE PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE BOROUGH OF JAMESBURG IN MIDDLESEX COUNTY, NEW JERSEY, AND AMENDING AND SUPPLEMENTING SECTION 27-24, ENTITLED “PROHIBITED USES IN ALL DISTRICTS,” OF CHAPTER 27, “LAND DEVELOPMENT/ZONING,” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF JAMESBURG.”**

**WHEREAS**, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

**WHEREAS**, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

**WHEREAS**, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchase’s items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

**WHEREAS**, section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location, manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

**WHEREAS**, section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

**WHEREAS**, section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and

**WHEREAS**, pursuant to section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

**WHEREAS**, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

**WHEREAS**, the Borough Council of the Borough of Jamesburg (the “Borough”), in the County of Middlesex, and State of New Jersey, has determined that, due to present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on New Jersey municipalities in general, and on the Borough in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of the Borough’s residents and members of the public who visit, travel, or conduct business in the Borough, to prohibit all manner of marijuana-related land use and development within the geographic boundaries of the Borough, and to amend the Borough’s zoning regulations accordingly; and

**WHEREAS**, officials from two prominent non-profit organizations that have been established for the purpose of advising New Jersey municipalities on legal matters such as have been presented by the Act (those organizations being the New Jersey State League of Municipalities and the New Jersey Institute of Local Government Attorneys) have strongly urged that, due to the complexity and novelty of the Act; the many areas of municipal law that are or may be implicated in decisions as to whether or to what extent cannabis or medical cannabis should be permitted for land use purposes or otherwise regulated in any particular municipality; and the relatively short duration in which the Act would allow such decisions to be made before imposing an automatic authorization of such uses in specified zoning districts subject to unspecified conditions, the most prudent course of action for all municipalities, whether or not generally in favor of cannabis or medical cannabis land development and uses, would be to prohibit all such uses within the Act’s 180-day period in order to ensure sufficient time to carefully review all aspects of the Act and its impacts.

**NOW, THEREFORE, BE IT ORDAINED**, by the Borough Council of the Borough of Jamesburg (the “Borough”), in the County of Middlesex and State of New Jersey, as follows:

SECTION 1. That, pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16) (the “Act”), all cannabis establishments, cannabis distributors and/or cannabis delivery services, as those terms are defined in the Act, are hereby prohibited from locating and/or operating anywhere within the geographical boundaries of the Borough, except that the delivery of cannabis items and related supplies by a

delivery service within the Borough shall be permitted.

SECTION 2. That Section 27-24, entitled “Prohibited Uses in all districts,” of Chapter 27, “Land Development/Zoning,” of “The Revised General Ordinances of the Borough of Jamesburg” (the “Borough Code”) is hereby amended and supplemented as follows (additions are shown with underline; deletions are shown with ~~strikeout~~):

27-24 Prohibited Uses in all districts.

All uses not expressly permitted by this Ordinance are prohibited in all districts (unless permitted by conditional use permit as elsewhere in this Ordinance provided), such prohibition to include but not be limited to the following:

- A. Adult Entertainment Uses.
- B. Drug Paraphernalia Stores.
- C. Junk Shops.
- D. Junk yard.
- E. Massage Parlors.
- F. Mobile Homes.
- G. Any use which, pursuant to the standards set forth in this Ordinance emits excessive or objectionable amounts of dust, fumes, noise, odor, smoke, vibrations or waste products.
- H. The use of any portable building or structure, stationary vehicle or stand of any description for the purpose of displaying or selling of food, merchandise or commodities of any kind.
- I. The use of a building or structure of a temporary nature on any lot or parcel of land for living or sleeping purposes in any district on either a temporary or permanent basis.
- J. Billboards.
- K. The conversion of single-family detached dwellings into two- or multi-family dwellings.
- L. The location and/or operation of all classes of cannabis establishments or cannabis distributors or cannabis delivery services, as said terms are defined in section 3 of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16) (the “Act”), but not the delivery of cannabis items and related supplies by a delivery service within the

geographical boundaries of the Borough. This prohibition is adopted pursuant to the authority set forth in section 31b of the Act.

**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 27, entitled “Land Development/Zoning,” 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.

#### **Ordinance #08-21 – Discussion:**

Borough Attorney Fred Raffetto explained this Ordinance is a standard opt out Ordinance. The NJLM gave a 180-day period to opt out. This expires August 20, 2021. A number of towns are opting out. The time period given is not sufficient to review. You can opt out now, then once you learn more about it, you can opt back in at any time. If you chose to opt in now, you are locked in for 5 years. The planning board has to review any new ordinance, if you chose to opt in tonight, it would be aggressive to have an Ordinance ready in 2 weeks, then have to put together a special meeting for the Land Use Board.

Mayor Lowande discussed if we ban tonight, this will give us more time. It takes time to complete an Ordinance. You have to make sure all information is added. All questions need to be answered. She feels we need more time to consider this.

There was discussion amongst all the council members. The biggest items were the revenue it could bring to the town and not wanting to turn away a business that is looking to come into town. The cultivator that spoke at one of our previous meetings caught the attention of several council members. Having a cultivator wouldn't bring the traffic into town that a dispensary would bring in.

Council member Rampacek would like to opt out to give us more time to get more details together. . She would like more information on the cultivator. She is asking the council to opt out now, if we don't opt out and the Land Use board has change to Ordinance, we don't have the time. We can invite the cultivator back to speak again so we can learn more about what he does.

## RECORD OF VOTE

FIRST READING DATE: June 16, 2021

DATE PUBLISHED:

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		
Council President Sussman	X			X		
Mayor Lowande						

## 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 #076-6-16-21\*\*

## RESOLUTION ACCEPTING MINUTES

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

MAYOR AND COUNCIL

May 19, 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			
Council President Sussman	X		X			
Mayor Lowande						

RESOLUTION #077-06-16-21\*\*

**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	May 2021
Finance Report	May 2021
Report of the Tax Collector	May 2021
Report of the Sewer Administrator	May 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			
Council President Sussman	X		X			
Mayor Lowande						

RESOLUTION #078-06-16-21\*\*

**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 \$263,465.62.



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			
Council President Sussman	X		X			
Mayor Lowande						

RESOLUTION #082-06-16-21\*\*

**APPROVING LIQUOR LICENSE RENEWAL FOR JAMESBURG VOLUNTEER FIRE DEPARTMENT**

**WHEREAS**, an application has been submitted, with the proper documentation as required by the New Jersey State Division of Alcoholic Beverage Control, by the Jamesburg Volunteer Fire Department for the renewal of a Liquor License #1208-31-010-001 for the 2021-2022 license year; and

**WHEREAS**, the Municipal Clerk has reviewed said application and has deemed it to be complete; and

**WHEREAS**, the corresponding fees were submitted with the applications for renewal of the aforementioned license:

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Jamesburg, County of Middlesex, State of New Jersey, that approval be and is hereby granted for the renewal of the above referenced Liquor License.

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			
Council President Sussman	X		X			
Mayor Lowande						

RESOLUTION #083-06-16-21\*\*

**APPROVING LIQUOR LICENSE RENEWAL FOR AAYUSHI, INC. (VILLAGE LIQUOR)**

**WHEREAS**, an application has been submitted, with the proper documentation as required by the New Jersey State Division of Alcoholic Beverage Control, by Aayushi, Inc. for the renewal of a Liquor License #1208-44-006-007 for the 2021-2022 license year; and

**WHEREAS**, the Municipal Clerk has reviewed said application and has deemed it to be complete; and

**WHEREAS**, the corresponding fees were submitted with the applications for renewal of the aforementioned license:

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Jamesburg, County of Middlesex, State of New Jersey, that approval be and is hereby granted for the renewal of the above referenced Liquor License.

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			
Council President Sussman	X		X			
Mayor Lowande						

RESOLUTION #084-06-16-21\*\*

**APPROVING LIQUOR LICENSE RENEWAL FOR BENEVOLENT & PROTECTIVE ORDER OF ELKS #2180**

**WHEREAS**, an application has been submitted, with the proper documentation as required by the New Jersey State Division of Alcoholic Beverage Control, by Benevolent & Protective Order of Elks #2180 for the renewal of a Liquor License #1208-31-008-002 for the 2021--2022 license year; and

**WHEREAS**, the Municipal Clerk has reviewed said application and has deemed it to be complete; and

**WHEREAS**, the corresponding fees were submitted with the applications for renewal of the aforementioned license:

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Jamesburg, County of Middlesex, State of New Jersey, that approval be and is hereby granted for the renewal of the above referenced Liquor License.

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			
Council President Sussman	X		X			
Mayor Lowande						

RESOLUTION #085-06-16-21\*\*

**APPROVING LIQUOR LICENSE RENEWAL FOR DOMENICO MUSSO**

**WHEREAS**, an application has been submitted, with the proper documentation as required by the New Jersey State Division of Alcoholic Beverage Control, by Domenico Musso, for the renewal of a Liquor License #1208-33-005-009 for the 2021-2022 license year; and

**WHEREAS**, the Municipal Clerk has reviewed said application and has deemed it to be complete; and

**WHEREAS**, the corresponding fees were submitted with the applications for renewal of the aforementioned license:

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Jamesburg, County of Middlesex, State of New Jersey, that approval be and is hereby granted for the renewal of the above referenced Liquor License.

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			
Council President Sussman	X		X			
Mayor Lowande						

RESOLUTION #086-06-16-21\*\*

**APPROVING LIQUOR LICENSE RENEWAL FOR KARAN PURVA INC**

**WHEREAS**, an application has been submitted, with the proper documentation as required by the New Jersey State Division of Alcoholic Beverage Control, by Karan Purva Inc., for the renewal of a Liquor License #1208-44-001-003 for the 2021-2022 license year; and

**WHEREAS**, the Municipal Clerk has reviewed said application and has deemed it to be complete; and

**WHEREAS**, the corresponding fees were submitted with the applications for renewal of the aforementioned license:

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Jamesburg, County of Middlesex, State of New Jersey, that approval be and is hereby granted for the renewal of the above referenced Liquor License.

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			
Council President Sussman	X		X			
Mayor Lowande						

RESOLUTION #087-06-16-21\*\*

**APPROVING LIQUOR LICENSE RENEWAL FOR BOVINE BURGERS INC.**

**WHEREAS**, an application has been submitted, with the proper documentation as required by the New Jersey State Division of Alcoholic Beverage Control, by Bovine Burgers Inc. for the renewal of a Liquor License #1208-33-004-002 for the 2021-2022 license year; and

**WHEREAS**, the Municipal Clerk has reviewed said application and has deemed it to be complete; and

**WHEREAS**, the corresponding fees were submitted with the applications for renewal of the aforementioned license:

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Jamesburg, County of Middlesex, State of New Jersey, that approval be and is hereby granted for the renewal of the above referenced Liquor License.

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			
Council President Sussman	X		X			
Mayor Lowande						

RESOLUTION #088-06-16-21\*\*

**APPROVING LIQUOR LICENSE RENEWAL FOR DON PEPE PERUVIAN BR & GRILL CORP.**

**WHEREAS**, an application has been submitted, with the proper documentation as required by the New Jersey State Division of Alcoholic Beverage Control, by Don Pepe Peruvian Bar & Grill Corp. for the renewal of a Liquor License #1208-33-003-010 for the 2021-2022 license year; and

**WHEREAS**, the Municipal Clerk has reviewed said application and has deemed it to be complete; and

**WHEREAS**, the corresponding fees were submitted with the applications for renewal of the aforementioned license:

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Jamesburg, County of Middlesex, State of New Jersey, that approval be and is hereby granted for the renewal of the above referenced Liquor License.

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			
Council President Sussman	X		X			
Mayor Lowande						

## **NON-CONSENT AGENDA RESOLUTIONS:**

### **RESOLUTION #075-06-16-21**

#### **RESOLUTION AUTHORIZING THE DISPOSITION OF SEIZED PROPERTY**

**WHEREAS**, the Motor Vehicles and Traffic Regulations, N.J.S.A. 39:3-40.3 et seq., provides for the disposition of vehicles which have been seized; and

**WHEREAS**, there is a vehicle which has been seized for more than thirty (30) business days in the Borough of Jamesburg; and

**WHEREAS**, all applicable checks and forms have been completed pursuant to the Statute by the Borough of Jamesburg Police Department; and

**WHEREAS**, the Borough of Jamesburg wishes to auction the vehicle in accordance with the Statute; and

**WHEREAS**, the Borough of Jamesburg will participate in an online Auction.

**NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED**, by the Mayor and Council of the Borough of Jamesburg that the seized vehicle contained on the list below are hereby declared seized and not needed for public use;

**BE IT FURTHER RESOLVED**, that the Borough Purchasing Official is hereby authorized to dispose of the property in accordance with the law.

2007 Dodge Charger - 2B3KA43H17H817578

<b>COUNCIL MEMBER</b>	<b>MOTION</b>	<b>2nd</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
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						

RESOLUTON #079-06-16-21

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR TRASH REIMBURSEMENT BETWEEN THE BOROUGH OF JAMESBURG AND SCP JAMESBURG, LLC (23 LAKE STREET)**

**WHEREAS**, THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG WISH TO ENTER INTO A TRASH REIMBURSEMENT AGREEMENT WITH SCP JAMESBURG, LLC (23 LAKE STREET) IN ORDER TO COMPLY WITH CHAPTER 26 OF THE LAWS OF THE STATE OF NEW JERSEY (SIGNED INTO LAW MAY 11, 2000); AND

**WHEREAS**, THE BOROUGH OF JAMESBURG AND SCP JAMESBURG, LLC (23 LAKE STREET) HAVE AGREED TO THE TERMS OF THE ATTACHED CONTRACT.

**NOW, THEREFORE BE IT RESOLVED**, THAT THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY APPROVE OF THE ATTACHED AGREEMENT BETWEEN THE BOROUGH OF JAMESBURG AND SCP JAMESBURG, LLC (23 LAKE STREET).

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

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

RESOLUTION #080-06-16-21

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR TRASH REIMBURSEMENT BETWEEN THE BOROUGH OF JAMESBURG AND SCP JAMESBURG, LLC (DAYTON ROAD)**

**WHEREAS**, THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG WISH TO ENTER INTO A TRASH REIMBURSEMENT AGREEMENT WITH SCP JAMESBURG, LLC (DAYTON ROAD) IN ORDER TO COMPLY WITH CHAPTER 26 OF THE LAWS OF THE STATE OF NEW JERSEY (SIGNED INTO LAW MAY 11, 2000); AND

**WHEREAS**, THE BOROUGH OF JAMESBURG AND SCP JAMESBURG, LLC (DAYTON ROAD) HAVE AGREED TO THE TERMS OF THE ATTACHED CONTRACT.

**NOW, THEREFORE BE IT RESOLVED**, THAT THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY APPROVE OF THE ATTACHED AGREEMENT BETWEEN THE BOROUGH OF JAMESBURG AND SCP JAMESBURG, LLC (DAYTON ROAD).

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

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

RESOLUTION #081-06-16-21

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR TRASH REIMBURSEMENT BETWEEN THE BOROUGH OF JAMESBURG AND SCP JAMESBURG, LLC (WARREN STREET)**

**WHEREAS**, THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG WISH TO ENTER INTO A TRASH REIMBURSEMENT AGREEMENT WITH SCP JAMESBURG, LLC (WARREN STREET) IN ORDER TO COMPLY WITH CHAPTER 26 OF THE LAWS OF THE STATE OF NEW JERSEY (SIGNED INTO LAW MAY 11, 2000); AND

**WHEREAS**, THE BOROUGH OF JAMESBURG AND SCP JAMESBURG, LLC (WARREN STREET) HAVE AGREED TO THE TERMS OF THE ATTACHED CONTRACT.

**NOW, THEREFORE BE IT RESOLVED**, THAT THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG, IN THE COUNTY OF MIDDLESEX, NEW JERSEY APPROVE OF THE ATTACHED AGREEMENT BETWEEN THE BOROUGH OF JAMESBURG AND SCP JAMESBURG, LLC (WARREN STREET).

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



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

RESOLUTION #089-06-16-21

**RESOLUTION OF THE BOROUGH OF JAMESBURG, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE ISSUANCE OF A DUPLICATE TAX SALE CERTIFICATE PURSUANT TO CHAPTER 99 OF THE PUBLIC LAWS OF 1997**

**WHEREAS**, the Tax Collector of this municipality has previously issued a tax sale certificate #20-00009 to US Bank as Cust for Actlien, which certificate is dated September 14, 2020 covering premises commonly known and referred to as Block 36, Lot 1 on the tax map of the Borough of Jamesburg; and

**WHEREAS**, the purchaser of the aforesaid tax sale certificate has indicated to the Tax Collector that they have lost or otherwise misplaced the original tax sale certificate and have duly filed the appropriate Affidavit of Loss with the Tax Collector, a copy of which is attached hereto; and

**NOW, THEREFORE. BE IT RESOLVED** by the Mayor and Council of the Borough of Jamesburg, County of Middlesex, State of New Jersey, that the Tax Collector of the municipality be and is hereby authorized, upon receipt of the appropriately executed and notarized Loss Affidavit to issue an appropriate duplicate tax sale certificate to the said purchaser.

**BE IT FURTHER RESOLVED**, that a copy of this resolution and the Loss Affidavit be attached to the duplicate certificate to be issued to said purchaser and that said duplicate certificate shall be stamped or otherwise have imprinted upon it the word "Duplicate" as required by law.

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:

Most of my report was covered during the budget introduction, but just as a recap: municipal taxes will be going up 3.34 cents (1.82%). The borough will be issuing estimated tax bills for the third quarter due to the expectation that the certification of the State and County budgets will be delayed, which in turn means the release of our certified tax rate will be delayed.

The amount of American Rescue Plan funds that Jamesburg is receiving is \$615,974.00. This will be split in half and we will receive the first payment in 2021 and the second payment in 2022. These funds will be used to offset prior year's revenues due to the effect that COVID-19 had on the borough's revenue last year.

We received the draft of our audit and there were no comments or recommendations.

#### Library:

The library's online event calendar is now live. They will keep adding new events and programs, so be sure to check it out to stay up to date. The summer reading program will run from June 28th to August 10th and there will be two different options this year. You can either choose a virtual option on READ squared and sign up online or you can stop by the library after June 28th and learn more about the in-person option. Both digital and physical materials will be offered. The Friends of the Library book sale has been extended through the end of June. Stop by to purchase books, CDs, and DVDs - they are buying 5 items, get the 6th one free.

- EDUCATION COMMITTEE  
Council Member Shaughnessy

### **Ordinance Discussion comments:**

It's easy to lose sight of the law at the center of the conflict. The law proscribing the legalization of cannabis in the state of New Jersey is a comprehensive law, quite clear and thorough. But beyond the rights that it restores to citizens who have lived under prohibition for their entire lives, it offers a roadmap for revitalization and redevelopment.

I

want to quote three sections of the law to show what guides my vote on this issue. The first, from the preamble:

“New Jersey spends approximately \$127 million per year on 28 marijuana possession enforcement costs;

New Jersey cannot afford to sacrifice public safety and individuals’ civil rights by continuing its ineffective and wasteful past marijuana enforcement policies. “

This law seeks to return that money to the communities that have been affected by it.

Page 55: Licensure Requirements:

(5) A community impact, social responsibility, and research 14 statement, which shall include, but shall not be limited to, the 15 following:

(a) a community impact plan summarizing how the applicant 17 intends to have a positive impact on the community in which the 18 proposed entity is to be located, which shall include an economic 19 impact plan, a description of outreach activities, and any financial 20 assistance or discount plans the applicant will provide to qualifying 21 patients and designated caregivers; 22

(b) a written description of the applicant’s record of social 23 responsibility, philanthropy, and ties to the proposed host 24 community;

The third point, I’ll paraphrase, as it is seen multiple times throughout, and in every phase of licensure. The law makes it very clear that priority for licenses goes to those who have lived in New Jersey, those who have close ties to the community they intend to serve, those who are seeking to set up small shops --” microbusinesses” is the class of license clearly defined in this law.

With these provisions, those who wrote these laws show us clearly that municipalities are meant to reap the benefits of this new business, the businesses are meant to come from --and build the community they serve.

These local benefits, so clearly defined and protected by this set of laws, are what this conversation could be about. Opting out won’t keep cannabis out of Jamesburg, but it will force law-abiding residents to go out of town to support businesses in other towns. And they’ll take their tax dollars with them.

Jamesburg needs to start a revitalization of its central business district, and the development of its most prominent landmark, Lakeview Mansion - The Buckelew House.

I want Jamesburg to be eligible for these benefits, to engender entrepreneurship within its borders, and to have the freedom to develop new programs for its community. This vision guides my vote. Voting to opt-out disqualifies the Borough from not just revenue, but from its ability to keep its storefronts full and protect its landmarks. For those who are in favor of turning down these potential benefits, I ask, what is your plan for repairing Jamesburg’s reputation for being unwelcoming to new businesses?

## **Education Committee**

Jamesburg Students had their graduations and moving up ceremonies this week. That was Monday, the 5th graders from JFK moving up to GMB, and Tuesday, the 8th graders graduating and moving on to High School.

The district released a version of their reopening plan for September. It was made clear by Dr. Villani that the plan, available on the district’s website, is not the final plan. Rather, adopting it makes the district available for federal funds, and will receive about 1.3M in aid.

The specific plan will be released later in the summer.

Speaking of Summer, the district has all of the programs running this Summer. I outlined those last month. Many of them are full. Space is short in the others, and interested parties should sign up through the school, whether interested in High 5, or the Passion Project, or the ESY program.

- **POLICE COMMITTEE**  
Council President Sussman

The Police Department had 2 arrests in May. The Monroe Township Police Department sent a letter of appreciation recognizing two of our officers, Patrolman Joseph Quinn and Patrolman Kyle Worster for assisting their department with the apprehension of a suspect believed to be the actor in a homicide investigation.

On May 8<sup>th</sup> one of our patrol units suffered a broken windshield due to being hit by a baseball. This is one of several incidents involving our patrol units and broken windshields.

- **PERSONNEL COMMITTEE**  
Council Member Czarneski

Welcome back to our Business Administrator and glad to see that he is doing well. The Borough offices have been opened to the public effective Monday, June 14 and masks are encouraged to be worn in common areas. Our next Council meeting in July will be an in-person meeting.

Thank you to all Borough personnel for their patience while we maneuvered through the Return to Normal process.

- **PUBLIC WORKS COMMITTEE**  
Council Member Rutsky

After speaking with Paul Intravartola, he informed me that regular maintenance and repairs continue for DPW. He has no new reports or requests. Would like to say that the downtown area and fields look wonderful.

I did attend the GMB 8th grade graduation last night. It was a beautiful ceremony and I would like to congratulate the class of 2021 and commend them for overcoming the challenges of the school year due to the pandemic. I would also like to thank our teachers, staff and administration for maintaining the quality of education that the students of Jamesburg deserve. Hal Soden, President of the Historical Association presented 3 awards

At the graduation for the association's essay contest. The weather was beautiful and the backdrop to the graduation was again the rain garden that was created by

Councilwoman Daria Ludas, the Green Team and Rutgers. I was happy to see it blooming and maturing.

Since I've already mentioned Councilman Daria Ludas, she did bring an idea to my attention that I'd like to highlight and thought we could promote in Jamesburg. A simple program of adopting a sewer on your block. I will let her explain it further, but I believe this is a simple but helpful idea that residence can take on to help maintain better flow w rainwater and free up DPW for other tasks. Other towns have promoted such projects with great success. Simple but productive. Personally, I live buy an intersection and maintain three sewer drains in front of my house. It does not take much work. As I said I will let Councilman Ludas discuss further but I encourage the borough to charge the task. Last month I asked the borough to encourage businesses, especially large ones such as in the Dunkin' Donut's area, CVS and Gray Rock to maintain their properties. I have not seen any improvement since last month and strongly urge the borough to enforce such businesses to comply with basic maintenance. Before I end, I would like to welcome all borough employees back in building for full-time hours. We are now open to the public and I look forward to Jamesburg working at full capacity. Mayor Lowande asked me to schedule a food truck back to school night event sometime in September. I will reach out to the superintendent and board to get their take on this, however what does our summer event guidelines look like?  
Thank you Madame Mayor

Councilwoman Ludas, the water behind the blacksmith shop at the Buckelew House has more downed trees. Could you contact Mosquito Control?

- ENVIRONMENT/ GREEN COMMITTEE:  
Council Member Ludas

Environment Projects are ongoing throughout the town. The Community Herb Garden is coming along and herbs should be ready for restaurant distribution in July. With the borough reopening we are planning to expand our projects to the downtown, the Church Street Creek, Franklin Street, and the Nature Park Areas.

I attended a special WRA Meeting on Monday to continue reviewing new Storm Water Ordinances. There will be a special meeting in July to review remaining municipalities ordinances.

Businesses:

We are planning an event in August celebrating the reopening of our downtown district combining restaurant specials and retail sidewalk sales & specials. Further details to follow.

I would like to chair a committee called "Adopt a Sewer" This would be a sewer in your neighborhood. We only have 4 DPW employees, when it rains and grass goes into your sewer, or leaves you would go out and clean it.

- **CHIEF OF POLICE**  
Chief Craparotta

We will not be participating in National Night Out this year; we are not prepared. The 4<sup>th</sup> of July fireworks were cancelled by Monroe Township.

Chief read a letter to Mayor and Council regarding the budget, expenses and concerns he has for the department.

Councilmember Sussman spoke with Chief regarding the needs of the Police. The CAD system is 30 years old and should be replaced. He also met with Administrator Frueh and went over some numbers. Hiring new SLEO II officers would save money. Chief would like to hire 2. These officers would be trained for dispatch as well. This would save us money in overtime. Possibly they could use money we are getting from the County of State. Mayor Lowande explained that money can be used for lost revenue, not salaries. Our part-time SLEO has been trained in dispatch and is fully certified. It is cheaper for the department to use him for overtime and special events. He is an asset to the department and is also bi-lingual. He is looking for a full-time position.

Councilmember Rutsy explained before our budget issues you aske for more officers, we allowed you to bring in 2 full time. It was then we decided as officers retire, we would not replace them. We needed additional funding for this year's budget, and still wound up with a tax increase. This is not the time to ask for more officers. It I not that we don't want to give you the things you are asking for, but we need a budget for these things. Once our budget is solid, we can look into some of these things.

Chief explained we could be losing our one SLEOII officer. With the current budget I cannot keep my department going. There is mandatory raining, that can be expensive. I am concerned we will run out of money by the end of the year. We have 80-90% of our fleet of vehicles out of warranty. Repair bills have increased. Several of our vehicles have over 100,000 miles on them. I need a solution.

Councilmember Czarneski asked administrator Frueh how much is in the overtime budget and how much has been spent do far? He explained the overtime expenses.

Mayor Lowande suggested **CHIEF SET UP A MEETING WITH PERSONNEL**. If more money is needed for a department, they need to let us know. The end of the year is a good time to evaluate finances. We just had to replace an air condition unit and we have a leak problem in the building. These things all need to be discussed. Finance and personnel will meet with Chief.

- ADMINISTRATOR'S REPORT

Scott Frueh

I have requested Paul contact Halasz Electric to repair the ballads at Veterans Park. The JIF has received and forwarded the funds from the insurance settlement to pay for the repairs.

Paul will also be getting a quote for the fencing at Tilley Park. Once I have that, I will submit to the insurance company along with the tree removal that was already completed so that the fence can be repaired.

I have an email into Eric Holterman, Architect to contact me regarding the Smokehouse. I have been sending any information I have received to the Insurance Company who will be working with Eric on this repair.

I am having Paul work on a rolling stand for the construction department, since we are now open to the public to minimize any exposure from the public in accordance with CDC guidelines.

I have set aside monies for Jeff Miller's classes. In the past he has given me the information for the class in which he would like to take and I would pay for it.

I have been given information regarding vacant property in Jamesburg from the Zoning Official (which I emailed you earlier today). The property is a lot only. The house portion is in Monroe Township. Beginning September 2018 Bill had billed a \$500 vacant property registration fee. In December 2018 he billed \$1,000 vacant property fee for 2019 and the end of 2019 another \$1,000 for 2020. In December 2020 he billed \$3,000 vacant property fee for 2021. TO date, we have not received these funds. They have been sent to Christiana Trust, N.A. to a PO box in Philadelphia. The bills were sent certified/return receipt. Those bills have all been returned. Ill would like to know how the Council would like to proceed with this issue?

Lastly, the air conditioning unit was replaced prior to the Primary Election. I would like to make everyone aware of the process that is required when a purchase is greater than the threshold of a Qualified Purchasing Agent which is currently \$6,600. I am required by law to obtain a minimum of two quotes from two additional companies prior to authorizing ICC Heating and Cooling to install their air conditioning unit. One chose not to quote, and the other was higher than ICC.

- PUBLIC SAFETY COMMITTEE / RECREATION / COMMUNITY EVENTS:

Mayor Marlene Lowande

I would like to update on the vaccine progress Middlesex County is 74% vaccinated. There was a vaccine clinic at the Presbyterian Church. Forty-three residents received their 1<sup>st</sup> dose. Thank you to the nurse at JFK and Peter Godfrey. Graduation at GMB was brilliant. The weather was beautiful. I am looking forward to food truck events, and a Zombie walk.

On a sad note, I received a letter of resignation from Scott Frueh. His last day will be July 30<sup>th</sup>. I wish him all the best and much success.

**Motion to Accept Resignation:**

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
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			X			
Mayor Lowande						

**MOTION TO ADJOURN:**

Proposed By: Sussman

Seconded By: Ludas

**TIME OF ADJOURNMENT:**

9:15 PM

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Susan Boulogne  
Registered Municipal Clerk  
Borough of Jamesburg