

**BOROUGH OF JAMESBURG  
GOVERNING BODY MEETING  
MINUTES  
AUGUST 19, 2015  
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 Member Gibbons  
Council Member Ludas - *ABSENT*  
Council Member Rutsky  
Council Member Spillane  
Council Member Sussman  
Council President Busco  
Administrator Jawidzik  
Borough Attorney – Raffetto - *ABSENT*

**MR. BRIAN BETZE, SUPERINTENDENT OF JAMESBURG PUBLIC SCHOOLS  
PRESENTATION TO MAYOR & COUNCIL:**

Mr. Betze gave an overview as to all of the new happenings going on at the schools. He gave an overview of some of the new programs being implemented, as well as, technology upgrades and facility renovations. Mayor Lowande & Council thanked him for coming; Council Member Sussman asked if we are able to fund all of the new upgrades and renovations, in which, Mr. Betze answered.

**ORDINANCES – FIRST READING BY TITLE (Public Hearing set for September 16, 2015):**

**ORDINANCE #07-15**

**ORDINANCE OF THE BOROUGH OF JAMESBURG ESTABLISHING REGISTRATION  
REQUIREMENTS, REGISTRATION FEES, INSPECTION REQUIREMENTS,  
MAINTENANCE REQUIREMENTS AND INSURANCE REQUIREMENTS FOR VACANT  
PROPERTIES**

**WHEREAS**, The Township of Jamesburg contains structures which are vacant in whole or large part: and

**WHEREAS**, in many cases, the owners or responsible parties of these structures are neglectful of them, are not maintaining or securing them to adequate standard or restoring them to productive use: and

**WHEREAS**, it has been established that vacant and abandoned structures cause severe harm to health , safety and general welfare of the community, including diminution neighboring property values, increased risk of fire and potential increases in criminal activity and public health risks: and

**WHEREAS**, the Borough incurs disproportionate costs in order to deal with the problems of vacant and abandoned structures, including, but not limited to, excessive police calls, fire calls and property inspections: and

**WHEREAS**, it is in the public interest for the Borough to establish minimum standards of accountability on the owners or other responsible parties of vacant and abandoned structures in order to protect the health, safety and general welfare of the residents of the Borough, and

**WHEREAS**, it is in the public interest for the Borough to impose a fee in conjunction with registration of vacant and abandoned structures in light of the disproportionate costs imposed on the Borough by the presence of these structures.

**NOW THEREFORE**, be it ordained by the Mayor and Council of the Borough of Jamesburg follows:

(1) For purposes of the Ordinance, the following terms are defined as set forth herein:

**MUNICIPAL OFFICER**, - shall mean the Zoning/Housing officer or such official within that Department as may be designated by the Department Head in writing.

**OWNER** – shall include the title holder, any agent of the title holder having authority to act with respect to a vacant property, any foreclosing entity subject to the provisions of C:46:10B-51 (P.L. 2008, c. 127, Sec.17 as amended by P.L. 2009, c. 296), or any other entity determined by the Borough to have authority to act with respect to the property.

**VACANT PROPERTY** – any building used or to be used as a residence which is not legally occupied or at which substantially all lawful construction operations or residential occupancy has ceased, (and which is in such condition that it cannot legally be reoccupied without repair or rehabilitation, including, but not limited to, any property meeting the definition of abandoned property in N.J.S.A. 55:19-80; provided, however, that any property where all building systems are in working order, where the building and grounds are maintained in good order, or where the building is in habitable condition, and where the building is being actively marketed by its owner for sale or rental, shall not be deemed vacant property for purposes of this ordinance.)

(2) a. Effective immediately, the owner of any vacant property as defined herein shall, within 30 calendar days after the building becomes vacant property or within 30 calendar days after assuming ownership of the vacant property, whichever is later: or within 10 calendar days of receipt of notice by the municipality, file a registration statement for such vacant property with the municipal officer on forms provided by the Borough for such purposes. Failure to receive notice by the municipality shall not constitute grounds for failing to register the property.

b. Each property having a separate block and lot number as designated in official records of the municipality shall be registered separately.

c. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of a person 21 years of age or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding on behalf of such owner or owners in connection with the enforcement of any applicable code; and the name, street address, telephone number and email address (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the property. The individual or representative of the firm responsible for maintaining the property shall be available by telephone or in person on a 24-hour per day, seven-day per week basis. The two entities may be the same or different persons. Both entities shown on the statement must maintain offices in the state of New Jersey or reside within the state of New Jersey,

d. The registration shall remain valid for one year from the date of registration. The owner shall be required to renew the registration annually, as long as the building remains a vacant property, and shall pay a registration or renewal fee in the amount prescribed in this ordinance, for each vacant property registered. The owner shall pay a registration annually as long as the building remains a vacant property, and shall pay a registration or renewal fee in the amount prescribed in this ordinance, for each vacant property registered.

e. The owner shall notify the municipal officer within 30 calendar days of any change in the registration information by filing an amended registration statement on a form provided by the municipal officer for such purpose.

f. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Borough against the owners of the building.

(3) The owner of any vacant property registered under this ordinance shall provide access to the Borough to conduct exterior and interior inspections of the building to determine compliance with municipal codes, upon reasonable notice to the property owner or the designated agent.

a. An owner who meets the requirements of this ordinance with respect to the location of his/her residence or workplace in the State of New Jersey may designate himself/herself as agent or as the individual responsible for maintaining the property.

b. By designating an authorized agent under the provisions of this section the owner consents to receive any and all notices of code violations concerning the registered vacant property and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered building by service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purpose of this section until the owner notifies the Borough, in writing, of a change of authorized agent or until the owner files a new annual registration statement.

c. Any owner who fails to register vacant property under the provisions of this Article shall further be deemed to consent to receive, by posting on the building, in plain view, and by service of notice at the last known address of the owner of the property on record with the Borough by regular and certified mail, any and all notices of code violations and all process in an administrative proceeding brought to enforce code provisions concerning the building.

(4) a. The registration and annual renewal fee for each building shall be as follows:

Vacant Property Registration Fee Schedule

Initial Registration	\$ 500.00
First Renewal	\$1,000.00
Second Renewal	\$1,000.00
Subsequent Renewal	\$3,000.00

b. At least 20% of all fee income resulting from the application of this ordinance shall be used for the sole purpose of carrying our municipal activities with respect to vacant and distressed properties, including, but not limited to, code enforcement, abatement of nuisance conditions, stabilization, rehabilitation, and other activities designated to minimize blight and further productive reuse of properties.

(5) The owner of any building that has become vacant property, and any person maintaining or operating or collecting rent for any such building that has become vacant shall, within 30 days thereof:

a. Enclose and secure the building against unauthorized entry as provided in the applicable provisions of the Borough Code, or as set forth in the rules and regulations supplementing those codes; and

b. Post a sign affixed to the building indicating the name, address and telephone number of the owner or the owner's authorized agent, for the purpose of service of process, and the person responsible for the day-to-day supervision and management of the building, if such person is different from the owner holding title or authorized agent. The sign shall be of a size no smaller than 18" x 24" and shall include words "To report problems with this building call...", and placed in such a location, so as to be legible from the nearest public street or sidewalk, whichever is nearer; and

c. Secure the building from unauthorized entry and maintain the sign until the building is again legally occupied or demolished, or until repair or rehabilitation of the building is complete; and

d. Make provisions for the cessation of electric or gas utility services to the property; other than buildings with a fire sprinkler system, and

e. Make provisions for winterizing of the property by the cessation of water service to the property and the draining of water lines; other than buildings with a fire sprinkler system, and

f. Make provisions for the cessation of the delivery of mail, newspapers and circulars to the property, including having the property listed on the exclusion list maintained by the Borough of Jamesburg for the delivery of circulars and advertisements to the property; and

g. Make provision for the maintenance of the lawn and yard, including regular grass cutting as required by the applicable provisions of the Code of the Borough of Jamesburg; and

h. Ensure that the exterior grounds of the structure, including yards, fences, sidewalks, walkways, right-of-ways, alleys, retaining walls, attached or unattached accessory structures and driveways, are well-maintained and free from debris, loose litter, and grass and weed growth; and

i. Continue to maintain the structure in a secure and closed condition, keep the grounds in a clean and well-maintained condition, and ensure that the sign is visible and intact until the building is again occupied, demolished, or until repair and/or rehabilitation of the building is complete.

(6) The municipal officer may issue rules and regulations for the administration of the provisions of this ordinance. Such administratively promulgated rules and regulations shall be in writing and shall be provided to the owners of properties registered under this Article or their designated agents within 30 calendar days of their effective date.

(7) Violations.

a. Any person who violates any provisions of this Article or of the rules and regulations issued hereunder shall be fined not less than \$500.00 and not more than \$1,000.00 for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this chapter shall be recoverable from the owner and shall be a lien on the property.

b. For purposes of this section, failure to file a registration statement within 30 calendar days after a building becomes vacant property or within 30 calendar days after assuming ownership of a vacant property, whichever is later; or within 10 days of receipt of notice by the municipality, and failure to provide correct information on the registration statement, failure to comply with the provisions of Sections 2 through 6 of this ordinance, or such provisions contained therein shall be deemed to be violations of this ordinance.

**Repealer.** All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.

**Severability.** If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not effect the remaining provisions of this ordinance. The governing body of the Borough of Jamesburg declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

**Effective Date.** The ordinance shall take effect immediately upon passage and publication according to law.

RECORD OF VOTE:

FIRST READING: August 19, 2015

COUNCIL MEMBER	MOTION TO INTRODUCE	2nd	VOTE
Council Member Gibbons			Y
Council Member Ludas			AB
Council Member Rutsky			Y
Council Member Spillane		Y	Y
Council Member Sussman	Y		Y
Council President Busco			Y
Mayor Lowande			

Administrator Jawidzik explained that this is a great ordinance to have due to not having any recourse currently in place. Mayor Lowande explained the ordinance will leverage fees and fines and thanked Bill Maresca for pushing to have this voted upon. Council Member Sussman asked if this will be for both residential properties and businesses and it was answered that it will be for residential properties only.

**PUBLIC COMMENT PERIOD – ANY ITEM - EXCLUDES ORDINANCES (they have their own public hearing):** Members of the public wishing to address the Mayor and Borough Council must

approach the podium and state their name and address for the record. There is a five (5) minute time limit for all comments and questions.

Motion Open to Public Comment:

Proposed By: Sussman  
 Seconded By: Busco  
 All in Favor

Paul Gentile – 11 Sedgewick St.: Mr. Gentile thanked Mr. Betze for coming out; he also mentioned the Food Truck event being held August 20<sup>th</sup>. He expressed concern for speed limits to be enforced due to Jamesburg being a walking borough, suggesting more signage to be put up, as well as, the need for sidewalks and crosswalks. The intersection at 5 corners needs signage or a double yellow line to ebb the flow of traffic more smoothly. Lastly, Mr. Gentile reminded the Mayor and Council that there is a difference between mediocrity and excellence and that is action; he asked what else we can do as a community to bring about more change.

June Rizza – 5 Birchwood Rd. & Diane Bruno – 25 Rideview Rd.: Mrs. Rizza & Mrs. Bruno came representing the Fit Girls and their Fall Into Pace 5K being held October 3<sup>rd</sup> starting and finishing at Hearthstone Grill. USA Track & Field sanctioned which adds additional insurance for the event and have started to pass out flyers, both paper and online, for those interested in participating.

Brian Taylor – 11 Hillside Ave.: Mr. Taylor thanked Mr. Betze and the Board memebrrs for attending and sharing all that is going on with the schools.

Motion to Close to Public Comment:

Proposed By: Rutsky  
 Seconded By: Sussman  
 All in Favor

**CONSENT AGENDA DEFINED:**

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:**

#100-08-19-15\*\* Approve Payment of Vouchers

**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 \$2,470,252.02.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Gibbons			X			
Council Member Ludas						X
Council Member Rutsky		X	X			
Council Member Spillane			X			
Council Member Sussman	X		X			
Council President Busco			X			

Mayor Lowande						
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#101-08-19-15\*\*                      Accepting Meeting Minutes – July 15, 2015  
**RESOLUTION ACCEPTING MINUTES**

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

**MAYOR AND COUNCIL**

July 15, 2015

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Gibbons			X			
Council Member Ludas						X
Council Member Rutsky		X	X			
Council Member Spillane			X			
Council Member Sussman	X		X			
Council President Busco			X			
Mayor Lowande						

#102-08-19-15\*\*                      Accepting Monthly Reports  
**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	June & July 2015
Finance Report	June & July 2015
Report of the Tax Collector	June & July 2015
Report of the Sewer Administrator	June & July 2015

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Gibbons			X			
Council Member Ludas						X
Council Member Rutsky		X	X			
Council Member Spillane			X			
Council Member Sussman	X		X			
Council President Busco			X			
Mayor Lowande						

#103-08-19-15\*\*                      Authorize Veterans Deduction  
**RESOLUTION AUTHORIZING DEDUCTION ALLOWANCE**

**WHEREAS**, the Tax Collector has certified, on the letters of request attached hereto, that certain tax accounts are eligible for a veteran’s property tax deduction; and

**WHEREAS**, the tax bill for these accounts do not currently reflect the appropriate deduction and must be adjusted.

**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 adjust the tax accounts as specified in the attached letters of request.

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



Council Member Ludas						X
Council Member Rutsky		X	X			
Council Member Spillane			X			
Council Member Sussman	X		X			
Council President Busco			X			
Mayor Lowande						

**NON-CONSENT AGENDA RESOLUTIONS:**

#106-08-19-15                      Awarding Bid for Solid Waste Collection and Disposal Services to Central Jersey Waste & Recycling, Inc.

**RESOLUTION AWARDING BID FOR SOLID WASTE COLLECTION AND DISPOSAL SERVICES TO CENTRAL JERSEY WASTE & RECYCLING, INC.**

**WHEREAS**, THE BOROUGH OF JAMESBURG ADVERTISED FOR OPEN COMPETITIVE BIDS FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE AND BIDS WERE RECEIVED ON JULY 16, 2015; AND

**WHEREAS**, CENTRAL JERSEY WASTE & RECYCLING, INC., OF EWING, NEW JERSEY SUBMITTED THE LOWEST BID FOR A THREE (3) YEAR PERIOD IN THE TOTAL AMOUNT OF \$336,420 WITH THE TIPPING FEE TO BE PAID BY THE BOROUGH; AND

**WHEREAS**, CENTRAL JERSEY WASTE & RECYCLING, INC., OF EWING, NEW JERSEY HAS AGREED TO ALLOW THE BOROUGH OF JAMESBURG, FOR PURPOSES OF BUDGETARY REASONS, A METHOD TO TERMINATE THIS THREE (3) YEAR AGREEMENT BY WAY OF GIVING CENTRAL JERSEY WASTE & RECYCLING, INC. SIX MONTHS ADVANCE NOTICE OF SAME; AND

**WHEREAS**, THE PURCHASING OFFICIAL HAS REVIEWED THE BID DOCUMENTS SUBMITTED BY CENTRAL JERSEY WASTE & RECYCLING, INC. AND HAS DEEMED THEM TO BE SATISFACTORY; AND

**WHEREAS**, THE CHIEF FINANCIAL OFFICER HAS CERTIFIED TO THE AVAILABILITY OF FUNDS;

**NOW, THEREFORE, BE IT RESOLVED**, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF JAMESBURG IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, THAT A CONTRACT BE AWARDED TO CENTRAL JERSEY WASTE & RECYCLING, INC. FOR A THREE (3) YEAR CONTRACT AS SET FORTH IN THEIR BID PROPOSAL IN THE AMOUNT OF \$336,420.

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

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Gibbons			X			
Council Member Ludas						X
Council Member Rutsky			X			
Council Member Spillane		X	X			
Council Member Sussman			X			
Council President Busco	X		X			
Mayor Lowande						

#107-08-19-15                      Authorize State Contract Purchase – 2016 Ford Fire Prevention Interceptor Utility Vehicle

**Authorize State Contract Purchase**

**WHEREAS**, the Borough of Jamesburg wishes to purchase a 2016 Ford Fire Prevention Interceptor Utility Vehicle from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

**WHEREAS**, Winner Ford, 250 Haddonfield Berlin Rd, Cherry Hill, NJ 08034 has been awarded New Jersey State Contract #88728 for this vehicle; and

**WHEREAS**, the Chief Financial Officer recommends the utilization of this contract on the grounds that it represents the best price available; and

**WHEREAS**, the actual cost for the purchase of the 2016 Ford Fire Prevention Interceptor Utility Vehicle is \$25,226.00 which will be financed through Ford Credit for 3 years; and

**WHEREAS**, The Chief Financial Officer has certified the availability of funds for this contract,

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Jamesburg that Winner Ford be awarded a contract for the purchase of a 2016 Ford Fire Prevention Interceptor Utility Vehicle

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Gibbons			X			
Council Member Ludas						X
Council Member Rutsky		X	X			
Council Member Spillane	X		X			
Council Member Sussman			X			
Council President Busco			X			
Mayor Lowande						

#108-08-19-15 Authorize Cooperative Pricing System Purchase – Trailer Mounted Debris Collector

**Authorize Cooperative Pricing System Purchase**

**WHEREAS**, the Borough of Jamesburg wishes to purchase a Trailer Mounted Debris Collector from an authorized vendor under the National Joint Powers Alliance Cooperative Purchasing Program; and

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-11(5); and

**WHEREAS**, the Borough of Jamesburg is a member of the National Joint Powers Alliance Cooperative Purchasing Program Member #29775; and

**WHEREAS**, -Old Dominion Brush Company has been awarded National Joint Powers Alliance Contract #060612-ODB for this equipment; and

**WHEREAS**, the Chief Financial Officer recommends the utilization of this contract on the grounds that it represents the best price available; and

**WHEREAS**, the actual cost for the purchase of the Trailer Mounted Debris Collector is \$42,690.50; and

**WHEREAS**, The Chief Financial Officer has certified the availability of funds for this contract,

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Jamesburg that Old Dominion Brush Company be awarded a contract for the purchase of a Trailer Mounted Debris Collector

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Gibbons			X			
Council Member Ludas						X
Council Member Rutsky			X			
Council Member Spillane	X		X			

Council Member Sussman			X			
Council President Busco		X	X			
Mayor Lowande						

#109-08-19-15 Authorize Cooperative Pricing System Purchase – Data/Internet Services

**Authorize Cooperative Pricing System Purchase**

**WHEREAS**, the Borough of Jamesburg wishes to award a contract for Data/Internet Services from an authorized vendor under the Middlesex Regional Education Services Commission Cooperative Purchasing Program; and

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-11(5); and

**WHEREAS**, the Borough of Jamesburg is a member of the Middlesex Regional Education Services Commission Cooperative Purchasing Program; and

**WHEREAS**, Data Network Solutions has been awarded Middlesex Regional Education Services Commission Cooperative Purchasing Program #WSCA A70264 for this service; and

**WHEREAS**, the Chief Financial Officer recommends the utilization of this contract on the grounds that it represents the best price available; and

**WHEREAS**, the actual cost for the purchase of the Data/Internet Services is \$1,160.54 per month for a period of 36 months beginning August 1, 2015; and

**WHEREAS**, The Chief Financial Officer has certified the availability of funds for this contract,

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Jamesburg that Data Network Solutions be awarded a contract for Data/Internet Services

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Gibbons			X			
Council Member Ludas						X
Council Member Rutsky			X			
Council Member Spillane		X	X			
Council Member Sussman	X		X			
Council President Busco			X			
Mayor Lowande						

#110-08-19-15 Approve the Reduction of the Performance Bond of Nicole & Angela Properties, Inc. Regarding the Brookside Village Project

**RESOLUTION APPROVING THE REDUCTION OF THE PERFORMANCE BOND OF NICOLE & ANGELA PROPERTIES, INC. REGARDING THE BROOKSIDE VILLAGE PROJECT**

**WHEREAS**, the applicant, Nicole & Angela Properties, Inc., has requested a reduction of its performance bond in the amount of \$784,750.68; and

**WHEREAS**, the Borough Engineer has recommended the reduction of such bond, pending payment of all escrow amounts and that the reduced bond amount be \$235,425.20;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Jamesburg, that the performance guarantee in the present amount of \$784,750.68 posted by the applicant, Nicole & Angela Properties, Inc., is hereby reduced to \$235,425.20 pursuant to the recommendation of the Borough Engineer, attached hereto and the applicant paying any outstanding escrows to the Borough.

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
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Council Member Gibbons			X			
Council Member Ludas						X
Council Member Rutsky			X			
Council Member Spillane		X	X			
Council Member Sussman	X		X			
Council President Busco			X			
Mayor Lowande						

#111-08-19-15 Approval final payment of Sewer System Upgrades Phase VI  
**RESOLUTION OF THE BOROUGH OF JAMESBURG APPROVING FINAL PAYMENT FOR SEWER SYSTEM UPGRADES PHASE VI**

**WHEREAS**, the Contractor Allstate Power – Vac. has issued final payment certificate for the Sewer System Upgrades, Phase VI

**WHEREAS**, the Borough Engineer has reviewed said quantities and is in agreement with same; and

**WHEREAS**, the Engineer recommends the approval of final payment in the amount of \$25,179.50

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Jamesburg that the final payment of \$25,179.50 to Allstate Power – Vac. for Sewer System Upgrade Phase VI is hereby approved.

**BE IT FURTHER RESOLVED** that the Mayor and Council of the Borough of Jamesburg that a maintenance bond in the amount of Thirty-Eight Thousand, Seven Hundred And Twenty Dollars (\$38,720.00)

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Gibbons			X			
Council Member Ludas						X
Council Member Rutsky			X			
Council Member Spillane	X		X			
Council Member Sussman		X	X			
Council President Busco			X			
Mayor Lowande						

#112-08-19-15 Authorizing change order (known as change order #1) to the contract between the Borough of Jamesburg and Allstate Power Vac. for Sewer System Upgrades Phase VI

**RESOLUTION AUTHORIZING A CHANGE ORDER (KNOWN AS CHANGE ORDER #1) TO THE CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND ALLSTATE POWER – VAC. FOR SEWER SYSTEM UPGRADE PHASE VI.**

**WHEREAS**, DUE TO UNANTICIPATED CIRCUMSTANCES WHICH HAVE ARISEN DURING PHASE VI SEWER SYSTEM UPGRADES, THE BOROUGH ENGINEER HAS RECOMMENDED A CHANGE ORDER (KNOWN AS CHANGE ORDER #1) IN ORDER TO AMEND THE CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND ALLSTATE POWER – VAC. AND

**WHEREAS**, THE PROPOSED CHANGE ORDER IS DESCRIBED IN MORE DETAIL IN THE ATTACHED FORM, LAST DATED BY BOROUGH ENGINEER ON AUGUST 13, 2015; AND

**WHEREAS**, THE PROPOSED CHANGE ORDER SHALL CHANGE THE AMOUNT OF THE ORIGINAL CONTRACT BY A DECREASE IN THE CONTRACT AMOUNT OF TWELVE THOUSAND, THIRTY DOLLARS AND ZERO CENTS (\$12,030.00) AND

**WHEREAS, THE PROPOSED CHANGE ORDER DOES NOT EXCEED THE TWENTY PERCENT (20%) LIMITATION IMPOSED BY LAW; AND**

**WHEREAS, THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG HAS RECEIVED THE RECOMMENDATIONS OF THE BOROUGH ENGINEER AND BOROUGH BUSINESS ADMINISTRATOR TO PROCEED WITH THE SAID CHANGE ORDER.**

**NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF JAMESBURG AS FOLLOWS:**

1. THAT THE BOROUGH IS AUTHORIZED TO ENTER INTO THE ATTACHED CHANGE ORDER (KNOWN AS CHANGE ORDER #1) WHICH SHALL BE CONSIDERED AN AMENDMENT TO THE ORIGINAL CONTRACT BETWEEN THE BOROUGH OF JAMESBURG AND ALLSTATE POWER – VAC. FOR THE PHASE VI SEWER SYSTEM UPGRADES.

2. THAT THE BUSINESS ADMINISTRATOR SHALL CERTIFY THAT THERE ARE SUFFICIENT FUNDS TO COVER THE AMOUNT OF THIS CHANGE ORDER.

3. THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:

- a. TERRENCE VOGT, BOROUGH ENGINEER
- b. ALLSTATE POWER – VAC.
- c. DENISE JAWIDZIK, BOROUGH BUSINESS ADMINISTRATOR

COUNCIL MEMBER	MOTION	2nd	AYES	NAYS	ABSTAIN	ABSENT
Council Member Gibbons			X			
Council Member Ludas						X
Council Member Rutsky			X			
Council Member Spillane		X	X			
Council Member Sussman			X			
Council President Busco	X		X			
Mayor Lowande						

**COUNCILMATIC COMMITTEE REPORTS:**

- FINANCE COMMITTEE  
Council Member Rutsky

Council Member Rutsky had nothing to report on for Finance. She reported on the library stating that Courtney Frank has been very proactive in updating the computers and organizing the books at the library. The lower level will be for children and the upstairs will be for adults. The summer reading program was successful. Lastly, Council Member Rutsky thanks everyone for making the Food Truck event a success and reminded everyone that the next event will be held August 20<sup>th</sup> from 5pm to 9pm. She extended thanks to the JFD, JPD, DPW, Mayor & Council.

- EDUCATION COMMITTEE  
Council Member Gibbons

Council Member Gibbons had nothing additional to report on and commended the School Superintendent for sharing the happenings at the schools. He reminded everyone that the Board of Education meeting is postponed next week. Lastly, he encouraged the Borough Council to discuss further the solar panel idea and to move forward by sending out an RFP. Council Member Rutsky mentioned that the rooftops on the schools are not feasible for this project, in which, Council Member Gibbons said the project can be done on the DPW building for example. He stated the value for the school would be a 30% cost savings. Council Memembr Sussman asked for clarification as to what the limit of expense the solar company would spend; Council Member Gibbons answered.

- POLICE COMMITTEE  
Council Member Sussman

Council Member Sussman reported that the police department had a busy month in July. Officer Bruno attended classes to train the officers. The department received five fire arm applications and officers were present at he Food Truck event.

- PERSONNEL COMMITTEE  
Council Member Ludas

No Report - Absent

- PUBLIC WORKS COMMITTEE  
Council President Busco

Council President Busco extended thanks to Paul Gentile and all involved in the Food Truck event. He reminded everyone of the recycling hours and explained that maintenance is ongoing by DPW.

- PUBLIC EVENTS COMMITTEE  
Council Member Spillane

Council Member Spillane reported that she attended the Middlesex County Fair and handed out forms for the Fall Festival. She also sent applications to interested vendors. She commented the Food Truck event was great and thanked whomever wedded at Veteran's Park.

- ADMINISTRATOR'S REPORT  
Denise Jawidzik

No Report.

- PUBLIC SAFETY COMMITTEE/MAYOR'S REPORT/CONSOLIDATION COMMITTEE  
Mayor Marlene Lowande

Mayor Lowande extended thanks to the JPD & JFD and the Food Truck event was a great success and she is looking forward to the next event.

**MOTION TO ADJOURN:**

Proposed By: Sussman

Seconded By: Spillane

All in favor.

**TIME OF ADJOURNMENT:**        7: 45PM

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Tanya Pannucci  
Registered Municipal Clerk  
Borough of Jamesburg