

**Borough of Matawan  
Public Session  
May 16, 2017**

A regular meeting of the Borough Council of the Borough of Matawan, New Jersey, was held at the Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey on May 16, 2017 with Mayor 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 11, 2017, by sending notice to the *Asbury Park Press*, and by posting. A copy of said Notice is and has been 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 7:15 PM requesting a roll call.

On roll call the following members responded present:

Present:           Councilman Joseph Urbano  
                      Councilman Michael Caldon  
                      Councilman Michael Vergaretti  
                      Councilman Brett Cannon  
                      Councilman Nicolas Reeve  
                      Councilwoman Josi Salvatore

Also, present was Pasquale Menna, Esq., Borough Attorney. Louis C. Ferrara, Borough Administrator, and the Borough Engineer, Jeffrey Fedorchak of Remington, Vernick & Vena Engineers (RVE), were both absent.

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

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

**Privilege of the Floor – 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 Vergaretti made the motion, seconded by Councilman Cannon. Council agreed. Motion passed.

**Approval of Minutes**

Mayor Altomonte requested a motion to approve the minutes of the April 18, 2017 Council Meeting. Councilman Vergaretti made a motion, seconded by Councilman Cannon. Council agreed. Motion passed.

**Discussion Items**

*Approval of Borough Contract Work to be Performed on Saturdays*

- i. Main Street Streetscape Soil Borings*
- ii. Gravelly Brook Park Improvements Program Phase I*

Mr. Menna informed in order to minimize interruption to business and traffic flow, T&M Associates is requesting Council authorization to perform some construction work on Saturdays for Main Street Streetscape Soil Borings.

Mayor Altomonte related a recent pre-construction meeting for Gravelly Brook Park wherein the Contractor asked if they needed to work on a Saturday or two would Council approve. Mayor said rather than just a Saturday or two, the Mayor suggests a 90 day window for the Contractor with no additional cost to the contract.

**Borough of Matawan  
Public Session  
May 16, 2017**

Council agreed to the addition of a Resolution to tonight's Agenda for Council approval of Construction to be Performed on Saturdays for Borough of Matawan Projects – Main Street Streetscape and Gravelly Brook Park Improvements Phase I.

*Clinton Street Parking*

Councilman Cannon informed he and Mayor Altomonte were asked by the residents of Clinton Street to examine the area, and spoke to the Chief of Police requesting his evaluation and recommendation. The Chief of Police recommends that parking be prohibited on Clinton Street as the width of the roadway makes it a safety concern as emergency vehicles cannot pass. After discussion, Mr. Menna suggests Councilmembers visit the street, check out the available driveways, etc., to ensure that there is enough parking for everybody. Mayor Altomonte opened the floor for public comment.

Tom Burke, 16 Clinton Street, Matawan. Mr. Burke states parking on Clinton Street is an ongoing problem. With a recent fire there was an issue with fire apparatus being able to get in-and-out of the area. There are also issues with the garbage trucks and school busses operating along the street.

Carlos Platero, 9 Clinton Street, Matawan. Mr. Platero reiterated Mr. Burke's statement(s).

**Clerk's Report**

Ms. Wynne reminded all present that the 2017 Annual Financial Disclosure Statements is due May 30, 2017. She informed at the direction of the Monmouth County Board of Elections, effective immediately, residents of voting District 2, Hook and Ladder Firehouse located at 161 Broad Street, will now vote at the Matawan Municipal Community Center here at 201 Broad Street. This will begin with the June 6, 2017 Primary Election and continue for ALL future elections. Residents in the District were notified via first class mail; the notice is currently posted on the MMCC marquee, it is posted to the Borough's website, and two SwiftReach (reverse 911) calls will be made to all residents prior to June 6. A notice will be posted at the Hook and Ladder Firehouse on June 6 to remind District 2 voters to vote at the MMCC.

**Mayor's Report**

Mayor Altomonte announced the groundbreaking for the improvements to Gravelly Brook Park will occur on May 17, 2017 at 8:30 AM.

**Administrator's Report**

Mr. Menna informed the Administrator's report was submitted electronically.

**Attorney's Report**

No report.

**Engineer's Report**

Mr. Menna stated the Engineer's Report was submitted electronically, and is available with the Clerk.

**Personnel, Environmental**

No report.

**Borough of Matawan  
Public Session  
May 16, 2017**

**Animal Welfare Advisory Board, Shade Tree**

Councilman Caldon mentioned the ‘puppy mill’ ordinance will be introduced on tonight’s Agenda; and tree work at Lake Lefferts has begun.

**Construction, Fire, First Aid, Sanitation & Recycling,**

No report.

**DPW, Planning/Zoning Board, Main Street Development, Property Maintenance**

Councilman Cannon reported the DPW reached out to the County about 1 ½ months ago regarding the crosswalks on Main Street and Broad Street, specifically leading to Terhune Park, and the County completed the work today. The Main Street Development hit a road block in the parking study, stating that Main Street is not structurally wide enough to do the desired parking plan. As of now, Main Street parking is legally compliant with its preexisting conditions, and they will explore alternative options. Councilman Cannon informed he and Councilman Reeve met with the Redevelopment and Borough Attorneys to explore different options for Main Street property maintenance.

**Finance, Historic Sites**

Councilman Reeve reported the Matawan Historical Society is hosting an event, “Mayhem in Matawan” on June 2 and 3, 2017, which includes ticket sales for Ghost Walks.

**Police, Railroad Parking, ADA & Recreation**

Councilwoman Salvatore reported the Memorial Day Parade is scheduled for Sunday, May 28, at 2:00 PM, beginning at St. Clements parking lot and proceeding to Memorial Park for a ceremony honoring all Veterans. The Recreation Commission is seeking Veterans to march in the Parade. Councilman Caldon said he will be attending Keyport’s Parade on Saturday and will ask some of the Veterans to participate in Matawan’s Parade.

**Consent Agenda**

Mayor Altomonte read by title Resolutions 17-05-14 through and including 17-05-20, requesting a motion to approve en masse. Councilman Vergaretti made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 17-05-14  
REDEMPTION OF TAX SALE CERTIFICATE  
FIG CAPITAL INV. NJ 13, LLC  
CERTIFICATE #14-00016**

*WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #14-00016 was sold to FIG Capital Inv. NJ 13, LLC, MTAG Cust for FIG Capital Inv. NJ 13, 1000 Riverside Ave., Ste 400, Jacksonville, FL 32204; and*

*WHEREAS, Certificate #14-00016 has been paid and fully redeemed for the property owner, Block 21, Lot 2, otherwise known as 32 Park Ave.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$6,316.87, and a Premium of \$2,300.00, to the above for the redemption of Tax Sale Certificate #14-00016.*

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

**RESOLUTION 17-05-15  
REDEMPTION OF TAX SALE CERTIFICATE  
FIG CAPITAL INV. NJ 13, LLC  
CERTIFICATE #14-00061**

**Borough of Matawan  
Public Session  
May 16, 2017**

*WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #14-00061 was sold to FIG Capital Inv. NJ 13, LLC, MTAG Cust for FIG Capital Inv. NJ 13, 1000 Riverside Ave., Ste 400, Jacksonville, FL 32204; and*

*WHEREAS, Certificate #14-00061 has been paid and fully redeemed for the property owner, Block 85, Lot 16, otherwise known as 249 Harding Blvd.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$4,846.14, and a Premium of \$2,000.00, to the above for the redemption of Tax Sale Certificate #14-00061.*

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

**RESOLUTION 17-05-16  
REDEMPTION OF TAX SALE CERTIFICATE  
FIG CAPITAL INV. NJ 13, LLC  
CERTIFICATE #14-00072**

*WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #14-00072 was sold to FIG Capital Inv. NJ 13, LLC, MTAG Cust for FIG Capital Inv. NJ 13, 1000 Riverside Ave., Ste 400, Jacksonville, FL 32204; and*

*WHEREAS, Certificate #14-00072 has been paid and fully redeemed for the property owner, Block 110, Lot 41, otherwise known as Highway 34.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$16,766.35, and a Premium of \$11,600.00, to the above for the redemption of Tax Sale Certificate #14-00072.*

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

**RESOLUTION 17-05-17  
REDEMPTION OF TAX SALE CERTIFICATE  
FNA NJ, LLC  
CERTIFICATE #16-00060**

*WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #16-00060 was sold to FNA NJ, LLC, 120 N. LaSalle St., Ste 1220, Chicago, IL 60602; and*

*WHEREAS, Certificate #16-00060 has been paid and fully redeemed for the property owner, Block 71, Lot 17.01, otherwise known as 54 Middlesex Rd.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$4,238.97, and a Premium of \$4,200.00, to the above for the redemption of Tax Sale Certificate #16-00060.*

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

**RESOLUTION 17-05-18  
REDEMPTION OF TAX SALE CERTIFICATE  
BOROUGH OF MATAWAN  
CERTIFICATE #16-00081**

*WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #16-00081 was sold to Borough of Matawan, 201 Broad St., Matawan, NJ 07747; and*

*WHEREAS, Certificate #16-00081 has been paid and fully redeemed for the property owner, Block 115, Lot 36, otherwise known as Lakeside Dr.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,780.36 to the above for the redemption of Tax Sale Certificate #16-00081.*

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

**Borough of Matawan  
Public Session  
May 16, 2017**

**RESOLUTION 17-05-19  
REDEMPTION OF TAX SALE CERTIFICATE  
ACTLIEN HOLDING, INC.  
CERTIFICATE #16-00102**

*WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #16-00102 was sold to Actlien Holding, Inc., US Bank Cust Actlien Holding, 50 S. 16th Street, Suite 2050, Philadelphia, PA 19102; and*

*WHEREAS, Certificate #16-00102 has been paid and fully redeemed for the property owner, Block 123.03, Lot 6, otherwise known as 24 Poet Drive.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,110.52, and a Premium of \$1,600.00, to the above for the redemption of Tax Sale Certificate #16-00102.*

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

**RESOLUTION 17-05-20  
APPROVAL OF TAXI DRIVER LICENSE RENEWAL  
DAVID WROBEL**

*WHEREAS, David Wrobel, has passed the required Police Department background checks; and*

*WHEREAS, David Wrobel, has filed the proper documentation with the Borough Clerk's office.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the following taxi driver license renewal:*

*Applicant: David Wrobel  
8 Telegraph Hill Road  
Holmdel, NJ 07733*

*BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following: Clerk, Police as well as Applicant.*

**New Business**

Mayor Altomonte read by title Resolution 17-05-21: Authorizing the Conveyance of Personal Property from the Borough of Matawan Volunteer Fire Department to the Monmouth County Office of Shared Services Pursuant to NJSA 40A:12-21.1 – Onan Generator. Mayor Altomonte requested a motion. Councilman Vergaretti made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call. A roll call vote was taken.

- Yes: Councilman Urbano
- Councilman Caldon
- Councilman Vergaretti
- Councilman Cannon
- Councilman Reeve
- Councilwoman Salvatore

Motion passed.

**RESOLUTION 17-05-21  
AUTHORIZING THE CONVEYANCE OF PERSONAL PROPERTY FROM THE  
BOROUGH OF MATAWAN VOLUNTEER FIRE DEPARTMENT TO THE  
MONMOUTH COUNTY OFFICE OF SHARED SERVICES  
PURSUANT TO NJSA 40A:12-21.1  
ONAN GENERATOR**

*WHEREAS, NJSA 40A:12-21 provides that when the Governing Body of any local government unit determines that personal property owned by that unit is no longer needed for its purposes it may authorize, by Resolution, a conveyance of that personal property without compliance with any other law governing disposal of personal property to any organization or association listed in NJSA 40A:12-21; and*

**Borough of Matawan  
Public Session  
May 16, 2017**

*WHEREAS, the Borough of Matawan Volunteer Fire Department Chief informs the equipment, an Onan Generator from a retired Maxim Ladder Fire Truck, is no longer used by the Matawan Fire Department and requests the donation be made to the Monmouth County Office of Shared Services.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that the Borough Administrator is hereby authorized to donate the generator to the Monmouth County Office of Shared Services.*

*BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Finance, Fire as well as the Monmouth County Office of Shared Services.*

Mayor Altomonte read by title Resolution 17-05-22: 2015 Road Improvement Program Contract 2 – Black Rock Enterprises, LLC – Change Order No. 7 and Final. Mayor Altomonte requested a motion. Councilman Vergaretti made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilman Urbano  
Councilman Caldon  
Councilman Vergaretti  
Councilman Cannon  
Councilman Reeve  
Councilwoman Salvatore

Motion passed.

**RESOLUTION 17-05-22  
2015 ROAD IMPROVEMENT PROGRAM CONTRACT 2  
BLACK ROCK ENTERPRISES, LLC  
AUTHORIZING CHANGE ORDER NO. 7 AND FINAL**

*WHEREAS, T&M Associates has informed the Council that Supplementary Item S-10 reflects 2015 Road Improvement Program Contract 2 contract completion date extended to March 28, 2017; and*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, based upon the recommendations of Robert Keady, T&M Associates, that they hereby authorize the attached contract modification, Change Order No. 7 and Final, for the 2015 Road Improvement Program Contract 2.*

*BE IT FURTHER RESOLVED the total Net Change in Contract of One Hundred Eighty-Seven Thousand, Fifteen Dollars and Sixty-Two Cents (\$187,015.62).*

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

**Borough of Matawan  
Public Session  
May 16, 2017**

T&M ASSOCIATES  
CONSULTING & MUNICIPAL ENGINEERS  
ELEVEN TINDALL ROAD  
MIDDLETOWN, NEW JERSEY 07748

SHEET NO. 1 OF 2  
PROJECT NO. MATN-03652

**CHANGE ORDER NO. 7 & FINAL**

**DATE:**

**PROJECT:**

**OWNER:**

**CONTRACTOR:**

**DESCRIPTION OF CHANGE:**

REDUCTIONS:

EXTRA:

SUPPLEMENTARY:

S-10 Contract Completion Date Extended to March 28, 2017

**APPROVAL RECOMMENDED:**

  
ROBERT R. KEADY, JR., P.E., C.M.E.

**ACCEPTED:**



**CONTRACTOR:**

Black Rock Enterprises, LLC

**OWNER'S APPROVALS:**

Joseph Altomonte  
Mayor

NOTE: All work to be done according to Contract Specifications.

SEE ATTACHED DETAIL	ADDITIONAL	REDUCTION
A. TOTAL REDUCTIONS THIS C.O.	XXXXXXXXXX	\$0.00
B. TOTAL EXTRAS THIS C.O.	\$0.00	XXXXXXXXXX
C. TOTAL SUPPLEMENTARY THIS C.O.	\$0.00	XXXXXXXXXX
TOTALS THIS C.O.	\$0.00	\$0.00
NET CHANGE THIS CHANGE ORDER		
PREVIOUS CHANGE ORDERS	\$272,995.17	\$85,979.55
TOTAL CHANGE ORDERS TO DATE	\$272,995.17	\$85,979.55
NET CHANGE IN CONTRACT	\$187,015.62	

ORIGINAL CONTRACT BID PRICE

CHANGE ORDERS TO DATE

REVISED CONTRACT PRICE

## Borough of Matawan Public Session

CHANGE ORDER NO. 7 & FINAL

SHEET NO. 2 OF 2

PROJECT NO. MATN-03652

PROJECT:

OWNER:

CONTRACTOR:

	ITEM NO.	DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
R E D U C T I O N					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00

A. TOTAL REDUCTIONS \$0.00

E X T R A					\$0.00
					\$0.00
					\$0.00

B. TOTAL EXTRA \$0.00

S U P P L E M E N T A R Y	S-10	Contract Completion Date Extended to March 28, 2017	1.00 LS	\$0.00	\$0.00
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C. TOTAL SUPPLEMENTARY \$0.00



**Borough of Matawan  
Public Session  
May 16, 2017**

Mayor Altomonte read by title Resolution 17-05-23: Rejection of All Bids for the 2017 Road Improvement Program Contract 1 and Authorize T&M Associates to Undertake Any Necessary Steps for the Public Re-Advertisement and Accept Bids for the 2017 Road Improvement Program Contract 1. Mayor Altomonte requested a motion. Councilman Caldon made the motion, seconded by Councilman Cannon. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilman Urbano  
Councilman Caldon  
Councilman Vergaretti  
Councilman Cannon  
Councilman Reeve  
Councilwoman Salvatore

Motion passed.

**RESOLUTION 17-05-23  
REJECTION OF ALL BIDS FOR THE  
2017 ROAD IMPROVEMENT PROGRAM CONTRACT 1  
AND AUTHORIZE T&M ASSOCIATES TO UNDERTAKE ANY NECESSARY STEPS FOR THE PUBLIC  
RE-ADVERTISEMENT AND ACCEPT BIDS FOR THE  
2017 ROAD IMPROVEMENT PROGRAM CONTRACT 1**

*WHEREAS, the Borough of Matawan previously authorized the receipt of bids for 2017 Road Improvement Program Contract 1; and*

*WHEREAS, pursuant to law the Borough of Matawan solicited bids for 2017 Road Improvement Program Contract 1; and*

*WHEREAS, the Borough of Matawan received three (3) qualified bid(s) for the aforesaid 2017 Road Improvement Program Contract 1; and*

*WHEREAS, S. Brothers, Inc. was determined to be the lowest responsible bidder; and*

*WHEREAS, S. Brothers, Inc. has informed the Borough Engineer in writing that there was a numerical error and written error in their bid that resulted in a lower bid amount, and has withdrawn its bid; and*

*WHEREAS, the remaining two bids are above the Engineer's Estimate and above the maximum amount of funding allocated for the project.*

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that all bids for 2017 Road Improvement Program Contract 1 be and are hereby rejected.

**BE IT FURTHER RESOLVED** by the Council of the Borough of Matawan that it herewith authorizes T&M Associates to undertake any necessary steps for the public re-advertisement and acceptance of bids for the 2017 Road Improvement Program Contract 1 at no additional cost.

**BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Finance, Public Works as well as Robert Keady, T&M Associates.

Mayor Altomonte read by title Resolution 17-05-24: Entering Interlocal Agreement for Use of Matawan-Aberdeen Regional School District Buses and Drivers to Provide Transportation for the Borough of Matawan's 2017 Summer Recreation Program. Mayor Altomonte requested a motion. Councilman Vergaretti made the motion, seconded by Councilman Urbano. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilman Urbano  
Councilman Caldon  
Councilman Vergaretti  
Councilman Cannon  
Councilman Reeve  
Councilwoman Salvatore

**Borough of Matawan  
Public Session  
May 16, 2017**

Motion passed.

**RESOLUTION 17-05-24  
ENTERING INTERLOCAL AGREEMENT FOR USE OF  
MATAWAN-ABERDEEN REGIONAL SCHOOL DISTRICT  
BUSES AND DRIVERS TO PROVIDE TRANSPORTATION FOR THE BOROUGH OF MATAWAN'S  
2017 SUMMER RECREATION PROGRAM**

*WHEREAS, the Borough of Matawan needs to provide transportation for the 2017 Matawan Borough Summer Recreation Program; and*

*WHEREAS, the Matawan-Aberdeen Regional School District has agreed to provide transportation for the 2017 Matawan Borough Summer Recreation Program based on the 2017 trip list for buses at the estimated cost not to exceed Six Thousand Dollars and No Cents (\$6,000.00) as outlined in the attached Agreement which is in compliance with the Interlocal Services Act; and*

*WHEREAS, the Matawan-Aberdeen Regional School District has agreed to adjust all costs if the actual use of buses decrease.*

*NOW, THEREFORE BE IT RESOLVED by the Council of the Borough of Matawan that the Borough of Matawan enter into the attached Interlocal Service Agreement with the Matawan-Aberdeen Regional School District, and the Mayor be and is hereby authorized to execute this Agreement on behalf of Borough of Matawan in an amount not to exceed Six Thousand Dollars and No Cents (\$6,000.00) which shall be adjusted should the actual use of buses decrease.*

*BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Finance, Recreation as well as the Matawan-Aberdeen Regional School District and the Division of Local Government Services Attn: Shared Services.*

**CERTIFICATION AS TO AVAILABLE FUNDING**

*I, Monica Antista, Chief Financial Officer of the Borough of Matawan do hereby certify that as of the date of this certification funds are available from the Recreation Trust Budget of the Borough of Matawan to the Matawan-Aberdeen Regional School District for providing transportation of the 2017 Summer Recreation Program for the Borough of Matawan in an amount not to exceed Six Thousand Dollars and No Cents (\$6,000.00).*

*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)*

\_\_\_\_\_  
*Monica Antista, CMFO*

*Dated: May 16, 2017*

**INTERLOCAL SERVICES AGREEMENT**

*This INTERLOCAL SERVICES AGREEMENT (this "Agreement"), by and between the Borough of Matawan, in the County of Monmouth, New Jersey, a municipal corporation of the State of New Jersey (the "Borough"), and the Matawan-Aberdeen Regional School Board of Education, in the County of Monmouth, New Jersey, a school district and political subdivision of the State of New Jersey (the "Board") (collectively the "Parties"), dated as of May 16, 2017.*

**WITNESSETH:**

*WHEREAS, the Borough and Board have worked in cooperative spirit to meet the short and long term needs of Matawan; and*

*WHEREAS, the Borough and Board have certain needs that are best served through interlocal cooperation; and*

*WHEREAS, N.J.S.A 40:8A-1 et seq., authorizes and encourages a municipality and a board of education to enter into contracts for the joint provision within their jurisdiction of any service which either party to Agreement is empowered to render within its own jurisdiction; and*

*WHEREAS, the purposes of the Borough and the Board can be accomplished effectively through this Agreement; and*

*WHEREAS, the Borough and Board desire to enter into this Agreement; and*

**Borough of Matawan  
Public Session  
May 16, 2017**

WHEREAS, the Borough has approved the execution of this Agreement by resolution adopted on May 16, 2017 and the Board has approved the execution of this Agreement by resolution adopted on \_\_\_\_\_.

NOW, THEREFORE, the parties hereto mutually agree as follows:

**Section 1. Joint Cooperation.** The Borough and Board shall provide, in cooperation with or on behalf of the other any desired services authorized by law (including, but not limited to, the use, lease or provision of either or both Party’s employees or property, whether real or personal (“Property”), as may be from time to time authorized by joint or concurring resolution of the Parties (“Services Resolution”).

**Section 2. Services Resolutions, Procedures.** Each Services Resolution shall be individually tailored and shall specifically indicate the nature of the service to be performed, Property to be used, and the approval of both Parties in providing the joint cooperating Property. The Services Resolution shall expressly make reference to this Agreement as the controlling document and shall incorporate the terms of this Agreement by reference. Upon passage by both Parties, the Services Resolution shall be appended to this Agreement. In the event that the Services Resolution and this Agreement conflict, the terms of this Agreement shall control. In no event may the terms of a Services Resolution modify this Agreement.

**Section 3. Other Agreements Unaffected.** All other interlocal services agreements, whether currently existing or not, shall remain in full force and effect and shall not be governed by the terms of this Agreement.

**Section 4. Maintenance and Payment.** Unless otherwise specified in a Services Resolution, each Party agrees to maintain its own Property. Any and all payments made for the use of Property in accord with a Services Resolution shall be specified in and made pursuant to that Services Resolution.

**Section 5. Standards.** Services performed through the use of the Property pursuant to a Services Resolution shall be governed by the reasonable satisfaction standard, unless a different standard is specified in such Services Resolution.

**Section 6. No Assignment.** The rights and the obligations under this Agreement and any Services Resolution shall not be assigned by either Party without the written consent of the other.

**Section 7. Term of Agreement and Services Resolution.** This Agreement shall be for a term of one (1) year from the date hereof and may be extended by mutual agreement of the Parties. Each Services Resolution shall be for such time periods as specified in said Services Resolution. Either party may cancel this Agreement, or any Services Resolution covered hereunder, on 90 days written notice to the other party. In the event that this Agreement ceases, any and all Services Resolutions passed in accordance with this Agreement shall also cease.

**Section 8. Fees and Fee Shifting.** Attorney’s fees and fee shifting are prohibited under this Agreement and neither Party may recover fees from the other Party in the event that litigation or arbitration or any proceeding is brought to enforce the obligations of any Party under this Agreement or any Services Resolution.

**Section 9. Joint Insurance.** The Parties shall maintain a joint insurance policy in the usual and customary amount and in a form acceptable to both Parties to insure the Borough and the Board’s use of each other’s Property. At the option of both Parties, the Parties may agree that a specific Services Resolution and the Property used thereunder not be covered by the joint insurance policy, and instead be covered by a separate policy or other insurance arrangement.

**Section 10. Disputes.** The Parties agree that, in the event a dispute arises as to the interpretation of this Agreement or a Services Resolution pursuant to this Agreement, the Borough Administrator, on behalf of the Borough, and the Superintendent of Schools, on behalf of the Board, shall be notified. The Borough Administrator and Superintendent of Schools shall immediately confer on the disputed issue and attempt to reach an accord. If the dispute cannot be rectified, the matter shall be submitted to mediation, failing which, the matter shall be submitted to binding arbitration. New Jersey Law shall govern this Agreement and any Services Resolution pass pursuant to the same.

**Section 11. Efficiency and Public Benefit.** The Borough and the Board concur that this Agreement is being undertaken on behalf of the general public of the Borough of Matawan as the Agreement achieves economics and efficiencies beneficial to the constituency of the Borough of Matawan.

IN WITNESS WHEREOF, the Borough has caused this Agreement to be executed in its corporate name by its duly Authorized Representative, and the Board has caused this Agreement to be executed in its name by its duly Authorized Representative, as of the date first above written, but on the date set forth below.

<Seal>

BOROUGH OF MATAWAN  
IN THE COUNTY OF MONMOUTH, NEW JERSEY  
MONMOUTH, NEW JERSEY  
as Borough

By: \_\_\_\_\_  
Joseph Altomonte, Mayor

**Borough of Matawan  
Public Session  
May 16, 2017**

May 16, 2017

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

Karen Wynne, RMC - Borough Clerk

<Seal>

MATAWAN-ABERDEEN  
REGIONAL SCHOOL DISTRICT  
BOARD OF EDUCATION  
IN THE COUNTY OF MONMOUTH, NEW JERSEY  
as Board

By: \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

Board Secretary

Mayor Altomonte read by title Resolution 17-05-25: Authorizing the Mayor to Proceed to Execute and Implement the Current Proposed Negotiated Agreement with the International Brotherhood of Electrical Workers (IBEW) – January 1, 2017 Through December 31, 2019. Mayor Altomonte requested a motion. Councilman Vergaretti made the motion, seconded by Councilwoman Salvatore. As some Council members requested clarification on contract terms, Mr. Menna recommended the Resolution be tabled until the next meeting. Mayor Altomonte made a motion to table Resolution 17-05-25. Councilman Cannon made the motion, seconded by Councilman Vergaretti. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilman Urbano  
Councilman Caldon  
Councilman Vergaretti  
Councilman Cannon  
Councilwoman Salvatore

No: Councilman Reeve

Motion passed.

Mayor Altomonte read by title Resolution 17-05-26: Authorizing the Appointment of Part-Time Temporary Bookkeeper – Grace Rainforth. Mayor Altomonte requested a motion. Councilwoman Salvatore made the motion, seconded by Councilman Vergaretti. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilman Urbano  
Councilman Caldon  
Councilman Vergaretti  
Councilman Cannon  
Councilman Reeve  
Councilwoman Salvatore

Motion passed.

**RESOLUTION 17-05-26  
AUTHORIZING THE APPOINTMENT OF PART-TIME TEMPORARY  
BOOKKEEPER  
GRACE RAINFORTH**

*WHEREAS, the Borough of Matawan is in need of a Part-Time Temporary Bookkeeper for the Finance Department; and*

*NOW, THEREFORE, BE IT RESOLVED, upon the recommendation of the Borough Administrator of the Borough of Matawan, the Mayor and Council hereby adopt and appoint Grace Rainforth to the position of Part-*

**Borough of Matawan  
Public Session  
May 16, 2017**

*Time Temporary Bookkeeper for the Finance Department, at her current rate of overtime compensation, effective May 1, 2017.*

**BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Finance, Payroll as well as Grace Rainforth.

**CERTIFICATION AS TO AVAILABLE FUNDING**

*I, Monica Antista, Chief Financial Officer of the Borough of Matawan do hereby certify that as of the date of this certification funds are available from the 7-01-20-130-100 Budget of the Borough of Matawan to Grace Rainforth for Part-Time Bookkeeper for the Finance Department in an amount not to exceed Two Thousand Five Hundred Dollars and No Cents (\$2,500.00) effective May 1, 2017.*

*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)

\_\_\_\_\_  
Monica Antista, CMFO  
Dated: May 16, 2017

Mayor Altomonte read by title Resolution 17-05-27: Authorizing the Appointment of Part-Time Temporary Clerk/Typist – Construction/Zoning/Fire Prevention – Veronica Shafik. Mayor Altomonte requested a motion. Councilman Vergaretti made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call. A roll call vote was taken.

- Yes: Councilman Urbano
- Councilman Caldon
- Councilman Vergaretti
- Councilman Cannon
- Councilman Reeve
- Councilwoman Salvatore

Motion passed.

**RESOLUTION 17-05-27  
AUTHORIZING THE APPOINTMENT OF PART-TIME TEMPORARY  
CLERK/TYPIST CONSTRUCTION/ZONING/FIRE PREVENTION  
VERONICA SHAFIK**

**WHEREAS**, the Borough of Matawan is in need of a Part-Time Temporary Clerk/Typist for the Offices of Construction, Zoning and Fire Prevention; and

**NOW, THEREFORE, BE IT RESOLVED**, upon the recommendation of the Borough Administrator of the Borough of Matawan, the Mayor and Council hereby adopt and appoint Veronica Shafik to the position of Part-Time Temporary Clerk/Typist for the Offices of Construction, Zoning and Fire Prevention at a rate of compensation of \$15.00 per hour, effective April 24, 2017.

**BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Construction, Finance, Fire Prevention, Payroll as well as Veronica Shafik.

**CERTIFICATION AS TO AVAILABLE FUNDING**

*I, Monica Antista, Chief Financial Officer of the Borough of Matawan do hereby certify that as of the date of this certification funds are available from the 7-01-22-195-100 and 7-01-25-265-300 Budget of the Borough of Matawan to Veronica Shafik for Part-Time Temporary Clerk/Typist for the Office of Construction, Zoning and Fire Prevention in an amount not to exceed One Thousand Dollars and No Cents (\$1,000.00) effective April 24, 2017.*

*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.*

**Borough of Matawan  
Public Session  
May 16, 2017**

*Chief Financial Officer*

*(Signature on File)*

\_\_\_\_\_  
*Monica Antista, CMFO*

*Dated: May 16, 2017*

Mayor Altomonte read by title Resolution 17-05-28: Governing Body Certification of the Annual Audit for the Year 2016. Mayor Altomonte requested a motion. Councilman Reeve made the motion, seconded by Councilman Vergaretti. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilman Urbano  
Councilman Caldon  
Councilman Vergaretti  
Councilman Cannon  
Councilman Reeve  
Councilwoman Salvatore

Motion passed.

**RESOLUTION 17-05-28  
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT – 2016**

*WHEREAS, NJSA 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and*

*WHEREAS, the Annual Report of Audit for the year 2016 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to NJSA 40A:5-6, and a copy has been received by each member of the Governing Body; and*

*WHEREAS, RS 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and*

*WHEREAS, the Local Finance Board has promulgated NJAC 5:30-6.5, a regulation requiring that the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and*

*WHEREAS, the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations," as evidenced by the group affidavit form of the Governing Body attached hereto; and*

*WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five (45) days after the receipt of the annual audit, pursuant to NJAC 5:30-6.5; and*

*WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and*

*WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of RS 52:27BB-52, to wit:*

*RS 52:27BB-52: A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.*

**NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Matawan, hereby states that it has complied with NJAC 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.**

**I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON MAY 16, 2017.**

\_\_\_\_\_  
*Karen Wynne, RMC  
Municipal Clerk*

**Borough of Matawan  
Public Session  
May 16, 2017**

**CERTIFICATION OF GOVERNING BODY OF THE ANNUAL AUDIT  
GROUP AFFIDAVIT FORM  
NO PHOTO COPIES OF SIGNATURES**

STATE OF NEW JERSEY  
COUNTY OF MONMOUTH

We, members of the Governing Body of the Borough of Matawan, in the County of Matawan, of full age, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the Mayor and Council, of the Borough of Matawan, in the County of Monmouth;
2. In the performance of our duties, and pursuant to NJAC 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to NJSA 40A:5-6 for the year 2016;
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

(L.S.)Councilman Caldon

(L.S.)Councilman Vergaretti

\_\_\_\_\_  
(L.S.)Councilman Cannon

\_\_\_\_\_  
(L.S.)

\_\_\_\_\_  
(L.S.)Councilman Reeve

\_\_\_\_\_  
(L.S.)

\_\_\_\_\_  
(L.S.)Councilwoman Salvatore

\_\_\_\_\_  
(L.S.)

Mayor Altomonte read by title Resolution 17-05-29: Accepting the Tax Collector's Annual Unaudited Report for the Year Ending December 31, 2016. Mayor Altomonte requested a motion. Councilman Vergaretti made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilman Urbano  
Councilman Caldon  
Councilman Vergaretti  
Councilman Cannon  
Councilman Reeve  
Councilwoman Salvatore

Motion passed.

**RESOLUTION 17-05-29  
ACCEPTING THE TAX COLLECTOR'S  
ANNUAL UNAUDITED REPORT  
FOR THE YEAR ENDING DECEMBER 31, 2016**

**WHEREAS**, NJSA 54:4-91 requires that the Tax Collector shall submit an annual statement of receipts to the governing body.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Matawan that the following Collector's Annual Report of Receipts for the Year Ending December 31, 2016, be hereby acknowledged and accepted as submitted.

**BE IT FURTHER RESOLVED**, that a certified true copy of this Resolution shall be forwarded to the Borough Tax Collector and Treasurer.

**Borough of Matawan  
Public Session  
May 16, 2017**

<b>TAX COLLECTOR'S REPORT</b>	
<b>FOR THE YEAR ENDING DECEMBER 31, 2016</b>	
2015 Taxes	\$ 31,510.10
2016 Taxes	\$ 27,357,401.20
2017 Taxes	\$ 289,562.99
6% Penalty	\$ 1,646.91
Interest	\$ 51,378.37
Liquor License	\$ 21,936.00
Marriage License	\$ 180.00
General Business Licenses	\$ 8,630.00
Peddlers License	\$ 127.00
Ice Cream Truck	\$ 75.00
Taxi Cab License	\$ 1,450.00
Taxi Driver License	\$ 1,275.00
Tree Permits	\$ 550.00
Raffle	\$ 340.00
Massage Parlor Permit	\$ 800.00
Massage Therapist	\$ 600.00
Towing Application	\$ 1,150.00
Building Inspector	\$ 83,780.00
Electrical Inspector	\$ 84,948.00
Plumbing Inspector	\$ 123,394.00
CO	\$ 23,271.00
Fire	\$ 49,664.00
Misc Inspector	\$ 3,150.00
Zoning Fee-Resident	\$ 1,920.00
Zoning Non Resident	\$ 700.00
Zoning Fence Walls	\$ 1,120.00
Zoning Shed and Structure	\$ 400.00
Zoning Pools Above	\$ 575.00
Zoning Pools Inground	\$ 375.00
Accident Reports	\$ 1,437.91
Cert copies	\$ 2,260.00
Firearms	\$ 435.00
Food Handling	\$ 10,885.00
Variance List	\$ 255.00
Street Openings	\$ 2,250.00
Zoning Board	\$ 6,130.00
Swimming Pool Permit	\$ 100.00



**Borough of Matawan  
Public Session  
May 16, 2017**

<b>TAX COLLECTOR'S REPORT</b>	
<b>FOR THE YEAR ENDING DECEMBER 31, 2016</b>	
Return Check Fee	\$ 260.00
Fire Inspector	\$ 215.00
Fire Permits	\$ 1,408.00
Fire Reports	\$ 70.00
Fire Status	\$ 880.00
CO Inspections	\$ 26,915.00
Bldg Rental Reg	\$ 15,200.00
Reinspect Fee BOFH	\$ 600.00
Maps	\$ 10.00
Xerox Copies	\$ 4.85
Cablevision Fees	\$ 149,145.91
Board of Health Plan Rev	\$ 500.00
Vendor Refunds	\$ 919.99
Petty Cash closeout	\$ 250.00
Library State Aid	\$ 1,917.00
Recycling Tonnage Grant	\$ 17,615.07
Alcohol Rehab	\$ 785.61
Clean Comm	\$ 20,016.79
T Mobile/Cell Rent	\$ 110,644.71
NJ body Armor Grant	\$ 2,184.17
Misc Unanticipated	\$ 88,382.86
Burrow Mansion Grant	\$ 4,500.00
Sale of Assets	\$ 40,493.00
YMCA Rent	\$ 56,800.00
Room Rental Com Ctr	\$ 780.00
Polling Place Rental	\$ 1,600.00
Damage Claims	
Battered Persons	\$ 1,528.00
Court Fees & Costs	\$ 138,932.40
Court Interest	\$ 2.47
Minnisink Quarterly Taxes	\$ 91,914.00
Reimburse Comp Ins	\$ 4,519.28
Tax Sale Premium	\$ 494,300.00
Cost of Sale	\$ 10,709.03
Special Chgs-Lawn Maintenance	\$ 400.00
Outside Liens Redeemed	\$ 838,695.78
<b>TOTAL FOR THE YEAR 2016</b>	<b>\$ 30,288,761.40</b>

Mayor Altomonte read by title Resolution 17-05-30: Fixing Recreation Fees and Uses – Chair Yoga. Mayor Altomonte requested a motion. Councilman Vergaretti made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilman Urbano  
Councilman Caldon  
Councilman Vergaretti  
Councilman Cannon  
Councilman Reeve  
Councilwoman Salvatore

Motion passed.

**RESOLUTION 17-05-30  
FIXING RECREATION FEES AND USES  
CHAIR YOGA**

**BE IT RESOLVED**, by the Council of the Borough of Matawan, based on the recommendation of the Recreation Director and the Recreation Commission delegates that the following fees shall be fixed for the year 2017 and future years. These fees supplement and are in addition to the fees established by Ordinance 91-13.

**Borough of Matawan  
Public Session  
May 16, 2017**

- **Chair Yoga Registration Fee**
  - Matawan Residents No Fee
  - Non-Resident Fee \$25.00

**BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Finance, Recreation as well as the Monmouth County Health Department.

Mayor Altomonte requested a motion to introduce Ordinance 17-08: Amending and Supplementing the Code of the Borough of Matawan Chapter V – Animal Control, Section 5:8.1(a) – Regulating the Sale of Dogs and Cats and Providing for a Prohibition on the Sale of Certain Dogs and Cats From Pet Shops. Councilman Urbano made the motion, seconded by Councilwoman Vergaretti. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilman Urbano  
Councilman Caldon  
Councilman Vergaretti  
Councilman Cannon  
Councilman Reeve  
Councilwoman Salvatore

Motion passed.

**ORDINANCE 17-08  
AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF MATAWAN  
CHAPTER V – ANIMAL CONTROL  
SECTION 5:8.1(A) – REGULATING THE SALE OF DOGS AND CATS AND  
PROVIDING FOR A PROHIBITION ON THE SALE OF CERTAIN DOGS AND CATS FROM PET SHOPS**

**WHEREAS**, a significant number of puppies and kittens sold at pet shops come from commercial breeding facilities where the health and welfare of the animals are not adequately provided for ("puppy mills" and "kitten mills", respectively); and

**WHEREAS**, the documented abuses endemic to puppy and kitten mills include over-breeding; inbreeding; minimal to non-existent veterinary care; lack of adequate space; and lack of adequate exercise; and

**WHEREAS**, the inhumane conditions in puppy and kitten mill facilities lead to health and behavioral issues in the animals bred in those facilities, which many consumers are unaware of when purchasing animals from pet shops and which can result in exorbitant financial and emotional costs on consumers; and

**WHEREAS**, current Federal and State regulations do not adequately address the sale of puppy and kitten mill dogs and cats in pet shops; and

**WHEREAS**, restricting the retail sale of puppies and kittens to only those that are sourced from shelters or rescue organizations is likely to decrease the demand for puppies and kittens bred in puppy and kitten mills, and is likely to increase demand for animals from animal shelters and rescue organizations; and

**WHEREAS**, according to the New Jersey Department of Health 2014 Animal Intake and Disposition Survey, due in large part to pet overpopulation, more than 20,000 dogs and cats are euthanized in New Jersey animal shelters annually and restricting the retail sale of puppies and kittens to only those that are sourced from animal shelters and rescue organizations will likely reduce pet overpopulation and the burden on such agencies and financial costs on local taxpayers; and

**WHEREAS**, across the country, thousands of independent pet shops as well as large chains operate profitably with a business model focused on the sale of pet services and supplies and not on the sale of dogs and cats and many of these shops collaborate with local animal shelters and rescue organizations to offer space and support for showcasing adoptable homeless pets on their premises; and

**WHEREAS**, this Ordinance will not affect a consumer's ability to obtain a dog or cat of his or her choice directly from a breed-specific rescue organization or shelter, or from a hobby breeder where the consumer can see directly the conditions in which the dogs or cats are bred, or can confer directly with the hobby breeder concerning those conditions; and

**WHEREAS**, the Governing Body finds that it is in the best interests of the Borough to adopt reasonable regulations to protect the citizens of the Municipality who may purchase cats or dogs from a pet shop; help prevent an inhumane environment in the Borough.

**Borough of Matawan  
Public Session  
May 16, 2017**

*NOW, THEREFORE, BE IT ORDAINED* by the Mayor and Council of the Borough of Matawan, in the County of Monmouth, State of New Jersey, as follows:

**SECTION ONE:** Chapter V, Ordinance 5-8.1 (Regulation of Kennel, Pet Shop, Shelter or Pound) of "Animals" of the Code of the Borough of Matawan, be and the same is hereby amended and supplemented to add thereto the following Ordinance:

Ordinance 5-8.1(a): *Regulating the Sale of Dogs and Cats.*

**(i) Definitions.**

The following words and terms shall have the meanings herein indicated for the purposes of the Article:

**ANIMAL CARE FACILITY** means an animal control center or animal shelter, maintained by or under contract with any state, county or municipality, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes or rescue organizations.

**ANIMAL RESCUE ORGANIZATION** means any not-for-profit organization which has tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part the rescue and placement of animals in permanent homes.

**OFFER FOR SALE** means to sell, offer for sale or adoptions, advertise for the sale of, barter, auction, give away or otherwise dispose of a dog or cat.

**PET SHOP** means a retail establishment where dogs and cats are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail. Such definition shall not include an animal care facility or animal rescue organization, as defined herein.

**(ii) Restrictions on the Sale of Dogs and Cats.**

A. A pet shop may offer for sale only those dogs and cats that the pet shop has obtained from or displays in cooperation with:

- 1) An animal care facility; or
- 2) An animal rescue organization.

B. A pet shop shall not offer for sale a dog or cat that is younger than eight weeks old.

**SECTION TWO.** All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

**SECTION THREE.** If any section, subsection, paragraph, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgement shall not affect, impair or invalidate the remainder of this Ordinance.

**SECTION FOUR.** This Ordinance shall take effect immediately upon its Passage and publication according to law.

The Clerk announced the public hearing will be held at 7:00 PM on June 7, 2017.

Mayor Altomonte read by title Resolution 17-05-31: Payment of Bills. Mayor Altomonte requested a motion. Councilman Vergaretti made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call. A roll call vote was taken.

- Yes:
- Councilman Urbano
  - Councilman Caldon
  - Councilman Vergaretti
  - Councilman Cannon
  - Councilman Reeve
  - Councilwoman Salvatore

Motion passed.

**RESOLUTION 17-05-31  
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.

**Borough of Matawan  
Public Session  
May 16, 2017**

<i>Current</i>	\$367,101.30
<i>Water &amp; Sewer</i>	\$86,606.71
<i>Borough Capital</i>	\$20,498.88
<i>Borough Trust</i>	\$12,437.20
<i>Developers Escrow Account</i>	\$75.00
<i>Recreation Trust</i>	\$2,825.00
<i>Unemployment</i>	\$223.82
<b>Total</b>	<b>\$489,767.91</b>

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

Mayor Altomonte read by title Resolution 17-05-32: Approval of Construction to be Performed on Saturdays for Borough of Matawan Projects – Main Street Streetscape and Gravelly Brook Park Improvements Phase I. Mayor Altomonte requested a motion. Councilman Vergaretti made the motion, seconded by Councilwoman Salvatore. Council approved, en masse.

Motion passed.

**RESOLUTION 17-05-32  
APPROVAL OF CONSTRUCTION TO BE PERFORMED ON SATURDAYS FOR BOROUGH OF  
MATAWAN PROJECTS  
MAIN STREET STREETScape AND  
GRAVELLY BROOK PARK IMPROVEMENTS PHASE I**

*NOW, THEREFORE, BE IT RESOLVED*, by the Council of the Borough of Matawan, the construction activity related to the Main Street Streetscape soil borings and the Gravelly Brook Park Improvements Phase I is herewith approved for Saturday construction.

*BE IT FURTHER RESOLVED* that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Finance, Police, Public Works as well as Robert Keady, T&M Associates.

**Privilege of the Floor**

Mayor Altomonte opened the Privilege of the Floor.

Loretta Windas, 138 Aberdeen Road, Matawan. Ms. Windas thanked Mayor and Council for their support on the prohibition of puppy mills for cats and dogs. She noted if there ever should be a retail establishment in Matawan, it sends a message that the Borough joins the 100+ other municipalities in the State against puppy mills.

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

**Adjournment**

Mayor Altomonte requested a motion to adjourn. Councilman Vergaretti made the motion, seconded by Councilwoman Salvatore. Council agreed. Motion passed.

Meeting adjourned at 7:37 PM.

(Signature on file)

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Karen Wynne, RMC  
Municipal Clerk