

**Borough of Matawan  
Workshop Session  
September 1, 2020**

**A** regular meeting of the Council of the Borough of Matawan, New Jersey, was held at the Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey on September 1, 2020, with Mayor Joseph Altomonte presiding. Pursuant to Section 5 of the Open Public Meetings Act, adequate notice of this meeting has been provided by publishing notification in the *Independent* on January 8, 2020, by sending notice to the *Asbury Park Press*, and by posting. A copy of said notice is and has been made available to the public and is on file in the Office of the Borough Clerk. A copy of said notice has also been sent to such members of the public as have requested such information in accordance with the Statute. Mayor Altomonte called the meeting to order at 7:01 PM, requesting a roll call.

On roll call the following members responded present:

Yes:            Councilwoman Stephanie Buckel  
                  Councilman Brett Cannon  
                  Councilwoman Deana Gunn  
                  Councilman John Lazar  
                  Councilman Brian Livesey  
                  Councilman Nicolas Reeve

Also present were Scott Carew, Borough Administrator and Pasquale Menna, Esq., Borough Attorney.

Mayor Altomonte asked everyone to stand for a Salute to the Flag.

Mayor Altomonte asked everyone to stand for a Moment of Silence.

Mayor Altomonte announced Resolution 20-09-08 will be held from tonight's Agenda.

**Proclamation**

Mayor Altomonte proclaimed September as Hunger Action Month. Any member of the public interested in reading the Proclamation, it is available from the Borough Clerk.

**Privilege of the Floor for Agenda Items Only**

Mayor Altomonte opened the Privilege of the Floor for Agenda Items Only.

There were no comments.

Mayor Altomonte requested a motion to close the Privilege of the Floor for Agenda Items Only. Councilman Lazar made the motion, seconded by Councilman Reeve. Council agreed. Motion passed.

**Approval of Minutes**

Mayor Altomonte requested a motion to approve the minutes of the August 18, 2020 Council Meeting. Councilman Lazar made the motion, seconded by Councilman Reeve. Council agreed. Motion passed.

**Consent Agenda**

Mayor Altomonte read by title Resolutions 20-09-01 through 20-09-09, excluding 20-09-08, requesting a motion to approve en masse. Councilman Lazar made the motion, seconded by Councilman Reeve. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**Borough of Matawan  
Workshop Session  
September 1, 2020**

**RESOLUTION 20-09-01  
REDEMPTION OF TAX SALE CERTIFICATES  
#16-00085  
#19-00046**

<u>Certificate #</u>	<u>Company Sold To</u>	<u>Block</u>	<u>Lot</u>	<u>Address of Property</u>	<u>Payment</u>	<u>Premium</u>
16-00085	Christiana Trust as Cust GSRAN-Z, LLC	120	19	115 Vermont Ct. E.	\$63,157.35	\$23,600.00
19-00046	US Bank Cust for Pro Cap 8	64.01	15	67 Aberdeen Rd.	\$1,240.23	\$100.00

*WHEREAS, the Borough of Matawan Tax Collector has reported that the above Tax Sale Certificates were sold; and*

*WHEREAS, the Certificates has been paid and fully redeemed for the property owners.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payments in the amounts, plus any Premiums indicated, for the redemption of the Tax Sale Certificate(s) listed above.*

*BE IT FURTHER RESOLVED that a certified true copy of this resolution is forwarded to the Borough's Tax Collector and Treasurer.*

**RESOLUTION 20-09-02  
AUTHORIZING REFUND OF TAX OVERPAYMENT  
23 POET DRIVE – BLOCK 123, LOT 67**

*WHEREAS, the following property overpaid the third quarter 2020 as a result of the reason outlined below; and*

*WHEREAS, the property owner's representative has made the payment and a refund is in order to clear the account; and*

*WHEREAS, the following refund has been verified as accurate by the Tax Collector.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that the Borough Tax Collector refund according to the following:*

<u>Block/Lot</u>	<u>Vendor</u>	<u>Amount of Refund</u>	<u>Notation</u>
123/67	Timothy & Theresa Gibson 362 US Hwy 9, Unit 106 Englishtown, NJ 07726-9225	\$3,304.54	Sale of Property

*BE IT FURTHER RESOLVED that a certified true copy of this resolution is forwarded to the Borough's Tax Collector and Treasurer.*

**RESOLUTION 20-09-03  
RELEASE OF ESCROW FUNDS  
DOMINICK & MARIANNE PERROTTA  
20 SCHENCK AVENUE  
BLOCK 46, LOT 2**

*WHEREAS, Dominick and Marianne Perrotta posted escrow in association with an application for an in-ground swimming pool located at Block 46, Lot 2, otherwise known as 20 Schenck Avenue, Matawan, New Jersey; and*

*WHEREAS, the Borough Engineer and Borough of Matawan Construction Office have certified any and all outstanding issues and billing have been satisfied, and have recommended the release of all remaining escrow.*

*NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan hereby approves the release of any remaining escrow to Dominick and Marianne Perrotta, 20 Schenck Avenue, Matawan, New Jersey 07747.*

*BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Construction, Finance, as well as the Borough Engineer and Dominick and Marianne Perrotta.*

**Borough of Matawan  
Workshop Session  
September 1, 2020**

**RESOLUTION 20-09-04  
RELEASE OF ESCROW FUNDS  
BRIAN & CHRISTINA VALLEE  
4-1/2 EDGEMERE DRIVE – BLOCK 47, LOT 18.01**

*WHEREAS, on June 10, 2016, Brian & Christina Vallee posted total escrow in the amount of Seven Hundred Fifty Dollars and No Cents (\$750.00) in association with an application for an in-ground swimming pool for 4-1/2 Edgemere Drive – Block 47, Lot 18.01 – Matawan, New Jersey 07747; and*

*WHEREAS, the Borough Engineer and Borough of Matawan Construction Office have certified any and all outstanding issues and billing have been satisfied enabling the release of all remaining escrow.*

*NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan hereby approves the release of any remaining escrow, including interest, to Brian & Christina Vallee, 4-1/2 Edgemere Drive, Matawan, New Jersey 07747.*

*BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Construction, Finance, as well as the Borough Engineer and Brian & Christina Vallee.*

**RESOLUTION 20-09-05  
RELEASE OF ESCROW FUNDS  
TERENCE JOHNSON  
21 COLONIAL DRIVE – BLOCK 65.03, LOT 14**

*WHEREAS, on June 27, 2018, Terence Johnson posted total escrow in the amount of One Thousand, One Hundred Fifty Dollars and No Cents (\$1,150.00) in association with an application for an in-ground swimming pool for 21 Colonial Drive – Block 65.03, Lot 14 – Matawan, New Jersey 07747; and*

*WHEREAS, the Borough Engineer and Borough of Matawan Construction Office have certified any and all outstanding issues and billing have been satisfied and recommended the release of all remaining escrow.*

*NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan hereby approves the release of any remaining escrow, including interest, to Terence Johnson, 21 Colonial Drive, Matawan, New Jersey 07747.*

*BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Construction, Finance, as well as the Borough Engineer and Terence Johnson.*

**RESOLUTION 20-09-06  
RENEWAL OF 2020-2021 ABC LIQUOR LICENSES**

*BE IT RESOLVED by the Borough Council of the Borough of Matawan that the following liquor licenses be renewed, subject however to the rules, regulations, receipt of Tax Clearance Certificates, statutes and ordinances affecting the same, said licenses to expire September 30, 2020:*

**Plenary Retail Consumption License  
\$1,600.00**

<u>LICENSE #</u>	<u>NAME</u>	<u>ADDRESS</u>	
1329-33-011-004	MJs of Matawan, LLC	Rt.34	Matawan, NJ 07747
1329-33-006-006	Salute 74 Main, LLC	74 Main St.	Matawan, NJ 07747
1329-33-009-007	Mayer Catering, Inc.	172 Freneau Ave.	Matawan, NJ 07747
1329-33-016-101	Mediterranean Chateau	27 Freneau Ave.	Matawan, NJ 07747

**Plenary Retail Distribution License  
\$950.00**

<u>LICENSE #</u>	<u>NAME</u>	<u>ADDRESS</u>	
1329-44-007-008	Liquor Pros, Inc. (79 Liquors)	78 Freneau Ave.	Matawan, NJ 07747
1329-44-002-010	Chirag Patel, Inc. (Save Rite Liquors)	1016 Hwy 34 Stes 6, 7 & 8	Matawan, NJ 07747

**Borough of Matawan  
Workshop Session  
September 1, 2020**

Club License  
\$188.00

<u>LICENSE #</u>	<u>NAME</u>	<u>ADDRESS</u>	
1329-31-024-001	Shore Knights SAC	21 Orchard St.	Matawan, NJ 07747

**RESOLUTION 20-09-07  
MUNICIPAL COMMUNITY CENTER ANNEX AND OFFICE OF EMERGENCY MANAGEMENT  
ADDITION OF COOLING PROJECT  
HANNA'S MECHANICAL CONTRACTORS, INC.  
AUTHORIZING CHANGE ORDER NO. 1**

**WHEREAS**, the Borough of Matawan requested mechanical and electrical additions to the Municipal Community Center Annex and Office of Emergency Management Addition of Cooling Project ("Project"); and

**WHEREAS**, Hanna's Mechanical Contractors, Inc. has provided the attached Scope of Work for those additions to the Project, for a total increase this Change Order No. 1 of Thirty-Six Thousand Dollars and No Cents (\$36,000.00).

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan, hereby authorize the attached contract modification proposal, Change Order No. 1, for the Municipal Community Center Annex and Office of Emergency Management Addition of Cooling Project, a Net Change Increase This Change Order No. 1, in the amount of Thirty-Six Thousand Dollars and No Cents (\$36,000.00).

**BE IT FURTHER RESOLVED** this amount reflects a total Net Change Increase in Contract of Thirty-Six Thousand Dollars and No Cents (\$36,000.00).

**BE IT FURTHER RESOLVED** the Mayor of the Borough of Matawan is hereby authorized to execute the attached contract modification proposal and acceptance.

**BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Construction, Finance, Public Works as well as T&M Associates and Hanna's Mechanical Contractors, Inc.

**CERTIFICATION AS TO AVAILABLE FUNDING**

I, Nicole Horvath, Chief Financial Officer of the Borough of Matawan, County of Monmouth, and State of New Jersey, do hereby certify that as of the date of this certification funds are available from the C-04-55-900-528 Budget of the Borough of Matawan to Hanna's Mechanical Contractors, Inc. (T&M Project No. MATN-04141) for the Borough of Matawan's Municipal Community Center Annex and Office of Emergency Management Addition of Cooling Project Change Order No. 1 in an amount not to Thirty-Six Thousand Dollars and No Cents (\$36,000.00).

This certification is based solely on the information encumbered into the financial records of the Borough by the appropriate using division as of this date and relies on the completeness of financial records.

Chief Financial Officer

(Signature on File)

\_\_\_\_\_  
Nicole Horvath, CMFO  
Dated: September 1, 2020

**Borough of Matawan  
Workshop Session  
September 1, 2020**



**Proposal**

Date	Estimate #
2/27/2020	3996

Name / Address	Project
Matawan Annex & Office of Emergency Mgmt. 21 Broad St. Matawan, NJ 07747	Matawan Annex & Office of Emergency Mgmt. 21 Broad St. Matawan, NJ 07747

Scope of Work	Cost
Provide the Following Mechanical and Electrical Scope of Work:  Hanna's Mechanical Contractors, Inc. proposes to furnish and install all required equipment, materials, controls, commissioning and startup for a new Mitsubishi 5-Ton split system with (3) interior heads. <ul style="list-style-type: none"> <li>• Supply &amp; Install concrete equipment pad for (1) new condenser unit</li> <li>• Supply &amp; Install (1) new condenser at exterior pad with condenser support</li> <li>• Supply &amp; Install (3) new interior Mitsubishi heads at (3) classroom locations</li> <li>• Supply &amp; Install new pipe enclosures at (3) interior heads</li> <li>• Supply &amp; Install refrigerant piping, supports and insulation</li> <li>• Supply &amp; Install condensate drain lines at (3) interior heads</li> <li>• Supply &amp; Install new electrical power supply at (1) exterior condenser</li> <li>• Supply &amp; Install new electrical power supply at (3) interior heads</li> <li>• Supply &amp; Install low voltage controls wiring from CU &amp; heads to existing controller</li> <li>• Provide startup of new system</li> </ul> NOTE: Work to be performed during regular working hours	36,000.00

Customer's Approval:  
Should this agreement meet with your approval, Please sign and return one copy to our office, retain the original for your files. We will consider this is a binding contract. Exclusions; \*\*\*\*Anything not listed in the above listed scope of work is excluded from this agreement. \*\*\*\* Permit fees are NOT included in this agreement & is strictly the customer's responsibility. \*\*\*\* Chimney Lining is not included in this proposal. \*\*\*\* No asbestos removal is included in this proposal.\*\*\*\*

<b>Subtotal</b>	\$36,000.00
<b>Sales Tax (6.625%)</b>	\$0.00
<b>Total</b>	\$36,000.00

Customer Signature (Personally): Joseph Altomonte Date 9/1/2020  
 Customer's Name (print) Mayor Joseph Altomonte  
Borough of Matawan  
 Customer's Address: 201 Broad St., Matawan, NJ 07747

This agreement may be withdrawn by Hanna's Contractors if not accepted within 30 days. I have authority to order the work outlined above and I personally guarantee payments in full. I agree that Hanna's Mechanical Contractors retains title to equipment/materials furnished until final payment is made. Final Payment is due upon completion of the job. If in the event payment is not made with terms, interest will be charged on the past due amount at the rate of 1 1/2% per month (18% annum). In the event collection is necessary, customer agrees to be responsible for all reasonable costs of collection including court costs and attorney's fees. If any other work is needed other than scope of work above found either by access occurrence or any violations by town inspector or code upgrades- extra charges will apply per customer approval.

**RESOLUTION 20-09-09  
AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADVERTISE  
FULL-TIME FIELD TECHNICIAN(S)**

**WHEREAS**, there is a need for a Full-Time Field Technician(s) for the Borough of Matawan.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that the Borough Administrator of the Borough of Matawan, is hereby authorized to advertise (in print or electronic media), interview, and make recommendations for the position(s) of Full-Time Field Technician to the Mayor and Council, for authorization by Mayor and Council and subject to a Certification as to Available Funding from the Chief Financial Officer.

**BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Finance and Public Works.

**Borough of Matawan  
Workshop Session  
September 1, 2020**

**New Business**

Mayor Altomonte read by Ordinance 20-08: Amending and Supplementing the Code of the Borough of Matawan – Chapter II – Administration – Section 13 – Third Party Payroll Disbursement. Mayor Altomonte requested a motion to introduce. Councilman Lazar made the motion, seconded by Councilman Reeve. Council agreed. Mayor Altomonte requested a roll call. A roll call vote was taken.

- Yes: Councilwoman Stephanie Buckel
- Councilman Brett Cannon
- Councilwoman Deana Gunn
- Councilman John Lazar
- Councilman Brian Livesey
- Councilman Nicolas Reeve

Motion passed.

**ORDINANCE 20-08  
AMENDING AND SUPPLEMENTING THE CODE OF THE  
BOROUGH OF MATAWAN –  
CHAPTER II – ADMINISTRATION  
SECTION 13 – THIRD PARTY PAYROLL DISBURSEMENT**

*WHEREAS, the Local Finance Board of the State of New Jersey adopted formal “Controls for Payroll Purposes” in order to provide formal authority for local governments to hire third-party payroll services/disbursing services to disburse funds to payroll agencies; and*

*WHEREAS, in order to have a payroll servicer provide disbursement services, the Council of the Borough of Matawan must formally approve the principle of a third-party having access to Borough funds, formally assigning responsibility to an official to oversee the process by enacting an ordinance, and approving all contracts or extensions.*

*NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Matawan, County of Monmouth, State of New Jersey that Chapter II, Section 13 entitled “Third-Party Payroll Disbursement” is hereby established in the “Revised General Ordinances of the Borough of Matawan” as follows:*

**Section 13 Third-Party Payroll Disbursement**

**13-1 Purpose; definitions.**

- a. *The purpose and intent of these regulations is to abide by the requirements of NJSA 52:27D-20.1 and NJAC 5:30-17.1 et seq., governing electronic disbursement controls for payroll purposes.*
- b. *Definitions. As used in this chapter, the following terms shall have the meanings indicated:*

*“Approval Officer” – Person(s) responsible for authorizing and supervising the activities of the payroll service.*

*“Payroll Service” – Third-party payroll service organization.*

*“Borough” – Borough of Matawan*

**13-2 Authorization**

- a. *The Borough is authorized to use a payroll service to prepare payment documentation, take possession of Borough funds, and make such disbursements itself on behalf of the Borough.*
- b. *The following payroll service providers shall be required to comply with these regulations:*
  - 1. *Payroll service providers who use their own customized programming process to execute disbursements for the Borough.*
  - 2. *Payroll service providers who use a third-party processor to execute disbursements for the Borough.*

**Borough of Matawan  
Workshop Session  
September 1, 2020**

13-3 *Borough Requirements*

- a. *The appointment of a payroll service shall be pursuant to the Local Public Contracts Law, See NJSA 40A:11-1 et seq. and shall require the contractor to do the following, not by way of limitation: data collection, agency report preparation, calculation of withholding, direct deposit of payroll disbursements and/or transfer of Borough funds to contractor's account for subsequent disbursement of payment.*
- b. *Any renewal or extension of a contract under these regulations shall be by resolution.*
- c. *The Chief Financial Officer is hereby appointed the approving officer and is responsible for authorizing and supervising the activities of the payroll service and shall further be charged with the reconciliation and analysis of all general ledger accounts affected by the activities of the disbursing organization.*
- d. *If required by the contract between the Borough and the payroll service, the payroll service is permitted to hold the Borough funds pending transmittal to a payee*

13-4 *Payroll service requirements*

- a. *A payroll service must meet all the following requirements:*
  - 1. *Report any irregularities that may indicate potential fraud, noncompliance with appropriate laws, dishonesty or gross incompetence on the part of the approval officer;*
  - 2. *Report circumstances that could jeopardize its ability to continue operations or otherwise interrupt the services provided by the Borough.*
- b. *A payroll service must meet the requirements of NJAC 5:30-17.5, requiring that the approval officer be assured that the servicer has its own internal controls and appropriately guard against theft and other adverse conditions.*
- c. *All contracts entered into pursuant to these regulations and the laws authorizing the same shall comply with the requirements of NJAC 5:30-17.6, which sets out a series of mandatory contractual terms and conditions.*

13-5 *Establishment of service*

*Upon the adoption of these regulations, the Borough Administrator, with the assistance of the Chief Financial Officer and the Borough Attorney, as necessary, is hereby authorized and directed to enter into a contract for payroll service in accordance with all local public contracting laws and NJAC 5:30-17. Appointment of the payroll service shall be by separate resolution of the Borough.*

***BE IT FURTHER ORDAINED*** any Ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies only.

***BE IT FURTHER ORDAINED*** if any provisions of this Ordinance, or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance, which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

***BE IT FURTHER ORDAINED*** this ordinance shall take effect immediately upon following the passage, adoption and publication pursuant to law.

***BE IT FURTHER ORDAINED*** that a true certified copy of this Ordinance shall be forwarded to the following Borough of Matawan Departments: Clerk, Finance, Payroll as well as the Borough Auditor.

The Clerk announced the Public Hearing will be held 7:00 PM on October 6.

Mayor Altomonte read by title Resolution 20-09-10: Payment of Bills. Councilman Lazar made the motion, seconded by Councilman Reeve. Council agreed. Motion passed.

**RESOLUTION 20-09-10  
PAYMENT OF BILLS**

***BE IT RESOLVED*** by the Mayor and Council of the Borough of Matawan, New Jersey. That the following numbered vouchers be paid to the persons therein respectively and hereinafter named, for the amounts set opposite their respective names, and endorsed and approved on said vouchers and that warrants be issued therefore, directed to the Borough Collector signed by the Mayor and attested by the Borough Clerk as required by law.

<i>Current</i>	\$2,621,662.50
<i>Water &amp; Sewer</i>	\$359,426.81
<i>Borough Capital</i>	\$107,050.99
<i>Grant</i>	\$221.01

**Borough of Matawan  
Workshop Session  
September 1, 2020**

<i>Borough Trust</i>	\$29,077.76
<i>Developers Escrow Account</i>	\$3,368.98
<i>Dog Tax Trust</i>	\$5.40
<i>Railroad Parking Trust</i>	\$120.00
<i>Recreation Trust</i>	\$810.00
<b>Total</b>	<b>\$3,121,743.45</b>

***BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Finance.*

**Privilege of the Floor**

Mayor Altomonte opened the Privilege of the Floor.

Don Malesky, 19 Danemar Drive, Matawan. Mr. Malesky asked for a status of a complaint filed on August 20 with the Ken Marr, Property Maintenance Officer, about bamboo growing from his neighbor's property onto his. Mayor Altomonte acknowledged Mr. Marr was most likely in process of investigating and asked Mr. Malesky to give Mr. Marr a little more time. Councilwoman Gunn added the Borough Administrator can also follow up with Mr. Marr and will update him with a status. A discussion ensued regarding various species of bamboo and its classification as a noxious and invasive species. Mr. Malesky clarified Mr. Marr handled his complaint satisfactorily, but he didn't have a completed report. Mr. Malesky asked Council to consider legislation prohibiting bamboo within the Borough.

Mayor Altomonte requested a motion to close the Privilege of the Floor. Councilman Lazar made the motion, seconded by Councilman Reeve. Council agreed. Motion passed.

**Adjournment**

Mayor Altomonte requested a motion to adjourn. Councilman Lazar made the motion, seconded by Councilman Reeve. Council agreed. Motion passed.

Meeting adjourned at 7:15 PM.

(Signature on File)

---

Karen Wynne, RMC  
Municipal Clerk