

**Borough of Matawan  
Workshop Meeting  
May 1, 2012  
7:00 PM**

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 1, 2012. The meeting was called to order at 7:10 PM by Mayor Buccellato presiding. Mayor Buccellato called the meeting to order, pursuant to Section 5 of the Open Public Meetings Act that adequate notice of this meeting has been provided in the notice which was published in *The Independent* on January 12, 2012, by sending notice to the *Asbury Park Press*, and by posting. Mayor Buccellato requested a roll call.

On roll call the following members responded present:

Yes:            Councilwoman Gould  
                  Councilman Lopez  
                  Councilwoman Angelini  
                  Councilman Urbano  
                  Councilwoman Clifton  
                  Councilman Fitzsimmons

Also present were Barbara Bascom, Borough Administrator and Pasquale Menna, Esq., Borough Attorney.

Mayor Buccellato asked everyone to stand for a moment of silence keeping in your thoughts the recent passing of George Leeuw, Sr., father of Borough of Matawan Police Officer George Leeuw, Jr.

Mayor Buccellato asked everyone to stand in the Salute to the Flag.

Mayor Buccellato informed of the additional of Workshop Item c. – Peer Consulting.

**Workshop Items**

**Peer Consulting**

Fred Benjamin, 190 Jackson Street, Matawan. Mr. Benjamin is a mental health specialist and addiction counselor with his colleague, a licensed addiction counselor and social worker is requesting MMCC use starting next month between 5:00 and 8:00 PM once or twice a month for confidential counseling for families dealing with substance abuse. Council commended Mr. Benjamin on the inception of this program and informed him to complete and submit the required paperwork (an MMCC use application).

**Little Street Parking Lot**

Council discussed possible pay stations/meters/permits in lot for businesses and/or residents as well as the recent use of the lot for auto maintenance and repairs. Council requested DPW to erect a sign stating no auto repair/maintenance subject to fine (refer to code). Mayor Buccellato requested Ms. Bascom to compile fair pricing on residents vs. business permits.

**Masseuse/Massage Parlor Ordinance**

Council reviewed and commented on draft ordinances and edits distributed by Mr. Menna and Ms. Bascom. Mayor Buccellato will incorporate comments and e-mail revised document to Council.

**Old Business**

Mayor Buccellato read by title Ordinance 12-09: Ordinance to Amend the Code of the Borough of Matawan Deleting Chapter 4-13 – Motor Vehicle Service Stations. Mayor Buccellato

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requested a motion to open the public hearing. Councilman Lopez made the motion, seconded by Councilwoman Angelini. Motion passed. Mayor Buccellato requested comments. There were no comments. Mayor Buccellato requested a motion to close the public hearing. Councilman Lopez made the motion, seconded by Councilwoman Clifton. Council agreed. Motion passed. Mayor Buccellato read by title on third and final reading Ordinance 12-09: Ordinance to Amend the Code of the Borough of Matawan Deleting Chapter 4-13 – Motor Vehicle Service Stations requesting a motion to adopt. Councilman Lopez made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould  
Councilman Lopez  
Councilwoman Angelini  
Councilman Urbano  
Councilwoman Clifton  
Councilman Fitzsimmons

Motion passed.

**ORDINANCE 12-09  
ORDINANCE TO AMEND THE CODE OF  
THE BOROUGH OF MATAWAN  
DELETING CHAPTER 4-13 MOTOR VEHICLE SERVICE STATIONS**

*WHEREAS, the governing body of the Borough of Matawan wishes to update their current Code; and*

*WHEREAS, the Business Administrator of the Borough of Matawan has recommended the deletion of Chapter 4-13 Motor Vehicle Service Stations.*

**4-13 Motor Vehicle Service Stations.**

**4-13.1 License Required.**

*No person shall engage in the business of operating, maintaining or conducting a motor vehicle service station for the sale of gasoline at retail without first procuring a license. (1971 Code § 10-8.1)*

**4-13.2 Fee.**

*The license fee shall be ten (\$10.00) dollars per station per view. (1971 Code § 10-8.2)*

**4-13.3 Compliance with Laws and Codes.**

*Licensees shall comply with all laws of the State of New Jersey and all zoning, fire prevention and building regulations, as well as any and all other codes, ordinances and duly adopted rules and regulations. (1971 Code § 10-8.3)*

**NOW, THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Matawan that Chapter 4-13 Motor Vehicle Service Stations is hereby deleted from the Code of the Borough of Matawan.

Mayor Buccellato read by title Ordinance 12-10: An Ordinance to Amend Chapter II – Administration Section 2-14.7 and Chapter IX – Personnel Policies Section 9-29.2(C). Mayor Buccellato requested a motion to open the public hearing. Councilman Urbano made the motion, seconded by Councilwoman Clifton. Motion passed. Mayor Buccellato requested comments. There were no comments. Mayor Buccellato requested a motion to close the public hearing. Councilwoman Clifton made the motion, seconded by Councilman Urbano. Council agreed. Motion passed. Mayor Buccellato read by title on third and final reading Ordinance 12-10: An Ordinance to Amend Chapter II – Administration Section 2-14.7 and Chapter IX – Personnel Policies Section 9-29.2(C) requesting a motion to adopt. Councilman Fitzsimmons made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

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Yes: Councilwoman Gould  
Councilman Lopez  
Councilwoman Angelini  
Councilman Urbano  
Councilwoman Clifton  
Councilman Fitzsimmons

Motion passed.

**ORDINANCE 12-10  
AN ORDINANCE TO AMEND  
CHAPTER II – ADMINISTRATION SECTION 2-14.7 AND  
CHAPTER IX – PERSONNEL POLICIES SECTION 9-29.2(C)**

*Section 1: Ordinance 2-14.7, “Initial Hiring of Police Officers” under Chapter II, “Administration” of the Borough of Matawan Code is hereby deleted.*

*Section 2: Ordinance 2-14.7 is replaced by the existing Ordinance 9-29.2, “Advertising” of the Article 9 of the Code of the Borough of Matawan concerning “Personnel Policies.”*

*Section 3: Existing Ordinance 9-29.2(c) is amended to read:*

*“Initial applications will be available during normal business hours four days a week (7:30 AM to 5:00 PM) at the Clerk’s office, 201 Broad Street, Matawan, New Jersey. Public Advertisements seeking applications must be published in an approved newspaper of general circulation approved by the Mayor and Council and must run for two days within a two week span, one of which days shall include publication on a Sunday, and further that for those two weeks, the Notice shall be posted on the web site of the Borough of Matawan.”*

**Consent Agenda**

Mayor Buccellato read by title Resolutions 12-05-02 through 12-05-06 requesting a motion to approve en masse. Councilwoman Angelini made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

Yes: Councilwoman Gould  
Councilman Lopez  
Councilwoman Angelini  
Councilman Urbano  
Councilwoman Clifton  
Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-05-02  
REDEMPTION OF TAX SALE CERTIFICATE  
FNA JERSEY LIEN SERVICES, LLC  
CERTIFICATE #11-00026**

**WHEREAS**, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00026 which was sold to FNA Jersey Lien Services, LLC, PO Box 1030, Brick, New Jersey 08723; and

**WHEREAS**, Certificate #11-00026 has been paid and fully redeemed for the property owner, Block 30, Lot 3, otherwise known as 9 Stillwell St.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$4,955.79 to the above for the redemption of Tax Sale Certificate #11-00026.

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

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**RESOLUTION 12-05-03  
REDEMPTION OF TAX SALE CERTIFICATE  
US BANK CUST FOR PROCAPITAL I, LLC  
CERTIFICATE #11-00046**

*WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00046 which was sold to US Bank Cust for Procapital I, LLC, 50 S 16<sup>th</sup> St., Ste 1950, Philadelphia, PA 19102; and*

*WHEREAS, Certificate #11-00046 has been paid and fully redeemed for the property owner, Block 47.02, Lot 28 otherwise known as 21 New Brunswick Avenue.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$2,127.24 to the above for the redemption of Tax Sale Certificate #11-00046.*

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

**RESOLUTION 12-05-04  
REDEMPTION OF TAX SALE CERTIFICATE  
MTAG SERVICES AS CUST FOR ATCF II NEW JERSEY, LLC  
CERTIFICATE #11-00051**

*WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00051 which was sold to MTAG Services as Cust for ATCF II New Jersey, LLC, PO Box 54292, New Orleans, LA 70154-4292; and*

*WHEREAS, Certificate #11-00051 has been paid and fully redeemed for the property owner, Block 61, Lot 4.27 otherwise known as 27 Oak Knoll Dr.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$12,315.44 and a Premium of \$8,000.00 to the above for the redemption of Tax Sale Certificate #11-00051.*

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

**RESOLUTION 12-05-05  
REDEMPTION OF TAX SALE CERTIFICATE  
US BANK CUST FOR PROCAPITAL I, LLC  
CERTIFICATE #11-00064**

*WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00064 which was sold to US Bank Cust for Procapital I, LLC, 50 S 16<sup>th</sup> St., Ste 1950, Philadelphia, PA 19102; and*

*WHEREAS, Certificate #11-00064 has been paid and fully redeemed for the property owner, Block 69, Lot 3.0511, otherwise known as E-11 Cliffwood Avenue.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$2,418.66 to the above for the redemption of Tax Sale Certificate #11-00064.*

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

**RESOLUTION 12-05-06  
REFUND OF TAX OVERPAYMENT DUE TO TAX APPEAL  
JOHN & JOAN PESCE  
8 CLAIRE COURT - BLOCK 6, LOT 11**

*WHEREAS, the following property has been overpaid for first quarter 2012; and*

*WHEREAS, the property owner is due a refund in order to clear the account; and*

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

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

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<i>Block/Lot</i>	<i>Vendor</i>	<i>Amount of Refund</i>	<i>Notation</i>
120/45.03	John & Joan Pesce 8 Claire Court Matawan NJ 07747	\$2,581.12	overpayment due to Homestead Benefit in 2012 and veteran exemption

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

**New Business**

Mayor Buccellato read by title Resolution 12-05-07: Release of Escrow Funds – Andrew Oreckinto – 97 Ravine Drive – Block 77, Lot 11. Mayor Buccellato requested a motion. Councilman Lopez made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould  
Councilman Lopez  
Councilwoman Angelini  
Councilman Urbano  
Councilwoman Clifton  
Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-05-07  
RELEASE OF ESCROW FUNDS  
ANDREW ORECKINTO  
97 RAVINE DRIVE - BLOCK 77, LOT 11**

**WHEREAS**, Andrew Oreckinto have requested the release of the balance on his escrow account, Block 77, Lot 11, otherwise known as 97 Ravine Drive, Matawan, New Jersey; and

**WHEREAS**, on August 24, 2010 Andrew Oreckinto posted total escrow in the amount of Three Thousand Seven Hundred Fifty Dollars and No Cents (\$3,750.00); and

**WHEREAS**, as certified by the Treasurer/CFO the remaining cash portion balance as of April 19, 2012 is Two Thousand Three Hundred Forty Dollars and Ninety Three Cents (\$2,340.93); and

**WHEREAS**, Philip A. Haderer, PE, CMC of T&M Associates has recommended the release of the escrow.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan hereby approves the release of the balance on the escrow funds in the amount of Two Thousand Three Hundred Forty Dollars and Ninety Three Cents (\$2,340.93) posted by Andrew Oreckinto for 97 Ravine Drive - Block 77, Lot 11, Matawan, New Jersey.

**CERTIFICATION FOR RELEASE OF FUNDS**

I, Monica Antista, Chief Financial Officer of the Borough of Matawan do hereby certify that as of April 19, 2012 the balance of the Escrow Account for Andrew Oreckinto is approximately Two Thousand Three Hundred Forty Dollars and Ninety Three Cents (\$2,340.93).

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 1, 2012

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Mayor Buccellato read by title Resolution 12-05-08: Resolution Requesting Designation for New Jersey Transit Bus Stop and Shelter at Mill Road and Route 34 South. Mayor Buccellato requested a motion. Councilwoman Clifton made the motion, seconded by Councilwoman Gould. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould  
Councilman Lopez  
Councilwoman Angelini  
Councilman Urbano  
Councilwoman Clifton  
Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-05-08  
RESOLUTION REQUESTING DESIGNATION FOR  
NEW JERSEY TRANSIT BUS STOP AND SHELTER  
AT MILL ROAD AND ROUTE 34 SOUTH**

*WHEREAS, there are a number of residents who commute via the New Jersey Transit bus line on Route 34; and*

*WHEREAS, it has come to Council's attention the bus stop at Mill Road and Route 34 South lacks a bus shelter; and*

*WHEREAS, a bus shelter will benefit all who use the Route 34 transportation corridor; and*

*WHEREAS, New Jersey Transit works closely with municipalities to provide safe and convenient stops; and*

*WHEREAS, New Jersey Transit informs under State statute the power to designate bus stops rests with municipalities, and does post signs at all sanctioned bus stops; and*

*WHEREAS, New Jersey Transit requires an executed Municipal Review Statement from the Borough of Matawan which will then be forwarded to the New Jersey Department of Transportation to initiate its review of the location as Route 34 is a state highway.*

***NOW, THEREFORE, BE IT RESOLVED*** by the Council of the Borough of Matawan hereby requests New Jersey Transit to designate a bus stop and erect a bus stop shelter at the New Jersey Transit Bus Stop at Mill Road and Route 34 South.

***BE IT FURTHER RESOLVED*** the Council of the Borough of Matawan hereby authorizes Mayor Buccellato to sign the New Jersey Transit Municipal Review Statement on behalf of the Borough of Matawan.

Mayor Buccellato read by title Resolution 12-05-09: Amending Resolution 12-03-03: Approval of Matawan First Aid & Rescue Squad Flea Market at the Matawan Train Station Parking Lot Year 2012. Mayor Buccellato requested a motion. Councilman Lopez made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould  
Councilman Lopez  
Councilwoman Angelini  
Councilman Urbano  
Councilwoman Clifton  
Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-05-09  
AMENDING**

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**RESOLUTION 12-03-33  
APPROVAL OF MATAWAN FIRST AID & RESCUE SQUAD  
FLEA MARKET AT THE MATAWAN TRAIN STATION PARKING LOT  
YEAR 2012**

*WHEREAS, the Matawan First Aid & Rescue Squad has requested they be allowed to conduct a flea market at the Matawan Train Station parking lot on Saturdays and Sundays between April and December of 2012; and*

*WHEREAS, the Matawan First Aid & Rescue Squad uses revenue generated from the flea market to provide the Matawan First Aid & Rescue Squad with many items that enable the department to enhance their service the community; and*

*WHEREAS, the Council of the Borough of Matawan did approve the request of the Matawan First Aid & Rescue Squad for their flea market at the Matawan Train Station parking lot on Saturdays and Sundays between April and December of 2012 with the exception of May 18 and 19, 2012 as New Jersey Transit will utilize the parking lot as a staging area for a local concert scheduled for that weekend; and*

*WHEREAS, as documented authorization from New Jersey Transit has not been received we have been notified the flea market must be suspended until the use permit has been issued.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that until such time as authorizing documentation is received and a use permit issued from New Jersey Transit the Matawan First Aid & Rescue Squad flea market at the Matawan Train Station parking lot is hereby suspended.*

*BE IT FURTHER RESOLVED once said documentation is received a Resolution rescinding suspension will be considered.*

Mayor Buccellato read by title Resolution 12-05-10: Authorizing the Execution of an Agreement with the Township of Aberdeen for the Services of a Certified Recycling Professional. Mayor Buccellato requested a motion. Councilman Urbano made the motion, seconded by Councilman Fitzsimmons. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould  
Councilman Lopez  
Councilwoman Angelini  
Councilman Urbano  
Councilwoman Clifton  
Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-05-10  
AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE TOWNSHIP OF ABERDEEN FOR  
THE SERVICES OF A  
CERTIFIED RECYCLING PROFESSIONAL**

*WHEREAS, beginning in 2012 all Municipalities in the State of New Jersey are required by the Recycling Enhancement Act (REA) to submit all Recycling Tonnage Reports by a Certified Recycling Professional (CPR) and that they be submitted to the NJDEP electronically; and,*

*WHEREAS, in order to comply the Mandatory Recycling Enhancement Act the Borough of Matawan finds it in the best interest of its taxpayers to execute an Agreement with the Township of Aberdeen to provide the services of a REP.*

*NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk be and are hereby authorized to execute the attached agreement between the Borough of Matawan and the Township of Aberdeen for the designation of Robert Brady, the Aberdeen Township Public Works Manager, who is a Certified Recycling Professional, to prepare and sign the Borough of Matawan's Recycling Reports at an annual cost not to exceed \$5,000.*

*BE IT FURTHER RESOLVED, that this resolution supersedes Resolution 12-04-40 adopted by the Borough Council of the Borough of Matawan on April 17, 2012 and deems it Null and Void.*

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**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 G-02-41-701-301 Budget of the Borough of Matawan to Township of Aberdeen for the Borough of Matawan in an amount not to exceed \$5,000.00.

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 1, 2012

**AGREEMENT BETWEEN THE BOROUGH OF MATAWAN AND THE TOWNSHIP OF ABERDEEN FOR  
CERTIFIED RECYCLING PROFESSIONAL (CRP)  
TO PREPARE ANNUAL RECYCLING TONNAGE REPORT**

Beginning 2012, each New Jersey municipality is required by the Recycling Enhancement Act (REA) to have mandatory Annual Recycling Tonnage Reports approved and "signed" by a Certified Recycling Professional (hereinafter "CRP"). Recycling Tonnage Reports will be submitted via email to the New Jersey Department of Environmental Protection (NJDEP) utilizing a spreadsheet compatible with the Microsoft Excel structure provided by the Department.

**THIS AGREEMENT** by and between the Borough of Matawan a municipal body politic having its offices at 201 Broad Street, Matawan, New Jersey, 07747, hereinafter the "Borough" and the Township of Aberdeen, New Jersey, a body politic having its offices located One Aberdeen Place, Aberdeen, New Jersey, 07747 hereinafter the "Township" is dated this 1<sup>st</sup> day of May, 2012.

**WHEREAS**, the Borough, by ordinance, has duly enacted a recycling plan for all recyclable materials as designated by the Monmouth County Solid Waste Management Plan and amendments thereto and:

**WHEREAS**, The Borough of Matawan is desirous of retaining CRP services of the Township of Aberdeen for preparation and signing of said Annual Recycling Tonnage Report; and

**WHEREAS**, the award of this contract to the Township of Aberdeen pursuant to N.J.S.A. Section 13:1E-99.14 is an exception to the bidding requirements as set forth in the "Local Public Contracts Law" pursuant to N.J.S.A. Section 40A:11-5(2), and the Board of Freeholders of Monmouth County.

**NOW, THEREFORE**, in consideration of the terms, conditions, mutual benefits and covenants hereinafter set forth, the Borough of Matawan Municipality and the Township of Aberdeen make this agreement.

1. Borough of Matawan shall retain the services of the Township of Aberdeen for a CRP that will be responsible for preparing the mandatory annual municipal recycling tonnage report, as provided in the Monmouth County Solid Waste Management Plan, and with the State NJDEP.
2. It is understood that the responsibility for the accuracy of all tonnage and materials reported lies with the designated preparer of the Recycling Tonnage Report, regardless if it is a municipal representative, or the aforementioned CRP. Borough of Matawan designates: Robert Brady as the preparer of the report. The report preparer is responsible should the NJDEP audit the report submittal.
3. It is the Borough of Matawan's responsibility to retain the appropriate documentation for five years in the event of a field review.
4. The Borough of Matawan reserves the right to reasonably amend the specifications of this Agreement by giving thirty (30) day written notification to the Township of Aberdeen of any changes thereto.
5. The Borough of Matawan Municipality shall pay a fee of \$5,000 per annum to be prorated for the CRP's service to the Borough of Matawan. The Borough will pay all invoices within thirty (30) days.



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- 6. *This agreement is the entire agreement between the Borough of Matawan and the Township of Aberdeen and supersedes all previous agreements and discussions. Any amendments hereto must be in writing and must be duly executed by the Borough of Matawan and the Township of Aberdeen become effective.*
- 7. *This Agreement will be entirely performed within the State of New Jersey and it shall be construed in accordance with the laws thereof.*
- 8. *If any provision of this Agreement is determined by a court of competent jurisdiction to be illegal, void, ultravires, or unconstitutional, the remainder of this Agreement shall continue in full force and effect.*

\_\_\_\_\_  
Paul Buccelleto, Mayor  
Borough of Matawan

\_\_\_\_\_  
Mayor  
Township of Aberdeen

\_\_\_\_\_  
Jean Montfort, RMC  
Municipal Clerk

\_\_\_\_\_  
Karen Ventura, RMC  
Municipal Clerk

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

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

A copy of this executed agreement shall be forwarded to the NJDEP, either electronically to [REATAX@dep.state.nj.us](mailto:REATAX@dep.state.nj.us) or by mail to:

NJDEP-Solid & Hazardous Waste Management Program  
401 E. State Street  
Mail Code 401-02C  
P.O. Box 420  
Trenton, NJ 08625-0420  
Attn: Mr. Joe Davis

Mayor Buccellato read by title Resolution 12-05-11: Resolution Establishing a Shared Service Agreement with the Township of Aberdeen for Use of Their Recycling Drop-Off Center. Mayor Buccellato requested a motion. Councilman Lopez made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

- Yes:
- Councilwoman Gould
  - Councilman Lopez
  - Councilwoman Angelini
  - Councilman Urbano
  - Councilwoman Clifton
  - Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-05-11  
RESOLUTION ESTABLISHING A SHARED SERVICE AGREEMENT WITH THE TOWNSHIP OF  
ABERDEEN FOR USE OF THEIR RECYCLING DROP-OFF CENTER**

*WHEREAS, New Jersey's mandatory Recycling Enhancement Act (REA) requires that all municipalities provide residents with drop-off centers for recycling materials; and,*

*WHEREAS, the Borough of Matawan will continue its curb-side pickup and this service would be an additional service; and,*

*WHEREAS, the Borough of Matawan does not have such a facility and therefore has negotiated with the Township of Aberdeen for use of their manned facility.*

**NOW, THEREFORE, BE IT RESOLVED, that:**

- *Borough of Matawan Residents will be allowed to use the Aberdeen facility located at 146 Lenox Road in the Cliffwood Beach section of Aberdeen.*
- *The drop off center will be open Monday through Saturday from 7:00 a.m. to 3 p.m.*

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- *The items accepted are:*
  - *Plastic bottles, glass, and cans*
  - *Newspaper, mixed paper, and cardboard – includes magazines, circulars, and other "junk mail", telephone books and all other paper products.*
- *Items not accepted are Brush or Construction Materials*
- *The Township of Aberdeen will provide this service with no charge to the Borough of Matawan*
- *The Municipalities will review reports of the volume of materials recycled after six (6) months in order to reevaluate the impact of this Share Service Agreement to establish if there is a need for monetary modification.*

*This agreement shall be in full force and effect upon the adoption of a similar resolution by the Township Committee of the Township of Aberdeen; and shall remain in effect through December 31, 2012 although it may be amended following the six (6) month review.*

***BE IT FURTHER RESOLVED*** that a certified copy of this resolution be forwarded to the Township of Aberdeen, NJDEP-Sold & Hazardous Waste Management Program, and to [EGG@dca.state.nj.us](mailto:EGG@dca.state.nj.us) or hard copies mailed to the Division of Local Government Services at PO Box 803, Trenton, NJ 08625-0803 Attn: Shared Services.

Mayor Buccellato read by title Resolution 12-05-12: Authorizing T&M Associates to Provide Professional Services for 150 Main Street Remediation. Mayor Buccellato requested a motion. Councilwoman Angelini made the motion, seconded by Councilman Urbano. It was noted the Resolution needed to be revised to reflect TASK 4 in place of TASK 3. Mayor Buccellato requested a motion to accept the Resolution with the revision. Councilman Urbano made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould  
Councilman Lopez  
Councilwoman Angelini  
Councilman Urbano  
Councilwoman Clifton  
Councilman Fitzsimmons

Motion passed.

***RESOLUTION 12-05-12  
AUTHORIZING T&M ASSOCIATES  
TO PROVIDE PROFESSIONAL SERVICES FOR  
150 MAIN STREET REMEDIATION***

***WHEREAS***, the Mayor and Council of the Borough of Matawan received an estimate from T&M Associates for professional services for soil investigation, ground water sampling, preparation of Revised Classification Exception Area and preparation of Remedial Action Progress Report; and

***WHEREAS***, the NJDEP requires the submission of a Remedial Action Progress Report; and

***WHEREAS***, Robert Keady, Borough Engineer, has submitted for T&M Associates a proposal to provide the professional services needed for the required engineering services and preparation of reports as outlined in its attached letter of November 21, 2011; and

***WHEREAS***, at this time T&M Associates is requesting authorization to conduct TASK 1: Ground Water Sampling, TASK 2: Revision of Classification Exception Area and TASK 4: Preparation of Remedial Action Progress Report in an amount not to exceed Eight Thousand Six Hundred Dollars and No Cents (\$8,600.00).

***NOW, THEREFORE, BE IT RESOLVED*** the Council of the Borough of Matawan does hereby authorize Robert Keady, Borough Engineer, of T&M Associates for professional services to conduct remediation for 150 Main Street in an amount not to exceed Eight Thousand Six Hundred Dollars and No Cents (\$8,600.00).

***CERTIFICATION AS TO AVAILABLE FUNDING***

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*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 in the 2-01-20-165-200 Budget of the Borough of Matawan for T&M Associates for professional services for 150 Main Street Remediation in an amount not to exceed Eight Thousand Six Hundred Dollars (\$8,600.00).*

*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*

*Dated: May 1, 2012*

MATN-1390

November 21, 2011

*Mr. Barbara Bascom, Administrator  
Borough of Matawan  
201 Broad Street  
Matawan, New Jersey 07747*

**Re: 150 Main Street  
Former Unleaded and Leaded Gasoline Underground Storage Tanks  
Soil Investigation, Ground Water Sampling, preparation of Revised Classification Exception Area,  
preparation of Remedial Action Progress Report**

*Dear Ms. Bascom;*

*T&M Associates (T&M) is pleased to provide this proposal to the Borough of Matawan (Borough) for ground water sampling, soil sampling and preparation of a revised Classification Exception Area (CEA) for the above referenced property.*

*The Borough of Matawan received a recent letter from the New Jersey Department of Environmental Protection (NJDEP), requiring another round of ground water sampling.*

*In addition, prior correspondence found that the NJDEP required the advancement of 18 soil borings to refusal and the collection of soil samples at the soil/ground water interface, and at 10 foot intervals until boring refusal. The recent correspondence from NJDEP required one (1) round of ground water sampling of the five (5) existing monitoring wells, and, if the analytical results confirmed that contaminants of concern exceeded the NJDEP Ground Water Quality Standards (GWQS) the Borough will be required to revise the CEA.*

*All information will be provided to the NJDEP in a Remedial Action Progress Report, which will be submitted to the NJDEP by February 28, 2012, the date set by the NJDEP.*

*T&M has reviewed historical soil and ground water data for the site. The review indicates residual soil impact related to leaded and unleaded gasoline underground storage tanks. T&M has included a cost for advancement of 18 soil borings and collection of soil samples in accordance with the June 19, 2009 NJDEP correspondence.*

*A review of ground water data indicates benzene is a persistent contaminant of concern. It has remained above the NJDEP GWQS in previous ground water sampling events. T&M has included a scope and costs for revision of the CEA for the site, in accordance with the October 26, 2011 NJDEP correspondence.*

*T&M will conduct the following tasks:*

**SCOPE OF SERVICES**

**TASK 1:Ground Water Sampling**

*T&M Associates will retain the services of Test America Laboratories, a certified New Jersey Laboratory, to measure liquid levels, determine ground water field parameters, and sample the five (5) groundwater monitoring wells. The five (5) samples, plus a trip and blank, will be submitted for volatile organic compounds (VO+10), MTBE and TBA. The results will be provided by the laboratory 2 weeks after sample collection. T&M will provide oversight during the sampling event.*

*This task is tentatively scheduled for early January 2012.*

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Price for this task **\$3700.00**

**TASK 2: Revision of Classification Exception Area**

*T&M will revise the existing Classification Exception Area, using the data from the December 15, 2011 ground water sampling event. The revised CEA will be conducted utilizing a one dimensional model for the contaminants of concern. The revised CEA will provide the timeframe for which the contaminants of concern will exceed the NJDEP GWQS, and the extent of the impacted ground water. The revised Classification Exception Area will be depicted on a map in accordance with NJAC 7:26E.*

*The revised CEA will be completed approximately 4 weeks after receipt of ground water data.*

Price for this task **\$2600.00**

**TASK 3: Installation of soil borings and collection of soil samples**

*In accordance with the June 19, 2009 directive from the NJDEP, T&M will install 18 soil borings along the northeast side of the Borough Hall. The soil borings will be advanced to refusal, estimated to be no greater than 30 feet below grade. Per the June 19, 2009 directive, soil samples will be collected at the soil/ground water interface and at 10 foot intervals until refusal. Soil samples will be submitted for Volatile Organic Analysis with a forward library search, tert butyl ether, and lead. This analysis is consistent with the requirements for soil analysis for releases from unleaded and leaded gasoline USTs.*

*The field work will take approximately three (3) days to complete. Analytical results will be received from the lab approximately ten (10) to 14 days after submittal.*

Price for this task **\$25,000.00**

**TASK 4: Preparation of Remedial Action Progress Report**

*Upon receipt of all lab data and the revised CEA, T&M will prepare a Remedial Action Progress Report, discussing the soil sampling event, ground water sampling event, the revised CEA, and any other information pertinent to the site.*

*The Remedial Action Progress Report will be completed approximately 2 weeks after receipt of the revised CEA. The Borough will receive three (3) copies of the Remedial Action Progress Report.*

Price for this task **\$2300.00**

Proposal Total **\$33,763.25**

*We thank the Borough of Matawan for the opportunity to assist with this project. If you have any questions, or would like any other information, please feel free to contact us at (732) 671-6400.*

Very truly yours,

T&M Associates

Robert R. Keady, Jr, PE, CME  
Matawan Borough Engineer

Rohan Tadas, CHMM, LSRP  
Supervising Scientist

**ASSUMPTIONS and EXCLUSIONS**

- *The Borough will provide free and clear access to the monitoring wells for sampling purposes.*
- *In the event that any condition is observed by T&M that warrants notification to the NJDEP in accordance with NJAC 7:26E, NJAC 7:26C, or any other applicable regulatory requirements, the Borough will be notified prior to regulatory notification requirements.*
- *T&M assumes that the Borough will pay any NJDEP fees directly. These fees are not included in this*

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proposal.

- *In the event that the results of the ground water sampling event indicate all contaminants of concern are below the NJDEP GWQS, T&M will contact the NJDEP to verbally petition for the performance of a confirmatory round of ground water sampling. This sampling event will be conducted within 30 days of the previous round, to confirm contaminant levels remain below the NJDEP GWQS. Any additional sampling agreed to by the NJDEP will be conducted under a separate proposal. In this event, Task #2 will not be conducted.*
- *Activities in this proposal are being conducted in accordance with NJDEP requirements in the correspondences dated June 19, 2009 and October 26, 2011.*

RRK/rt

cc: Mayor and Council  
Jean Montfort, Borough Clerk

Mayor Buccellato read by title Resolution 12-05-13: Payment of Bills. Mayor Buccellato requested a motion. Councilman Fitzsimmons made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould  
 Councilman Lopez  
 Councilwoman Angelini – Abstained on Vendor #09905  
 Councilman Urbano  
 Councilwoman Clifton  
 Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-05-13  
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.

Current	\$2,353,913.21
Water & Sewer	\$157,075.81
Borough Capital	\$650,927.90
Grant	\$367.50
Borough Trust	\$37,806.55
Developers Escrow Account	\$8,752.92
Railroad Parking Trust	\$11,500.00
Recreation Trust	\$42.00
<b>Total</b>	<b>\$3,220,385.89</b>

Mayor Buccellato read by title Resolution 12-05-14: Emergency Temporary Appropriation. Mayor Buccellato requested a motion. Councilman Fitzsimmons made the motion, seconded by Councilman Lopez. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould  
 Councilman Lopez  
 Councilwoman Angelini  
 Councilman Urbano  
 Councilwoman Clifton  
 Councilman Fitzsimmons

Motion passed.

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**RESOLUTION 12-05-14  
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 2012 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 2012 pursuant to the provisions of Chapter 96, PL 1951 (NJSA 40A:4-20) including this resolution total \$6,322,618.01.*

**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 2012 County, and Local School District Taxes, which are not included in this temporary budget, shall be paid as and when due.

**2012 Temporary Budget-05/1/12**

	Salary & Wages	Other Expenses
OASI/SOCIAL SECURITY		25,000.00
MUNICIPAL COURT		500.00
SUBTOTAL	-	25,500.00
<b>TOTAL TEMPORARY EMERGENCY APPROPRIATIONS</b>		<b>25,500.00</b>
<b>TOTAL WATER SEWER UTILITY TEMPORARY EMERGENCY APPROPRIATIONS</b>		<b>-</b>

Mayor Buccellato read by title Resolution 12-05-15: Approval of Massage Parlor License - Hot Stones Massage Therapy. Mayor Buccellato requested a motion. Councilwoman Clifton made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould  
Councilman Lopez  
Councilwoman Angelini  
Councilman Urbano  
Councilwoman Clifton  
Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-05-15  
APPROVAL OF MASSAGE PARLOR LICENSE  
Hot Stones Massage Therapy**

*WHEREAS, Hot Stones Massage Therapy (Massage Parlor) has passed the required Police Department background checks; and*

*WHEREAS, on the condition that Hot Stones Massage Therapy has received the required permits from the Construction Office, Fire Prevention Office and the Board of Health.*

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that they

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hereby approve the following Massage Parlor license:

*Business: Hot Stones Massage Therapy  
70 Main Street, Suite 2  
Matawan, New Jersey 07747*

*Applicant: Lioudmila Tynianskikh  
243 Longwood Drive  
Manalapan, New Jersey 07726*

Mayor Buccellato read by title Resolution 12-05-16: Approval of Masseuse License - Lioudmila Tynianskikh. Mayor Buccellato requested a motion. Councilwoman Clifton made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould  
Councilman Lopez  
Councilwoman Angelini  
Councilman Urbano  
Councilwoman Clifton  
Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-05-16  
APPROVAL OF MASSEUSE LICENSE  
Lioudmila Tynianskikh**

*WHEREAS, Lioudmila Tynianskikh (Masseuse) has passed the required Police Department background checks; and*

*WHEREAS, on the condition that Lioudmila Tynianskikh has received the required permits from the Construction Office, Fire Prevention Office and the Board of Health.*

*THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Matawan that they hereby approve the following business license:*

*Business: Lioudmila Tynianskikh  
c/o Hot Stones Massage Therapy  
70 Main Street, Suite 2  
Matawan, New Jersey 07747*

*Applicant: Lioudmila Tynianskikh  
243 Longwood Drive  
Manalapan, New Jersey 07726*

**Administrator Report**

Ms. Bascom reported the BRSA Agreement included municipal comments and was at \$13,200.00 the first year with second year option. Specs expanded to include package and extra work. A resolution will be prepared for the May 15, 2012 Council meeting. Ms. Bascom informed the Bayshore Regional Sewerage Authority Water Plant Annual Report is available in her office.

Mayor and Council have received Monmouth County Planning Board's Preliminary Draft Monmouth County Road Plan for review and comment as well as its New Residential Development 2011 report which is available in the Clerk's office.

Ms. Bascom informed of receipt of the LOSAP Audit Report which has previously been distributed to Council. There are comments to be addressed. Mr. Menna informs after review of

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the Audit Report the comments are remediated with Council, Fire and First Aid with certification by the Clerk of Council discussion in public session pursuant to the minutes.

**Privilege of the Floor**

Mayor Buccellato opened the Privilege of the Floor.

Pat Price, 7 Rustic Lane, Matawan. Mr. Price requests paving status on the Road Program. Councilman Fitzsimmons discussed with the Borough Engineer today and when the pipes were laid it became apparent the sub base was inferior it had to be reinforced prior to paving. Mr. Price questioned repair of his sprinkler system as his and most other Rustic Lane properties' sprinkler were damaged by the contractor. The contractor hired Seasoned Matters, 1343 Highway 34, who states they need more owners to sign up for repair. Mayor Buccellato answered that is neither the Borough nor the property owner responsibility, it is the contractor's.

Mr. Menna stated the only thing the property owner has to do is call up Seasoned Matters tell them who you are, tell them where your property is, tell them you are scheduling an appointment for their repair of your system. Whether three or three hundred people sign up has nothing to do with it. The contractor is obligated to pay them to repair your system. If you do not get satisfaction or an appointment date let the Clerk know and we will get a hold of the Borough Engineer and he will issue a violation to the contractor.

John Pallitto, 17 Rustic Lane, Matawan. Mr. Pallitto stated the sidewalk replacement has been inconsistent. Mayor Buccellato informed, though sidewalks are the property owner responsibility, they are at times included in road projects. Due to the overwhelming amount of street paving to be done throughout the Borough, the Engineer also looked to only the worst sidewalk conditions to be replaced. Mayor Buccellato offered for himself and the Borough Engineer to perform a site inspection.

Sal Talimo, 3 Rustic Lane, Matawan. Mr. Talimo questioned the timeliness and lack of Borough communication on the road program status to residents. Mayor Buccellato agreed expressing frustration with the current road program, its contractor, etc.

Ms. Bascom directed all residents to the Borough website to signed up for e-alerts and reverse 911 stating communication is a constant source of improvement.

Youssef Gandhi, 14 Rustic Lane, Matawan. Mr. Gandhi expressed his dissatisfaction with Borough employee lack of response to resident complaints.

Mayor Buccellato closed the Privilege of the Floor.

**Adjournment**

Mayor Buccellato requested a motion to adjourn. Councilwoman Clifton made the motion, seconded by Councilman Fitzsimmons. Council agreed. Motion passed.

Meeting adjourned at 8:24 PM.

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Jean B. Montfort, RMC  
Municipal Clerk