

**Organization Meeting of the Borough Council
Of the Borough of Matawan, New Jersey
For the Year 2011**

**Matawan Municipal Community Center
201 Broad Street
Matawan, New Jersey 07747**



**January 1, 2011
12:00 Noon**

Roll Call

Salute to the Flag

Administration of the Oath of Office To:

**Councilwoman Linda Clifton
Councilwoman-elect Donna Gould**

**The Invocation: Rev. Philip Ruggiero
 (Parochial Vica - St. Clement Church, Matawan, NJ)**

Roll Call

**RESOLUTION 11-01-01
COUNCIL PRESIDENT APPOINTMENT**

WHEREAS, it is necessary that a member of the Council be elected President of said Council to fulfill the duties of the Mayor during the absence of the Mayor, for the year ending December 31, 2011.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Matawan that, Andy Lopez, a member of the Council, be elected as President of said Council.

**RESOLUTION 11-01-02
AUTHORIZING THE APPOINTMENT OF BOROUGH ATTORNEY
UNDER FAIR AND OPEN**

WHEREAS, there exists the need for legal services in the Borough of Matawan, County of Monmouth; and

WHEREAS, the firm of Menna, Supko & Nelson, LLC has submitted qualifications as part of a "Fair and Open Process" pursuant to the provisions of N.J.S.A. 40:44A-20.5 et seq. and the Borough Council finds this firm to be the most qualified for the legal services sought by the Borough of Matawan; and

WHEREAS, N.J.S.A. 19:44A-20.5 et seq. allows a municipality through a "Fair and Open Process" to seek and solicit qualifications by advertising for such qualifications and appointing the firm based on said contractor's qualifications and merit; and

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Matawan that they hereby appoint Pasquale Menna, Esq., of the firm of Menna, Supko & Nelson, LLC as Borough Attorney for the Borough of Matawan for the year 2011, said term to expire December 31, 2011.

**RESOLUTION 11-01-03
BOROUGH OF MATAWAN, COUNTY OF MONMOUTH
STATE OF NEW JERSEY
APPOINTING PART TIME BUSINESS ADMINISTRATOR FOR THE BOROUGH OF MATAWAN
SUBJECT TO EXECUTION OF AGREEMENT TO IMPLEMENT THE APPOINTMENT**

WHEREAS, the Borough of Matawan has an existing contract with Patriot Consulting Group for the services of a Business Administrator for the Borough of Matawan on a part-time basis through May 31, 2011; and,

WHEREAS, due to unforeseen circumstances William J. Garofola, an agent of Patriot Consulting, previously named Business Administrator for the Borough of Matawan has resigned his position; and,

WHEREAS, Patriot Consulting Group has employed Barbara L. Bascom as a Senior Consultant primarily for the purposes of fulfilling Patriot's contract with the Borough of Matawan; and,

WHEREAS, Barbara L. Bascom is well qualified to assume the duties of Administrator for the Borough of Matawan and possesses the requisite educational, professional training and past experience to undertake the duties and obligations as Administrator for the Borough; and,

WHEREAS, the Chief Financial Officer has certified to the Mayor and Council that the Borough has

reserved the funds necessary for the engagement of services of a Borough Administrator through the execution of their contract with Patriot Consulting Group.

NOW, THEREFORE, BE IT RESOLVED by the Council that it authorizes the appointment of Barbara L. Bascom, an agent of Patriot Consulting Group, as Business Administrator for the Borough of Matawan effective January 1, 2011 for a part-time position as the Administrator for an annual salary pro-rata not to exceed the sum of \$60,000.00, and without participation in the Health Insurance benefits of the Borough of Matawan, and subject further to the execution of an employment agreement to be ratified by Mayor and Council of the Borough of Matawan, which will confirm the employment upon the terms established herein and other conditions of employment as ratified by the Council, and that it further confirms her capacity as the representative for Patriot Consulting in her duties as Acting Administrator from December 1, 2010 until December 31, 2010, at the same compensation.

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 0-01-20-180-100 \$33,750.00, 0-01-55-180-180 \$5,625.00 and 0-09-55-180-181 \$5,625.00 Budget of the Borough of Matawan to Barbara Bascom as Part Time Business Administrator for the Borough of Matawan in an amount not to exceed \$60,000.00 per annum.

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

Monica Antista, CMFO

Dated: January 1, 2011

RESOLUTION 11-01-04 EMERGENCY TEMPORARY APPROPRIATION

WHEREAS, emergent conditions have arisen with respect to the payment of bills in a number of accounts and no adequate provision has been made in a 2011 temporary budget for the aforesaid purposes; and

WHEREAS, NJSA 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2011 pursuant to the provisions of Chapter 96, PL 1951 (NJSA 40A:4-20) including this resolution total \$1,032,580.16.

NOW, THEREFORE, BE IT RESOLVED (not less than two thirds of all member of the Council of the Borough of Matawan, New Jersey affirmatively concurring) that in accordance with the provisions of NJSA 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for the purposes stipulated in the attached list.
2. That said emergency temporary appropriations will be provided for in the 2011 budget under the appropriate titles.

3. That one certified copy of this resolution be filed with the Director of Local Government Services.

BE IT FURTHER RESOLVED, that the amount required by Statue for the payment of 2011 County, and Local School District Taxes, which are not included in this temporary budget, shall be paid as and when due.

2011 Temporary Budget-12/14/10

	Salary & Wages	Other Expenses
Mayor & Council	4,310.78	656.25
Muni Clerk	15,986.25	3,886.31
General Admin	7,497.00	17,557.31
Audit	-	-
Finance Admin	15,986.25	3,068.63
Tax Asses Admin	8,873.81	603.75
Tax Collector	10,683.75	1,813.88
Legal Services	-	30,975.00
Engineering	-	19,687.50
Bldg & Grounds	27,825.00	11,943.75
Plan/Zoning Bd	3,937.50	4,429.69
Shade Tree Comm	315.00	1,693.13
Environ Health	-	-
Solid Waste Coll	761.25	177,318.75
Insurance-Group Health	-	267,860.25
Insurance-Liability	-	60,000.00
Insurance-Workers Comp	-	85,000.00
Prosecutor	-	2,638.39
Fire	-	37,029.56
Fire Prevention	13,758.94	1,321.69
Police	647,850.00	50,006.25
Streets & Roads	70,822.50	19,897.50
Street Lighting	-	38,062.50
Bd of Health	1,050.00	9,187.50
	-	-
Recreation	3,150.00	4,068.75
	-	-
Historical Sites	315.00	3,366.56
	-	-
	-	-
OEM	-	1,312.50
Prop Maint	3,780.00	95.81
RR Parking	27,984.60	36,487.50
Downtown Redev	-	-
Utilities	-	76,518.75

Vehicle Maint	10,710.00	7,875.00
Constr Official	32,565.75	4,087.13
Accum Sick Leave	-	-
OASI	-	26,386.50
PERS	-	-
P/F Retirement	-	-
Municipal Court	25,503.19	3,782.63
Public Defender	-	1,706.25
Free Public Library	-	94,057.09
Emergency 911	-	-
LOSAP		-
Green Trust Loan		9,172.50
Payment Of Bond Principal		-
Payment Of Bans		-
Interest On Bonds		-
Interest On Notes		-
Special Emergency		-
MCIA Lease Interest		15,000.00
MCIA Lease Principal		-
Capital Improvement Fund		-

Subtotal	933,666.56	1,128,554.54
Total Temporary Emergency Appropriations		2,062,221.10

Water Sewer Utility

Operating	179,812.50	247,353.75
Payment On Bond Principal		-
Acquisition Of Water/Bulk Water		119,437.50
BRSA		411,272.14
Interest On Bonds		-
Interest On Notes		25,839.53
Surplus		-
Wastewater Loan		16,140.00
Social Security		13,387.50

Subtotal	179,812.50	833,430.41
Total Water Sewer Utility Temporary Emergency Appropriations		1,013,242.91

OATH OF OFFICE ADMINISTERED TO THE FIRE CHIEFS

Chief: Zoltan Varsani, Freneau Volunteer Fire Company
Assistant Chief: Carl Bommer, Hook & Ladder Company
Second Assistant Chief: Donald Mason, Midway Hose Company
Third Assistant Chief: Peter Berliner, M.E. Haley Hose Company
Fourth Assistant Chief: Brian Bernath, Washington Engine Company

Matawan Borough Fire Department: Presentation of Badges & Awards

OATH OF OFFICE ADMINISTERED TO FIRST AID OFFICERS

Captain: Chris Sommer
First Lieutenant: James Archibald

RESOLUTION 11-01-05 REGULAR COUNCIL MEETINGS

WHEREAS, the Open Public Meeting Law P.L. 1975c231 requires that advanced public notice of the Mayor and Council meeting be announced at the Annual Meeting.

NOW, THEREFORE, BE IT RESOLVED that the following meetings shall be named and held at the Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey:

January	1 st	11 th Special Mtg	18 th
February	1 st		15 th
March	1 st		15 th
April	5 th		18 th Monday
May	3 rd		17 th
June	9 th Thursday		21 st
July	5 th		---
August	2 nd		---
September	6 th		20 th
October	4 th		18 th
November	1 st		14 th Monday
December	6 th		20 th

The first meeting of each month will be a Workshop meeting, followed by a Regular Council meeting. The Workshop meeting will begin at 7:00 P.M.

The second meeting of each month will be a Regular Council meeting and will begin at 7:00 P.M.

All Executive Session meetings will be held, if required, at 6:30 P.M. prior to the workshop and regular meetings each month, or as needed.

BE IT FURTHER RESOLVED that the Asbury Park Press and the Independent be named as the official newspapers to whom all notices of meetings shall be sent.

RESOLUTION 11-01-06

**DESIGNATED DEPOSITORY OF 2011 FUNDS
BOROUGH OF MATAWAN**

BE IT RESOLVED by the Mayor and Council of the Borough of Matawan that the following Banks and Trust Companies be the official depositories wherein all of the accounts for the Borough of Matawan be kept:

TD Commerce Bank
Sun National Bank
Bank of America
MBIA
New Jersey Cash Management
Sovereign Bancorp of Matawan
Synergy Bank
Amboy National Bank
Columbia Savings
Hudson City Savings
Penn Federal Savings
Kearny Federal Saving
Wachovia
Capital One
JP Morgan Chase

BE IT RESOLVED that disbursements of the following accounts be made by checks signed by Mayor Paul Buccellato, the Borough Clerk Jean B. Montfort and the Borough CFO/Treasurer Monica Antista:

Railroad Parking Lot	Borough Capital Account
Dog Tax Trust Account	Current Fund
Developers Escrow Account	Borough Trust
Payroll Account	Water-Sewer Operating
Recreation Trust	Water Capital Account
Matawan Law Enforcement Trust	Tax Collector's Trust Fund
Unemployment	

BE IT RESOLVED that disbursements of the following accounts be made by checks signed by the Building Inspector, John Quinn and Technical Assistant, Lynn Kramer.

Building Inspector's Account

BE IT RESOLVED that disbursements of the following accounts be made by checks signed by the Court Administrator Patricia Sickels and Judge Colannino:

Municipal Court General Fund
Municipal Court Bail Account

**RESOLUTION 11-01-07
BOROUGH OF MATAWAN
BUSINESS OFFICE HOURS**

WHEREAS, in an effort to conserve energy effective July 21, 2008 the Borough of Matawan business office hours were revised by the Borough Council to 7:30 AM to 5:00 PM Monday through Thursday, closed Friday and revised again to continue through October 31, 2008 to December 31, 2009.

WHEREAS, on January 1, 2010 the Borough of Matawan business office hours were revised again to continue from January 1, 2010 to December 31, 2010 by the Borough Council.

WHEREAS, a compilation of results have been determined to be a cost savings of several thousand dollars and the governing body wishes to monitor the cost difference; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Matawan, County of Monmouth, has elected to extend its revised hours of 7:30 AM to 5:00 PM Monday through Thursday, closed Friday through April 30, 2011.

**RESOLUTION 11-01-08
CASH MANAGEMENT PLAN - 2011**

WHEREAS, N.J.S.A. 40A:5-14 requires that every local unit adopt a Cash Management Plan, and

WHEREAS, the primary objectives of the plan are to preserve the safety of Public funds, seek investment instruments that offer liquidity and maximize interest revenue through use of authorized legal depositories and approved investment instruments,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Matawan, County of Monmouth, State of New Jersey the following Cash Management Plan for the Borough of Matawan be adopted.

**BOROUGH OF MATAWAN
CASH MANAGEMENT PLAN**

INTRODUCTION

The New Jersey "Local Fiscal Affairs Law", N.J.S.A. 40A:5-14 requires that every local unit adopt a Cash Management Plan and shall deposit its funds pursuant to that plan. The primary objectives of the plan are to preserve the safety of public funds, seek investment instruments that offer liquidity and maximize interest revenue through the use of authorized legal depositories and approved investment instruments.

I. AUTHORITY

- a. Borough Council of the Borough of Matawan, County of Monmouth.
- b. Delegation of Authority – Authority to implement the investment program is granted to the Chief Financial Officer. The Chief Financial Officer shall act in accordance with the requirements of the Cash Management Plan, New Jersey Statutes and proper use of internal controls. No other persons may engage in investment transactions except for those subordinate officials of the Chief Financial Officer.

II. STATEMENTS OF POLICY

It shall be the policy of the Borough of Matawan, County of Monmouth to adopt a Cash Management Plan, and to authorize the Chief Financial Officer to administer said Plan, for the purpose of deposit and investment of the maximum of available funds in interest bearing instruments. The investment instruments shall be safe, liquid and offer market yields.

Safety of principal is the foremost objective of the Cash Management Plan. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital.

The utilized investment instruments shall remain sufficiently liquid to meet all operating cash requirements that may be reasonably anticipated.

Investments shall be planned with the objective of attaining a market rate, while taking into account legal restriction, risk and liquidity. Return on investment is secondary importance compared to safety.

III. DEFINITIONS

“Arbitrage” refers to the rules and regulation governing the issuance of Bond or Notes and the reinvestment of the proceeds at a higher yield. These regulations are promulgated by the Internal Revenue Service, regulation 1.103.

“Cash Management Fund” is the New Jersey Cash Management Fund. The Fund is one of a number of funds invested by the New Jersey Division of Investments of the Department of Treasury under the jurisdiction of the State of Investment Council. The Fund is authorized to receive and invest local unit funds pursuant to N.J.S.A. 40A:5-14.

“Certificate of Eligibility” is the certification issued by the New Jersey Department of Banking, Division of Banking that a public depository is eligible to act as a depository for public funds and qualifies as a participant in the New Jersey Governmental Unit Deposit Protection Act, GUDPA.

“Compensating Balance Account” is a bank account at an eligible depository which pays no interest or interest lower than ½ of 1 percent of maximum, in return for specific services, for example check sorting, payroll services, wire transfers and other services.

“Eligible Public Depositories” is a Banking or Savings and Loan Association with a current certificate of eligibility from the State Banking Department. The Borough of Matawan shall designate said depositories, by resolution of the governing body on January 1st of each year in accordance with N.J.S.A. 40A:5-14.

“Eligible Securities” are those investment instruments authorized by N.J.S.A. 40A:5-15.1.

“Interest Bearing Account” is an account or time deposit in an eligible public depository, earning interest, or any deposit in the State of New Jersey Cash Management Fund.

IV. STANDARDS OF CARE

1. The standard of prudence to be used by those delegated to effect investment transactions on behalf of the Borough of Matawan shall be the “prudent person” standard. Investments shall be made with judgement and care, under circumstances the prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs. Investments shall not be for speculation.
2. Employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their eligibility to make impartial decisions. Employees shall disclose any material interest in financial institutions with which business is conducted and they shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the Borough of Matawan.
3. The Chief Financial Officer is responsible for establishing and maintaining internal controls. The controls should ensure that the assets of the Borough of Matawan are protected from loss, theft or misuse.

V. PROCEDURES FOR RECEIPT OF MONIES

1. Department Procedures

- a. Department Directors will ensure that a receipt is issued in duplicate for all transactions. A copy of the receipt shall be given to the paying party and the duplicate maintained by the issuing department. The receipts shall be pre-numbered, or sequentially numbered if computer generated.
- b. All monies collected or received from any source by or on behalf of the Borough, Department, or any Board thereof, shall be forwarded to the Division of Accounts and Control within forty-eight (48) hours of receipt.
- c. The Division of Accounts and Control will prepare collected revenues for deposit to the designated

legal depository.

- d. All monies received shall be placed in a secure place until forwarded for deposit.
- e. The Department/Division Director shall file with the Chief Financial Officer a monthly report of all monies received in the manner prescribed. The report also will include year to date amounts received.
- f. No department, division, or agencies shall engage in the practice of cashing checks with public funds. Cashing of employee pay checks is included in this prohibition.

2. Chief Financial Officer

- a. All monies collected or received from any source by or on behalf of the Borough shall be deposited within forty-eight (48) hours of receipt to designated banks.
- b. Ensure that all monies deposited are in an interest bearing account (s).
- c. Where compensating balances are used to offset bank expenses, an agreement between the bank(s) and the Borough shall be executed and reviewed annually.
- d. The Chief Financial Officer shall make recommendations of legal public depositories to the Matawan Borough Council who shall by resolution designate said depositories at the annual reorganization meeting of the Council. The list of authorized depositories may be amended at any time during the year.
- e. Maturity of Investments – Investments shall be limited to maturity not to exceed one year on all operating funds unless a longer maturity is permitted within the provision of the State Statute or promulgated regulations.
- f. Investment Securities – The Chief Financial Officer has the responsibility to determine which investment instruments are best suited for the Borough. However, the Chief Financial Officer shall be authorized only to invest in securities permitted by New Jersey State Statute. No investment shall be made in any depository that does not meet current Federal minimum standard for Leverage Ratio, Tier 1 Capital Ratio.

Presently, a local unit may permit investments in such institutions as permitted in Section 4 of P.L. 1970, Chapter 235 (6.17:19:44 and other instruments specified as follows:

Mutual Funds backed by the United States Government Obligations
United States Treasury Bills (T-Bills)
Municipal Bonds or Notes
Commercial Bank Deposits and Certificates of Deposit
Repurchase Agreements
Investment in Savings and Loan Associations
United States Government Agency and Instrumentality Obligations
State of New Jersey Cash Management Fund
School District Obligations

All designated depositories must conform to all applicable State statutes concerning depositories of public funds, and all depositories shall obtain the highest amount possible F.D.I.C. and/or F.S.L.I.C. coverage for all municipal assets.

VI. FUNDS EXCLUDED FROM INVESTING

The following types of funds are not required to be placed in interest bearing accounts:

- 1. Petty cash funds.

2. Cash drawn from a Federal Agency under a letter of credit which has to be paid out within five(5) working days to a vendor.
3. Deposit retainage or amounts posted by way of bond, held by the local unit for such things as faithful performance, if the local unit would be required by law to pay back any interest earned to the provider of the deposit, except where the local unit is required by law or court decision to invest in funds.
4. Amounts derived from the sale of bonds or notes, only to the extent that a specific written opinion of bond counsel states that the earning of (full) interest would result in the bonds or notes being classified as a arbitrage (not federally tax exempt) issued pursuant to Federal regulations to the extent that sum interest is allowable, it shall be deposited at such a rate if such rate is obtainable.

VII. BOROUGH AUDITOR

The Borough investment practices and the agreement of banking services and compensation thereof shall be reviewed by the Borough Auditor as part of the annual audit, as required by the N.J.S.A. 40A:5-4. Where a conflict exists between this Cash Management Plan and State statute the applicable statute shall govern.

VIII SURETY BONDS

1. The Chief Financial Officer shall be covered by a surety bond. During the annual audit the Municipal Auditor shall examine said bond to determine that proper coverage is in effect.
2. Staff members of the Division of Accounts and Control shall be covered by a Public Employee Faithful Performance Bond (blanket bond) in the minimum of \$10,000.00

IX. REPORTING

The Chief Financial Officer in accordance with N.J.S.A. 40A:5-14 shall prepare a written monthly investment report and submit same to the Borough Council. The summary report will be prepared in the manner which will allow the Borough Council and the administration to ascertain whether investment activities during the reporting period have conformed to the Cash Management Plan. The report shall set forth each organization holding local unit funds, the amount of securities purchased or sold, class or type of securities purchased, book value, earned income, fee incurred, and market value of all investments as of the report date. Such written report shall be included in the minutes of a regular Borough Council meeting.

RESOLUTION 11-01-09 TAX GRACE PERIOD AND INTEREST ON DELINQUENT TAXES

WHEREAS, N.J.S.A. 54:4-66 provides that taxes shall be payable in quarterly installments due on February 1st, May 1st, August 1st, and November 1st, after which dates, if unpaid, shall become delinquent; and that a period of ten calendar days grace for the payment of taxes following said date be fixed and established; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Matawan that is payment is not made by the tenth calendar day of the month on which the installment becomes payable, an interest charge of eight (8%) percent per annum will be assessed on the first \$1,500 of the delinquency and eighteen (18%) percent per annum on any amount in excess of \$1,500, to be calculated from the date the tax was payable until the date of actual payment.

NOW TEREFORE BE IT FURTHER RESOLVED, that a taxpayer who has a delinquency in excess of \$10,000, who fails to pay that delinquency prior to the end of a calendar year will be charged a penalty of six (6) percent of the amount of the delinquency plus interest calculate to December 31st.

**RESOLUTION 11-01-10
DUE DATE AND INTEREST ON
WATER/SEWER BILLS**

WHEREAS, N.J.S.A. 40:62-107.6 provides that the governing body of the municipality shall be authorized to set a grace period and to set penalties for water/sewer bills; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Matawan that all water rents shall be payable by the 28th day of the month that the bills are received.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Governing Body of the Borough of Matawan that all water rents shall be payable by the 28th day of the month that the bills are issued at the office of the Water and Sewer Department. On all water rents or portion thereof remaining unpaid after billing date there shall be added a penalty in the amount of two (2%) percent for each month water rents or any portion thereof remain unpaid. On all water rents or any portion thereof remaining unpaid thirty (30) days after the billing date and due notice, the water shall be shutoff from the premises and suit may be instituted for the recovery of the fees. The fee for shutting off the water shall be forty (\$40.00) dollars or for turning on the water shall be forty (\$40.00) dollars

**RESOLUTION 11-01-11
AUTHORIZATION TO SIGN FEDERAL, STATE & COUNTY APPLICATIONS ON BEHALF OF THE
BOROUGH OF MATAWAN**

WHEREAS, The Borough of Matawan from time to time prepare Applications for Federal, State and County Permits, Grants and Loans; and

WHEREAS, the Borough of Matawan is required on certain Federal, State and County Applications to designate an individual to sign said Applications on behalf of the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that the Mayor be and is hereby authorized to sign any and all Federal, State and County Applications on behalf of the Borough of Matawan.

**RESOLUTION 11-01-12
AUTHORIZING TAX ASSESSOR OR MUNICIPAL ATTORNEY TO ACT AS AGENT FOR THE
TAXING DISTRICT**

WHEREAS, from time to time, the Tax Assessor discovers an error in calculation, transposing, measurement, or typographical errors in the tax assessments on the tax list after the time the County Board of Taxation has certified the tax rates for tax year or a property becomes subject to a roll-back assessment; and

WHEREAS, the governing body of the Taxing District of the Borough of Matawan is desirous that every taxpayer pays his fair share of taxes; and

WHEREAS, if the above discovered errors are not corrected or a roll-back assessment or applied, the taxpayers affected would not be paying their fair share of taxes; and

WHEREAS, the method for correcting such errors is to file a Petition of Appeal or Complaint with the Monmouth County Board of Taxation,

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Taxing District of the

Borough of Matawan that the Tax Assessor, Municipal Attorney or Conflict Attorney is hereby authorized to act as the agent for the Taxing District during the year of 2011 and file a Petition of Appeal or Complaint with the Monmouth County Board of Taxation to correct such assessments to the proper Value and that a copy of any Petition of Appeal or Complaint filed with the Monmouth County Board of Taxation under this Resolution be filed with the Municipal Clerk; and

BE IT FURTHER RESOLVED, that the Tax Assessor, Municipal Attorney or Conflict Attorney is hereby authorized to execute stipulations of settlement on any tax appeal or complaint filed by the taxing district or by a taxpayer in the year 2011; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Monmouth County Board of Taxation with any such Petition of Appeal.

**RESOLUTION 11-01-13
AUTHORIZING THE APPOINTMENT FOR ENGINEERING SERVICES
UNDER FAIR AND OPEN**

WHEREAS, there exists the need for Engineering Services in the Borough of Matawan, County of Monmouth; and

WHEREAS, the firm of T&M Associates has submitted qualifications as part of a “Fair and Open Process” pursuant to the provisions of N.J.S.A. 40:44A-20.5 et seq. and the Borough Council finds this firm to be the most qualified for the engineering services sought by the Borough of Matawan; and

WHEREAS, N.J.S.A. 19:44A-20.5 et seq. allows a municipality through a “Fair and Open Process” to seek and solicit qualifications by advertising for such qualifications and appointing the firm based on said contractor’s qualifications and merit; and

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Matawan that they hereby appoint Robert Keady, PE of the firm of T&M Associates as Borough Engineer for the Borough of Matawan for the year 2011, said term to expire December 31, 2011.

**RESOLUTION 11-01-14
AUTHORIZING THE APPOINTMENT OF BOROUGH BOND ATTORNEY
UNDER FAIR AND OPEN**

WHEREAS, there exists the need for a Borough Bond Attorney in the Borough of Matawan, County of Monmouth; and

WHEREAS, the firm of Gibbons, PC has submitted qualifications as part of a “Fair and Open Process” pursuant to the provisions of N.J.S.A. 40:44A-20.5 et seq. and the Borough Council finds this firm to be the most qualified for the Borough Bond Attorney sought by the Borough of Matawan; and

WHEREAS, N.J.S.A. 19:44A-20.5 et seq. allows a municipality through a “Fair and Open Process” to seek and solicit qualifications by advertising for such qualifications and appointing the firm based on said contractor’s qualifications and merit; and

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Matawan that they hereby appoint John J. Draikiwicz, Esq., of the firm of Gibbons, PC as Borough Bond Attorney for the Borough of Matawan for the year 2011, said term to expire December 31, 2011.

RESOLUTION 11-01-15
AUTHORIZING THE APPOINTMENT OF BOROUGH LABOR ATTORNEY
UNDER FAIR AND OPEN

WHEREAS, there exists the need for a Borough Labor Attorney in the Borough of Matawan, County of Monmouth; and

WHEREAS, the firm of Cleary Giacobbe Alfieri Jacobs, LLC has submitted qualifications as part of a “Fair and Open Process” pursuant to the provisions of N.J.S.A. 40:44A-20.5 et seq. and the Borough Council finds this firm to be the most qualified for the Borough Labor Attorney sought by the Borough of Matawan; and

WHEREAS, N.J.S.A. 19:44A-20.5 et seq. allows a municipality through a “Fair and Open Process” to seek and solicit qualifications by advertising for such qualifications and appointing the firm based on said contractor’s qualifications and merit; and

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Matawan that they hereby appoint Matthew Giacobbe, of the firm of Cleary Giacobbe Alfieri Jacobs, LLC as Borough Labor Attorney for the Borough of Matawan for the year 2011, said term to expire December 31, 2011.

RESOLUTION 11-01-16
AUTHORIZING THE APPOINTMENT OF BOROUGH PROSECUTOR
UNDER FAIR AND OPEN

WHEREAS, there exists the need for a Borough Prosecutor in the Borough of Matawan, County of Monmouth; and

WHEREAS, the firm of Campbell, Foley, Delano, & Adams, LLC has submitted qualifications as part of a “Fair and Open Process” pursuant to the provisions of N.J.S.A. 40:44A-20.5 et seq. and the Borough Council finds this firm to be the most qualified for the Borough Prosecutor sought by the Borough of Matawan; and

WHEREAS, N.J.S.A. 19:44A-20.5 et seq. allows a municipality through a “Fair and Open Process” to seek and solicit qualifications by advertising for such qualifications and appointing the firm based on said contractor’s qualifications and merit; and

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Matawan that they hereby appoint Lori A. Kaniper, Esq., of the firm of Campbell, Foley, Lee, Murphy as Borough Prosecutor for the Borough of Matawan for the year 2011, said term to expire December 31, 2011.

RESOLUTION 11-01-17
AUTHORIZING THE APPOINTMENT OF BOROUGH PUBLIC DEFENDER
UNDER FAIR AND OPEN

WHEREAS, there exists the need for an Public Defender in the Borough of Matawan, County of Monmouth; and

WHEREAS, the firm of Dasti, Murphy, McGuckin, Ulaky, Cherkos & Connors has submitted qualifications as part of a “Fair and Open Process” pursuant to the provisions of N.J.S.A. 40:44A-20.5 et seq. and the Borough Council finds this firm to be the most qualified for the Public Defender sought by the Borough of Matawan; and

WHEREAS, N.J.S.A. 19:44A-20.5 et seq. allows a municipality through a “Fair and Open Process” to seek and solicit qualifications by advertising for such qualifications and appointing the firm based on said contractor’s qualifications and merit; and

THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Matawan that they hereby appoint Christopher K. Koutsouris, Esq., of the firm of Dasti, Murphy, McGuckin, Ulaky, Cherkos & Connors as Public Defender for the Borough of Matawan for the year 2011, said term to expire December 31, 2011.

Nominations and Appointments to Borough Offices

(Made by the Mayor to be confirmed by Council.) - (One year terms, said terms to expire December 31, 2011 or as noted.)

Deputy Court Administrator	Madeline Scalzo	12/31/11
First Deputy Emergency Management Coordinator	Tim Clifton	12/31/11
Second Deputy Emergency Management Coordinator	Richard Michitsch	12/31/11
Recycling Coordinator	Robert Strang	12/31/11
Deputy Borough Clerk	Karen Wynne	12/31/11
Checkmate Rep Position Dist Advisory Board	Billie Bullard-Robinson	12/31/11
Checkmate Representative	Billie Bullard-Robinson	12/31/11
Borough Fire Department Physician	Stephen J. Swartz, M.D.	12/31/11
AFLAC Representative	Billie Jean Robinson	12/31/11
ADA Coordinator	Joseph Urbano	12/31/11
Property Maintenance Officer	Glenn Turner	12/31/11
Assistant Property Maintenance Office	Ray Bassford	12/31/11
Assessment Search Officer	Jean B. Montfort	12/31/11
Director of Public Recreation	Joe Altomonte	12/31/11
Tax Search Officer	Peggy Warren	12/31/11
HIPPA Privacy & Contact Person	Grace Rainforth	12/31/11
Deputy Registrar of Vital Statistic	Grace Rainforth	12/31/11
Personnel Administrator	Borough Administrator	12/31/11
Local Historian	Julius Kish	12/31/11

RESOLUTION 11-01-18 RESOLUTION APPOINTING BARBARA BASCOM AS THE COAH MUNICIPAL HOUSING LIAISON

WHEREAS, it is necessary for the Mayor and Council of the Borough of Matawan to appoint a COAH Municipal Housing Liaison; and

WHEREAS, it is the desire of the Mayor and Council to appoint Barbara Bascom as the COAH Municipal Housing Liaison.

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

1. That BARBARA BASCOM is hereby appointed as the COAH Municipal Housing Liaison for the Borough of Matawan at no additional compensation.
2. That a certified copy of this resolution be forwarded:
 - i. Omar H. Mansour, American Properties Reality, 517 Route One South, Ste. 2100, Iselin, New Jersey 08830
 - ii. Elizabeth C. McKenzie, PP, PA, 9 Main Street, Flemington, New Jersey

- 08822
- iii. Lucy Voorhoeve, Council on Affordable Housing, PO Box 813, Trenton,
New Jersey 08625-00813

**RESOLUTION 11-01-19
RESOLUTION APPOINTING BARBARA BASCOM
AS THE FUND COMMISSIONERS TO THE
MONMOUTH COUNTY MUNICIPAL JOINT INSURANCE FUND
CENTRAL JERSEY HEALTH INSURANCE FUND**

WHEREAS, the Mayor and Council of the Borough of Matawan has authorized its participation in the Monmouth County Municipal Joint Insurance Fund; and

WHEREAS, it is necessary for the Mayor and Council of the Borough of Matawan to appoint a Fund Commissions to the Monmouth County Municipal Joint Insurance Fund; and

WHEREAS, it is the desire of the Mayor and Council to appoint Barbara Bascom as the Fund Commissioner to the Monmouth County Municipal Joint Insurance Fund.

WHEREAS, it is the desire of the Mayor and Council to appoint Barbara Bascom as the Fund Commissioner for the Borough of Matawan to the Central Jersey Health Insurance Fund (CJHIF)

WHEREAS, it is the desire of the Mayor and Council to appoint Jean B. Montfort as the Alternate Fund Commissioner to the Monmouth County Municipal Joint Insurance Fund.

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

1. That Barbara Bascom is hereby appointed as the Fund Commissioner for the Borough of Matawan to the Monmouth County Municipal Joint Insurance Fund.
2. That Jean B. Montfort is hereby appointed as the Alternate Fund Commissioner for the Borough of Matawan to the Monmouth County Municipal Joint Insurance Fund.
3. That Barbara Bascom is hereby appointed as the Fund Commissioner for the Borough of Matawan to the Central Jersey Health Insurance Fund (CJHIF)
4. That a certified copy of this resolution be forwarded to the Administrator for the Monmouth County Municipal Joint Insurance Fund and the Administrator for the Central Jersey Health Insurance Fund (CJHIF).

**RESOLUTION 11-01-20
FOR THE APPOINTMENT
OF MUNICIPAL CROSS-ACCEPTANCE REPRESENTATIVE**

WHEREAS, the New Jersey State Planning Commission is re-examining the New Jersey State Development and Redevelopment Plan; and

WHEREAS, the State Planning Act provides for a process of "Cross-Acceptance", whereby each municipality in the state has the opportunity to review and comment on the revised State Development and Redevelopment Plan; and

WHEREAS, the Monmouth County Planning Board has requested that the Mayor and Governing Body designate a Cross-Acceptance delegation comprised of representatives that are most knowledgeable with the Municipality's master plan, zoning regulations, and other planning initiatives; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of Matawan Borough that Barbara Bascom is hereby designated as the representative for the Cross-Acceptance process.

**RESOLUTION 11-01-21
APPOINTING COMMUNITY DEVELOPMENT REPRESENTATIVE AND
COMMUNITY DEVELOPMENT ALTERNATE REPRESENTATIVE**

WHEREAS, there exists in the Borough of Matawan, County of Monmouth, the need for a Community Development Representative and a Community Development Alternate Representative; and

WHEREAS, Barbara Bascom is qualified for said position of Community Development Representative; and

WHEREAS, Jean B. Montfort is qualified for said position of Community Development Alternate Representative.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Matawan that Barbara Bascom be appointed as Community Development Representative and Jean B. Montfort be appointed as Community Development Alternate Representative.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to Community Development, Hall of Records Annex, One East Main Street, Freehold, New Jersey 07728.

**RESOLUTION 11-01-22
DESIGNATING STORMWATER PROGRAM COORDINATOR
FOR THE BOROUGH OF MATAWAN**

WHEREAS, New Jersey Department of Environmental Protection has announced that the new rules were signed by the Commissioner on January 6, 2004; and

WHEREAS, the Borough of Matawan is required to register with the NJDEP and submit an application form for ATier A Municipal Stormwater General Permits and said application requires the Borough of Matawan to designate a Stormwater Program Coordinator; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Matawan that Robert Keady, PE is hereby appointed Stormwater Program Coordinator for a one (1) year term, said term to expire December 31, 20110.

**RESOLUTION 11-01-23
RESOLUTION APPOINTING MUNICIPAL REPRESENTATIVES TO
THE MONMOUTH COUNTY AREA 12 WATERSHED SUB-DISTRICT KNOWN AS BAYSHORE AND
NAVESINK**

WHEREAS, the Borough of Matawan wishes to participate in the Monmouth County Watershed Program; and

WHEREAS, in order to implement this program the Borough has been requested to appoint two (2) representatives and two (2) alternates to each of the sub-districts listed above, to work toward and develop goals for watershed management;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Matawan

that Councilman Lopez, primary and Robert Keady, P.E. alternate are appointed to the Bayshore District and Councilman Lopez, primary and Robert Keady, P.E. alternate are appointed to the Navesink District, and are to represent the Borough of Matawan.

BE IT FURTHER RESOLVED that the Borough Clerk be and is authorized and directed to forward certified copies of this Resolution to the Monmouth County NJ DEP Region I2, Monmouth County Watershed Program, Monmouth County Planning Board, Hall of Records Annex, Second Floor, One East Main Street, Freehold, New Jersey 07728 and to the Borough of Matawan Environmental Commission.

**RESOLUTION 11-01-24
ADMINISTRATIVE COMMITTEES
BOROUGH OF MATAWAN - 2011**

WHEREAS, it is necessary and expedient for the proper administration of government in the Borough of Matawan, to divide the administration of government into committees and appoint on said committee members of the council to facilitate the operations of the Borough between meetings of the Council.

NOW, THEREFORE BE IT RESOLVED by the Council of the Borough of Matawan that the administration of government be divided into:

Community Affairs, Personnel, Construction, Main Street
Community Affairs/Liaison, Construction, Main Street

Finance, Sanitation/Recycling, Education
Finance, Sanitation/Recycling, Education

Fire, First Aid, Environmental, Planning/Zoning, Shade Tree
Fire, First Aid, Planning/Zoning, Shade Tree

Police, Railroad Parking, Library
Police, Railroad Parking, Library

Public Works, Water/Sewer, Property Maintenance
Streets/Roads/Building & Grounds, Water & Sewer, Property Maintenance, ADA

Recreation, Redevelopment, Historic Sites, Technology
Recreation, Redevelopment, Historic Sites, Technology

NOMINATION AND APPOINTMENTS TO COMMITTEES

*(By the Mayor)
(The first name of each committee serves as chairman)*

Community Affairs, Personnel, Construction, Main Street
Donna Gould
Linda Clifton
Toni Angelini

Finance, Sanitation/Recycling, Education

Thomas Fitzsimmons
Andy Lopez

Linda Clifton

Fire, First Aid, Environmental, Planning/Zoning, Shade Tree

Andy Lopez
Joseph Urbano
Donna Gould

Police, Railroad Parking, Library

Toni Angelini
Joe Urbano
Tom Fitzsimmons

Public Works, Water/Sewer, Property Maintenance

Joe Urbano
Andrew Lopez
Thomas Fitzsimmons

Recreation, Redevelopment, Historic Sites, Technology

Linda Clifton
Donna Gould
Toni Angelini

**RESOLUTION 11-01-25
TIME CAPSULE
BOROUGH OF MATAWAN - 2011**

WHEREAS, the Tricentennial Committee of the Borough of Matawan in 1986 had reason to bury a time capsule; and

WHEREAS, said Time Capsule having been buried in Memorial Park, Main and Broad Streets; and

WHEREAS, instruction directing the said Time Capsule to be opened on January 1, 2086, or at an appropriate date during the Year 2086, determined by the then elected governing body, in conjunction with the appropriate body serving the preservation of Matawan's History, or the Quadcentennial Commission.

NOW, THEREFORE, BE IT RESOLVED that this Resolution, adopted this First Day of January 2011, be an ongoing resolution, and be a permanent resolution adopted at the first meeting of each year until the Year 2086, to serve as a reminder to all future governing bodies of the existence of the "Time Capsule".

APPOINTMENTS MADE BY THE MAYOR

Unified Planning/Zoning Board of Adjustments

I nominate and appoint Robert Montfort as Class II Member of the Unified Planning/Zoning Board of Adjustments for a one year term, said term to expire December 31, 2011.

I nominate and appoint Councilman Andrew Lopez as Class III Member of the Unified Planning/Zoning Board of Adjustments for a one year term, said term to expire December 31, 2011.

I nominate and appoint Rickey B. Butler as Class IV Member of the Unified Planning/Zoning Board of Adjustments for a four year term, said term to expire December 31, 2014.

Shade Tree Commission

I nominate and appoint Cathy Odell as Member of the Shade Tree Commission for a five year term, said term to expire December 31, 2015.

Police Commission

I nominate and appoint James O'Keefe as Citizen Member of the Police Commission for a one year term, said term to expire December 31, 2011.

BOARD APPOINTMENTS MADE BY THE MAYOR WITH CONFIRMATION OF COUNCIL

Historic Sites Commission

Upon the recommendation of the Historic Sites Commission I nominate and appoint Catherine Savolaine as a member of the Historic Sites Commission for a three year term, said term to expire December 31, 2013.

Upon the recommendation of the Matawan Historical Society I nominate and appoint Betty Kauffmann as a member of the Historic Sites Commission for a three year term, said term to expire December 31, 2013.

Library Board

I nominate and appoint Mayor Buccellato as Mayor's representative to the Library Board for a one year term, said term to expire December 31, 2011.

I nominate and appoint Susan Quinn as a representative to the Library Board for a one year term, said term to expire December 31, 2011.

Office on the Aging

I nominate and appoint Al Savolaine as member of the Office on the Aging for a one year term, said term to expire December 31, 2011.

I nominate and appoint Catherine Savolaine as member of the Office on the Aging for a one year term, said term to expire December 31, 2011.

Safety Committee

I nominate and appoint Anthony Bucco the Public Works Representative of the Safety Committee for a one year term, said term to expire December 31, 2011.

I nominate and appoint Jake Applegate the Water Department Representative of the Safety Committee for a one year term, said term to expire December 31, 2011.

I nominate and appoint Councilman Lopez the Public Safety Committee Commissioner's Representative of the Safety Committee for a one year term, said term to expire December 31, 2011.

Crossing Guards

On recommendation of the Chief of Police, I nominate and appoint the following persons as school crossing guards for the Year 2011.

Melanie Murphy
Carolyn Woods
Linda Smith
Michele Matthews

Diane Monroe'
Colleen Gano
June Berliner
Sally Anne Riley

On recommendation of the Chief of Police, I nominate and appoint the following persons as part time school crossing guards for the Year 2011.

Kimberly Boswell
Sandy Hoogerheide

Leslie Gilman

Police Matrons

Upon the recommendation of the Chief of Police, I nominate and appoint the following persons as police matrons for the Year 2011.

Meghan Walker
Denise Triolo

Consent Agenda

Resolution 11-01-26: Redemption of Tax Sale Certificate – US Bank for CCTS Capital, LLC – Certificate #09-00090

Resolution 11-01-27: Approving Business Relocation – Caring Hands Health Care Agency, LLC

New Business

Resolution 11-01-28: Resolution Authorizing Bonds Aggregating the Principal Sum of not to Exceed \$9,563,850 Authorized by Various Bond Ordinances Heretofore Adopted to Finance Part of the Cost of Various General Improvements in the Borough of Matawan, County of Monmouth, New Jersey into one Consolidated Issue of Bonds and Providing for the form, the Authorization to Delegate the Award of the Bonds by an Authorized Officer and Other Details of said Consolidated Issue.

The Mayor's Report

Privilege of the Floor

Adjournment