

**Borough of Matawan  
Public Session  
July 17, 2012**

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 July 17, 2012. The meeting was called to order at 7:15 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 Pasquale Menna, Esq., Borough Attorney and Robert Keady, Borough Engineer.

Mayor Buccellato asked everyone to stand for a moment of silence.

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

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

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

There were no comments.

Mayor Buccellato closed the Privilege of the Floor for Agenda Items Only.

**Old Business**

None.

**Clerk's Report**

No report.

**Mayor's Report**

Mayor Buccellato stated based on the recommendation of Lt. Gallo, Commanding Officer of the Matawan Police Department, the Mayor nominates and appoints Les Gilman, 6 Indian Trail, Matawan as a school crossing guard effective July 1, 2012. Mayor Buccellato requested a motion. Councilman Urbano made the motion, seconded by Councilwoman Clifton. Council agreed. Motion passed.

Mayor Buccellato informed of the National Ovarian Cancer Coalition-Northern New Jersey to "Turn the Towns Teal" for the month of September 2012 to promote and support its ovarian cancer awareness campaign requesting Council approval of the Coalition to adorn the Borough of Matawan with teal ribbons. Councilwoman Angelini made the motion, seconded by Councilman Lopez. Council agreed. Motion passed.

**Attorney's Report**

No report.

**Borough of Matawan  
Public Session  
July 17, 2012**

**Engineer's Report**

Mr. Keady reported on the Water Plant Rehabilitation Project stating the middle of next week the Ryers Lane tank will start to be drained in anticipation of improvements to same, and the 2011 Road Program contractor has been working on the punch list items. Mayor Buccellato requested status on punch list items for residential property repairs. Mr. Keady reported one of the major property issues has been resolved between the resident and the contractor. Mayor Buccellato requested copy of written resolution be forwarded to Mr. Menna and the Clerk's office.

**Personnel, Redevelopment, Main Street, Construction, Community Affairs**

Councilwoman Gould gave the Construction Department report for June 2012:

- Permit income and certificates - \$11,304.00, year to date \$56,299.00
- Business, CCO, Miscellaneous - \$75.00, year to date \$2,250.00
- Paid to State Quarterly Payment - \$1,192.00, year to date \$2,114.00
- Value of Construction Work - \$297,093.00, year to date \$6,352,428.00
- Permits Issued – 38, year to date 252

Councilwoman Gould reported she and Jeremiah E. Hourihan met with the Mayor Owen Henry of Old Bridge to discuss efforts to clean the area adjacent to Old Bridge.

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

No report.

Mayor Buccellato asked everyone to support the Fire Department's Fund Drive.

**Police, Railroad Parking, Library**

Councilwoman Angelini reported Lt. Gallo continues to work successfully with Live Nation to secure the train station parking lot when patrons are transported to and from the Arts Center concerts.

**Public Works, Water/Sewer, Property Maintenance**

Councilman Urbano gave the Water/Sewer report for the month of June 2012 was \$341,182.410 with a year-to-date of \$2,204,491.25.

**Recreation, Historic Sites, Technnology**

Councilwoman Clifton reported the Lake Lefferts Canoe Rental Program is open and doing well, and reminded residents family movie night continues tonight at 9:00 PM tonight with "Men in Black."

**Finance, Sanitation/Recycling**

No report.

**Consent Agenda**

Mayor Buccellato read by title Resolutions 12-07-26 through and including 12-07-33 requesting a motion to adopt en masse. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Council agreed. Motion passed.

**Borough of Matawan  
Public Session  
July 17, 2012**

**RESOLUTION 12-07-26  
REDEMPTION OF TAX SALE CERTIFICATE  
ACE PLUS, LLC  
CERTIFICATE #11-00067**

*WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00067 which was sold to Ace Plus, LLC, 1416 Avenue L, Brooklyn, NY 11230; and*

*WHEREAS, Certificate #11-00067 has been paid and fully redeemed for the property owner, Block 71, Lot 17.01 otherwise known as 54 Middlesex Rd.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$7,076.61 and a premium of \$3,100.00 to the above for the redemption of Tax Sale Certificate #11-00067.*

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

**RESOLUTION 12-07-27  
REDEMPTION OF TAX SALE CERTIFICATE  
ACE PLUS, LLC  
CERTIFICATE #11-00070**

*WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00070 which was sold to Ace Plus, LLC, 1416 Avenue L, Brooklyn, NY 11230; and*

*WHEREAS, Certificate #11-00070 has been paid and fully redeemed for the property owner, Block 80, Lot 3 otherwise known as 14 Liberty St.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$7,178.13 and a premium of \$4,400.00 to the above for the redemption of Tax Sale Certificate #11-00070.*

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

**RESOLUTION 12-07-28  
APPROVAL OF RAFFLE LICENSE  
NJ ASSOCIATION OF WOMEN BUSINESS OWNERS (NJAWBO)  
GIFT AUCTION  
RL-613**

*BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the raffle license for NJ Association of Women Business Owners (NJAWBO) Fundraiser.*

Name & Location of Organization's Event  
Sterling Gardens  
227 Freneau Avenue  
Matawan, New Jersey 07747

Date & Time  
November 15, 2012  
6:00 PM to 10:00 PM

**RESOLUTION 12-07-29  
APPROVAL OF RAFFLE LICENSE  
NJ ASSOCIATION OF WOMEN BUSINESS OWNERS (NJAWBO)  
50/50 CASH  
RL-614**

*BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the raffle license for NJ Association of Women Business Owners (NJAWBO) Fundraiser.*

Name & Location of Organization's Event  
Sterling Gardens  
227 Freneau Avenue  
Matawan, New Jersey 07747

Date & Time  
November 15, 2012  
6:00 PM to 10:00 PM

**RESOLUTION 12-07-30  
APPROVAL OF RAFFLE LICENSE  
TRINITY EPISCOPAL CHURCH  
GIFT AUCTION  
RL-615**

**Borough of Matawan  
Public Session  
July 17, 2012**

**BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby approve the raffle license for Trinity Episcopal Church Fundraiser.

Name & Location of Organization's Event  
Trinity Episcopal Church  
18 Ryers Lane  
Matawan, New Jersey 07747

Date & Time  
October 20, 2012  
6:00 PM – 11:30 PM

**RESOLUTION 12-07-31  
APPROVAL OF RAFFLE LICENSE  
TRINITY EPISCOPAL CHURCH  
50/50 CASH  
RL-616**

**BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby approve the raffle license for Trinity Episcopal Church Fundraiser.

Name & Location of Organization's Event  
Trinity Episcopal Church  
18 Ryers Lane  
Matawan, New Jersey 07747

Date & Time  
October 20, 2012  
6:00 PM – 11:30 PM

**RESOLUTION 12-07-32  
APPROVAL OF RAFFLE LICENSE  
ST. GABRIEL'S ROSARY ALTAR SOCIETY  
GIFT AUCTION  
RL-617**

**BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby approve the raffle license for St. Gabriel's Rosary Altar Society Fundraiser.

Name & Location of Organization's Event  
St. Clement Reception Center  
227 Freneau Avenue  
Matawan, New Jersey 07747

Date & Time  
October 18, 2012  
7:00 PM – 11:00 PM

**RESOLUTION 12-07-33  
APPROVAL OF RAFFLE LICENSE  
ST. GABRIEL'S ROSARY ALTAR SOCIETY  
50/50 CASH  
RL-618**

**BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby approve the raffle license for St. Gabriel's Rosary Altar Society Fundraiser.

Name & Location of Organization's Event  
St. Clement Reception Center  
172 Freneau Avenue  
Matawan, New Jersey 07747

Date & Time  
October 18, 2012  
7:00 PM – 11:00 PM

**New Business**

Mayor Buccellato read by title Resolution 12-07-34: Resolution Opposing the Proposed "Commuter Tax" on New Jersey Residents who Work in New York City. Mayor Buccellato requested a motion. Councilman Fitzsimmons 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

**Borough of Matawan  
Public Session  
July 17, 2012**

Motion passed.

**RESOLUTION 12-07-34  
RESOLUTION OPPOSING THE PROPOSED "COMMUTER TAX" ON  
NEW JERSEY RESIDENTS WHO WORK IN NEW YORK CITY**

*WHEREAS, the governing body of the Borough of Matawan, County of Monmouth is in receipt of information regarding a proposed Commuter Tax on anyone who works in New York City, but does not reside in New York City; and*

*WHEREAS, the governing body of the Borough of Matawan understand that many residents of the Borough of Matawan and of the County of Monmouth are commuters who travel to New York City for work every day and that they would be adversely affected financially by this proposed Commuter Tax; and*

*WHEREAS, the 301,702 residents of the State of New Jersey who commute daily to New York City for employment would be forced to endure yet another tax during these difficult economic times.*

*NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Matawan, County of Monmouth strongly opposes the proposed "Commuter Tax" which would be imposed on anyone who works in New York City, but resides elsewhere.*

*BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Matawan, County of Monmouth, feels that the proposed "Commuter Tax" would pose an unfair financial burden on the residents of Monmouth County and other Counties throughout the State of New Jersey and surround tri-state area who travel to New York City every day for employment.*

*BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Matawan urges Manhattan Borough President, Scott Stringer, and New York City Mayor Mike Bloomberg, to reconsider the imposition of this unfair tax.*

*BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this resolution to Manhattan Borough President, Scott Stringer, New York City Mayor Mike Bloomberg, Governor of the State of New Jersey, the Lieutenant Governor of the State of New Jersey, Senator Kevin J. O'Toole, all State and Congressional Legislators representing the County of Monmouth as well as local governing bodies for all the impacted municipalities in the County of Monmouth, all other County Boards of Chosen Freeholders and that they be asked to join in opposition to the proposed "Commuter Tax".*

Mayor Buccellato informed of a material flaw in the response and as such the Borough is rejecting all bids and will re-bid.

Mayor Buccellato read by title Resolution 12-07-35: Rejection of All Bids – Emergency Apparatus for the Borough of Matawan Volunteer Fire Department. 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 12-07-35  
REJECTION OF ALL BIDS  
EMERGENCY APPARATUS FOR THE  
BOROUGH OF MATAWAN VOLUNTEER FIRE DEPARTMENT**

*WHEREAS, the Borough of Matawan previously authorized the receipt of bids for an Emergency Apparatus for the Borough of Matawan Volunteer Fire Department; and*

*WHEREAS, the Borough of Matawan received qualified bid(s) for the aforesaid Emergency Apparatus for the Borough of Matawan Volunteer Fire Department; and*

**Borough of Matawan  
Public Session  
July 17, 2012**

*WHEREAS, Pasquale Menna, Esq., Borough Attorney, has reviewed and recommended the rejection of all bids submitted based on the bid(s) did not conform to specifications.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that all bids for an Emergency Apparatus for the Borough of Matawan Volunteer Fire Department be and are hereby rejected.*

Mayor Buccellato read by title Resolution 12-07-36: Authorizing the Municipal Clerk to Undertake Any Necessary Steps for the Public Advertisement and Accept Bids for Emergency Apparatus for the Borough of Matawan Volunteer Fire Department. Mayor Buccellato requested a motion. Councilman Lopez 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 12-07-36**

**AUTHORIZING THE MUNICIPAL CLERK TO UNDERTAKE ANY NECESSARY STEPS FOR THE PUBLIC ADVERTISEMENT AND ACCEPT BIDS FOR EMERGENCY APPARATUS FOR THE BOROUGH OF MATAWAN VOLUNTEER FIRE DEPARTMENT**

*WHEREAS, the Mayor and Council of the Borough of Matawan is desirous of purchasing an Emergency Apparatus for the Borough of Matawan Volunteer Fire Department; and,*

*WHEREAS, funds have been appropriated for their purchase through Ordinance 12-02: Refunding Bond Ordinance Providing for the Refunding of Certain General Obligation Bonds of the Borough of Matawan Appropriating \$4,468,000 Therefore and Authorizing the Issuance of \$4,468,000 Bonds or Notes of the Borough for Financing the Cost Thereof; and,*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that it herewith authorizes the Municipal Clerk to prepare any and all necessary specifications and documents for general distribution and public advertisement and accept bids for an Emergency Apparatus for the Borough of Matawan Volunteer Fire Department.*

Mayor Buccellato read by title Resolution 12-07-37: Awarding 2012 Biennial Contract for Wells, High Service & Sanitary Sewer Pumps to A.C. Schultes, Inc. Mr. Menna stated A.C. Schultes must provide valid Certificate of Insurance within five (5) days otherwise the Resolution will stipulate the contract is rescinded. The Resolution was amended, fifth paragraph, BE IT FURTHER RESOLVED, aforesaid award of contract, when all required insurance documents are submitted to the Borough within five (5) business days of approving this Resolution. 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.

**Borough of Matawan  
Public Session  
July 17, 2012**

**RESOLUTION 12-07-37  
AWARDING 2012 BIENNIAL CONTRACT FOR  
WELLS, HIGH SERVICE & SANITARY SEWER PUMPS  
TO A.C. SCHULTES, INC.**

*WHEREAS, the Borough of Matawan previously authorized the receipt of bids for the 2012 Biennial Contract for Wells, High Service & Sanitary Sewer Pumps; and*

*WHEREAS, pursuant to law the Borough of Matawan solicited bids for the Wells, High Service & Sanitary Sewer Pumps; and*

*WHEREAS, the Borough of Matawan received only one (1) bid from A.C. Schultes, Inc., 664 S. located at Evergreen Avenue, Woodbury Heights, New Jersey 08097 for the Wells, High Service & Sanitary Sewer Pumps.*

*NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Matawan upon recommendation of T&M Associates, Borough Engineer, do hereby award the 2012 Biennial Contract for the Wells, High Service & Sanitary Sewer Pumps to A.C. Schultes, Inc. for Wells, High Service & Sanitary Sewer Pumps in an amount not to exceed Twenty Thousand Dollars and No Cents (\$20,000.00).*

*BE IT FURTHER RESOLVED, aforesaid award of contract, when all required insurance documents are submitted to the Borough within five (5) business days of approving this Resolution.*

*BE IT FURTHER RESOLVED said contract is performed in accordance with all bid specifications, contracts and documents, and subject to certification by the Chief Financial Officer that funds are available, review and approval of bid documents by the Borough Attorney and approval of the New Jersey Department of Labor, Division of Wage and Hour Compliance, and the Mayor is hereby authorized to execute any necessary documents to implement the aforesaid award of contract, when all required insurance documents are submitted to the Borough within five (5) business days of approving this Resolution.*

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

**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 in the 2-09-55-500-200 Budget of the Borough of Matawan for A.C. Schultes, Inc. associated with Iron Sludge Removal in an amount not to exceed Twenty Thousand Dollars and No Cents (\$20,000.00).*

*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*

*Dated: July 17, 2012*

MATN-00438

July 11, 2012

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

*Re: 2012 Biennial Contract for Wells, High Service Pumps, & Sanitary Sewer Pumps  
Recommendation of Award*

*Dear Mayor and Council:*

*On July 10, 2012, one bid was received for 2012 Biennial Contract for Wells, High Service Pumps, and Sanitary Sewer Pumps. The apparent low bidder is A.C. Schultes, Inc., of Woodbury Heights, New Jersey in the amount of \$197,000.00. An itemized list of bid prices is attached. It should be noted that this is a two (2) year contract.*

**Borough of Matawan  
Public Session  
July 17, 2012**

A.C. Shultes was awarded the contract in 2008, 2009, 2010, and 2011, and DPW and the Water Department have been satisfied with their work. Therefore, based upon the above, this office recommends the contract be awarded to A.C. Schultes, Inc. subject to: a) certification by the Chief Financial Officer that funds are available; b) review and approval of the bid documents by the Borough Attorney; and c) approval of the New Jersey Department of Labor, Division of Wage and Hour Compliance.

It should be noted that prior to Notice to Proceed, A.C. Shultes should revise their insurance certificate to indicate the Borough of Matawan, its employees and engineers, as well as all entities mentioned in the contract, as additional insured. We have attached the low bid for Attorney review.

Should you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,

ROBERT R. KEADY, JR., P.E., C.M.E.  
MATAWAN BOROUGH ENGINEER

(Signature on File)

---

JACLYN J. FLOR, P.E., P.P., C.M.E.  
SUPERVISING ENGINEER

RRK:JF:dk

Enclosure

cc: Jean B. Montfort, RMC, Borough Clerk (Via Email w/Enclosure)  
Monica Antista, CFO  
Jake Applegate, Director of DPW and Water Department  
Pasquale Menna, Esq., Borough Attorney (Enclosure w/copy of bid)

H:\Matn\00438\Correspondence\Bascom\_RRK\_Well and High Service Pump Recommendation of Award.doc  
G:\MUNICIPAL CLERK\Engineering\2012 Biennial Contract Recommendation Wells, High Service Pumps.Doc

Mayor Buccellato read by title Resolution 12-07-38: Awarding 2012 Biennial Contract for Middlesex Road Water Treatment Plant Iron Sludge Removal to Accurate Waste Removal Services, Inc. Mayor Buccellato requested a motion. Councilwoman Angelini 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 12-07-38  
AWARDING 2012 BIENNIAL CONTRACT FOR  
MIDDLESEX ROAD WATER TREATMENT PLANT  
IRON SLUDGE REMOVAL TO  
ACCURATE WASTE REMOVAL SERVICES, INC.**

**WHEREAS**, the Borough of Matawan previously authorized the receipt of bids for the 2012 Biennial Contract for Middlesex Road Water Treatment Plant Iron Sludge Removal; and

**WHEREAS**, pursuant to law the Borough of Matawan solicited bids for the Water Treatment Plant Iron Sludge Removal; and

**WHEREAS**, the Borough of Matawan received four (4) bids for the aforesaid contract.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Matawan upon recommendation of T&M Associates, Borough Engineer, do hereby award the 2012 Biennial Contract for the Iron Sludge Removal to Accurate Waste Removal Services, Inc. of Lake Hopatcong, New Jersey for Iron Sludge Removal in an amount not to exceed Seventeen Thousand Six Hundred Dollars and No Cents (\$17,600.00).



**Borough of Matawan  
Public Session  
July 17, 2012**

**BE IT FURTHER RESOLVED** said contract is performed in accordance with all bid specifications, contracts and documents, and subject to certification by the Chief Financial Officer that funds are available, review and approval of bid documents by the Borough Attorney and approval of the New Jersey Department of Labor, Division of Wage and Hour Compliance, and the Mayor is hereby authorized to execute any necessary documents to implement the aforesaid award of contract.

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

**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 in the 2-09-55-500-200 Budget of the Borough of Matawan for Accurate Waste Removal Services, Inc. associated with Iron Sludge Removal in an amount not to exceed Seventeen Thousand Six Hundred Dollars and No Cents (\$17,600.00).

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: July 17, 2012

MATN-00428

July 11, 2012

Barbara Bascom, Business Administrator  
Borough of Matawan  
201 Broad Street  
Matawan, New Jersey 07747

**Re: 2012 Biennial Contract for Middlesex Water Treatment Plant Iron Sludge Removal  
Recommendation of Award**

Dear Mayor and Council:

On July 10, 2012, four (4) bids were received for 2012 Biennial Contract for Middlesex Water Treatment Plant Iron Sludge Removal. The apparent low bidder is Accurate Waste Removal Services, Inc., of Lake Hopatcong, New Jersey, with a total bid price of \$35,200.00. An itemized list of bid prices is attached. It should be noted that this is a two (2) year contract so the price is comparable to last year's bid.

We have reviewed the bid packet and find that the documents are in order. Therefore, based upon the above, this office recommends the contract be awarded to Accurate Waste Removal Services, Inc., subject to: a) certification by the Chief Financial Officer that funds are available; b) review and approval of the bid documents by the Borough Attorney; and c) approval of the New Jersey Department of Labor, Division of Wage and Hour Compliance.

We have attached the low bid for Attorney review.

Should you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,

ROBERT R. KEADY, JR., P.E., C.M.E.  
MATAWAN BOROUGH ENGINEER

\_\_\_\_\_  
JACLYN J. FLOR, P.E., P.P., C.M.E.  
SUPERVISING ENGINEER

RRK:JF:JLS:dk

Enclosure

cc: Jean B. Montfort, RMC, Borough Clerk (Via Email w/Enclosure)  
Monica Antista, CFO  
Jake Applegate, Director of DPW and Water Department  
Pasquale Menna, Esq., Borough Attorney (Enclosure w/copy of low bid)

**Borough of Matawan  
Public Session  
July 17, 2012**

H:\Matn\00428\Correspondence\Bascom\_RRK\_Iron Sludge Recommendation of Award.doc  
G:\MUNICIPAL CLERK\Engineering\2012 Biennial Contract Recommendation Sludge Removal.Doc

Mayor Buccellato read by title Resolution 12-07-39: Awarding 2012 Biennial Contract for Emergency Generator Maintenance to Warshauer Generator, LLC. Mr. Menna stated the surety has to be signed and provided in original form within five (5) business days or the contract will be void. The Resolution was amended, sixth paragraph, BE IT FURTHER RESOLVED, aforesaid award of contract, when all required surety documents are submitted to the Borough within five (5) business days of approving this Resolution. Mayor Buccellato requested a motion. Councilwoman Angelini 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 12-07-39  
AWARDING 2012 BIENNIAL CONTRACT FOR  
EMERGENCY GENERATOR MAINTENANCE  
TO WARSHAUER GENERATOR, LLC**

*WHEREAS, the Borough of Matawan previously authorized the receipt of bids for the 2012 Biennial Emergency Generator Service Contract; and*

*WHEREAS, pursuant to law the Borough of Matawan solicited bids for the Emergency Generator Service Contract; and*

*WHEREAS, the Borough of Matawan received one (1) bid for the aforesaid contract; and*

*WHEREAS, T&M Associates, the Borough of Matawan Engineer, has reviewed, approved and recommended the bid Warshauer Generator, LLC of Tinton Falls, New Jersey, for the aforesaid bid.*

*BE IT FURTHER RESOLVED, aforesaid award of contract, when all required surety documents are submitted to the Borough within five (5) business days of approving this Resolution.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan upon recommendation of T&M Associates, Borough Engineer, do hereby award the 2012 Biennial Contract for Emergency Generator Maintenance Service to Warshauer Generator, LLC in an amount not to exceed Ten Thousand Dollars (\$10,000.00).*

*BE IT FURTHER RESOLVED said contract is performed in accordance with all bid specifications, contracts and documents, and subject to certification by the Chief Financial Officer that funds are available, review and approval of bid documents by the Borough Attorney and approval of the New Jersey Department of Labor, Division of Wage and Hour Compliance, and the Mayor is hereby authorized to execute any necessary documents to implement the aforesaid award of contract, when all required surety documents are submitted to the Borough within five (5) business days of approving this Resolution.*

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

**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 2-09-55-500-200 Budget of the Borough of Matawan to Warshauer Generator, LLC for the Borough of Matawan in an amount not to exceed Ten Thousand Dollars (\$10,000.00).*

*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.*

**Borough of Matawan  
Public Session  
July 17, 2012**

*Chief Financial Officer*

*(Signature on File)*

---

*Monica Antista, CMFO*

*Dated: July 17, 2012*

MATN-00557

July 11, 2012

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

**Re: 2012 Biennial Contract for Emergency Generator Maintenance and Repair Service  
Recommendation of Award**

*Dear Mayor and Council:*

*On July 10, 2012, one bid was received for 2012 Biennial Contract for Emergency Generator Maintenance and Repair Service. The apparent low bidder is Warshauer Generator, LLC., of Tinton Falls, New Jersey in the amount of \$71,700. An itemized list of bid prices is attached. It should be noted that this is a two (2) year contract.*

*Therefore, based upon the above, this office recommends the contract be awarded to Warshauer Generator, LLC., subject to: a) certification by the Chief Financial Officer that funds are available; and b) review and approval of the bid documents by the Borough Attorney; and c) approval of the New Jersey Department of Labor, Division of Wage and Hour Compliance.*

*We have attached the low bid for Attorney review. It should be noted that the contractor did not provide a Consent of Surety. We defer to the Borough Attorney to determine if this is acceptable.*

*Should you have any questions or require additional information, please do not hesitate to contact me.*

*Very truly yours,*

**ROBERT R. KEADY, JR., P.E., C.M.E.  
MATAWAN BOROUGH ENGINEER**

---

**JACLYN J. FLOR, P.E., P.P., C.M.E.  
SUPERVISING ENGINEER**

**RRK:JF:JLS**

*Enclosure*

*cc: Mayor and Council  
Jean B. Montfort, RMC, Borough Clerk (Via Email w/Enclosure)  
Monica Antista, CFO  
Jake Applegate, Director of Public Works & Water Dept  
Pasquale Menna, Esq., Borough Attorney (Enclosure w/copy of low bid)*

*H:\Matn\00557\Correspondence\Bascom\_RRK\_Emergency Generator Recommendation of Award.doc  
G:\MUNICIPAL CLERK\Engineering\2012 Biennial Contract Recommendation Of Award Emergency Generator.Doc*

Mayor Buccellato informed on the advice of Mr. Menna Resolution 12-07-40 will be held. Mayor Buccellato requested a motion. Councilman Urbano made the motion, seconded by Councilman Lopez. Council agreed. Motion passed.

Mayor Buccellato read by title Resolution 12-07-41: Resolution Authorizing the Department of Public Works to Cut Grass on Private Property – Chapter 15-1 of the Code of the Borough of Matawan. 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

**Borough of Matawan  
Public Session  
July 17, 2012**

Councilman Fitzsimmons

Abstain: Councilwoman Clifton

Motion passed.

**RESOLUTION 12-07-41  
RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS  
TO CUT GRASS ON PRIVATE PROPERTY – CHAPTER 15-1 OF THE  
CODE OF THE BOROUGH OF MATAWAN**

*WHEREAS, the governing body of the Borough of Matawan has been informed by the Property Maintenance Official that the property owner of Block 9, Lot 7.01, also known as 48 Broad Street, is in violation of Chapter 15-1: Removal of Grass, Weeds, Brush and Other Debris, of the Code of the Borough of Matawan; and*

*WHEREAS, Chapter 15-1: Removal of Grass, Weeds, Brush and Other Debris, of the Code of the Borough of Matawan states it is the duty of Owners and Tenants to keep all lands free of overgrown vegetation; and*

*WHEREAS, the property owner was given noticed by the Property Maintenance Officer on July 3, 2012, to abate the situation within the specified ten (10) days.*

*WHEREAS, the Property Maintenance Officer re-inspected the property at Block 9, Lot 7.01, also known as 48 Broad Street, after the specified ten (10) day period. The situation was not abated.*

*WHEREAS, the cost to abate the situation to comply with the code requirements, as indicated above, a fee to cut and maintain the lawn of Four Hundred Fifty Dollars (\$450.00) per occurrence will be charged.*

*NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Matawan that the Borough of Matawan, in accordance with Chapter 15-1.3: Removal by Borough, Cost Established as a Lien, hereby authorizes the Department of Public Works to abate the situation as soon as possible.*

*BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Matawan that the Borough Tax Collector is authorized to proceed to place a lien on the property located at Block 9, Lot 7.01, also known as 48 Broad Street, to recoup the expense incurred by the Borough to abate the situation.*

Mayor Buccellato read by title Resolution 12-07-42: Renewal of 2012-2013 ABC Liquor Licenses. 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 12-07-42  
RENEWAL OF 2012-2013 ABC LIQUOR LICENSES**

*BE IT RESOLVED by The Borough Council of the Borough of Matawan that the following liquor licenses be renewed, subject however to the rules, regulations, receipt of Tax Clearance Certificates, statutes and ordinances affecting the same, said licenses to expire June 30, 2012.*

| <u>LICENSE #</u>                                  | <u>NAME</u>        | <u>STREET ADDRESS</u>     | <u>CITY</u> | <u>ST</u> | <u>ZIP</u> |
|---|--------------------|---------------------------|-------------|-----------|------------|
| <b><u>Plenary Retail Distribution License</u></b> |                    |                           |             |           |            |
| 1329-44-002-008                                   | Radhe Liquor, Inc. | 1016 Hwy 34<br>Stes 6 & 7 | Matawan     | NJ        | 07747      |

**Borough of Matawan  
Public Session  
July 17, 2012**

Mayor Buccellato read by title Ordinance 12-12: Providing for Clothing Donation Bins within the Borough of Matawan, County of Monmouth, State of New Jersey. Mayor Buccellato requested a motion to introduce. Councilman Fitzsimmons made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

No: Councilman Lopez

Motion passed.

**ORDINANCE 12-12**

**AN ORDINANCE PROVIDING FOR CLOTHING DONATION BINS WITHIN THE BOROUGH OF  
MATAWAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

*BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MATAWAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY THAT PURSUANT TO N.J.S.A. 40:48-2.60 AND 40:48-2.61 et seq that regulations for the placement and use of clothing donation bins within the Borough are hereby established.*

**SECTION I**

**I. Licensing of Clothing Donation Bins**

*Notwithstanding any other provision of law to the contrary, no person shall place, use, or employ a clothing donation bin within the Borough for solicitation purposes unless all of the following requirements are met:*

- a. The clothing donation bin is owned or sponsored by a organization registered pursuant to P.L. 1994, c. 16 (N.J.S.A. 45:17A-18 et seq.), any non-charitable organization, or is sponsored by any department of the Borough;*
- b. The registered organization has obtained a permit, valid for a twelve-month period, from the Borough's Zoning Officer in accordance with the following:*

*In its application for such a permit, the registered organization shall indicate:*

- 1. The location where the bin is currently situated or proposed to be situated;*
- 2. The manner in which the organization anticipates any clothing or other donations collected via the bin would be used, sold, or dispersed and the method by which the proceeds of collected donations would be allocated or spent;*
- 3. The name and telephone number of the bona fide office of the organization and any entity which may share or profit from any clothing or other donations collected via the bin; and*
- 4. Written consent from the property owner to place the bin on its property.*

*The Zoning Officer shall not grant a permit to place, use, or employ a clothing donation bin if it determines that the placement of the bin could constitute a safety hazard. Such hazards shall include, but not be limited to, the placement of a clothing donation bin within one hundred (100) yards of any place which stores large amounts of, or sells, fuel or other flammable liquids or gases.*

*In cases when any entity other than the entity which owns the bin may share or profit from any clothing or other donations collected via the bin, a notice, written in a clear and easily understandable manner, indicating that clothing or other donations collected via the bin, their proceeds, or both, may be shared or given entirely to, an entity other than the entity which owns the bin, and identifying all such entities which may share or profit from such donations.*

*The permit number and its date of expiration shall be clearly and conspicuously displayed on the exterior of the clothing donation bin in addition to the location where that bin is located.*

**Borough of Matawan  
Public Session  
July 17, 2012**

**II. Fee**

*The Zoning Officer shall impose a fee for such application, in the amount of twenty-five (\$25.00) dollars annually for each bin to offset the costs involved in enforcing this section.*

*An expiring permit for a clothing donation bin may be renewed upon application for renewal and payment of the applicable annual fee. Such application for renewal shall contain all the information as required for the original issuance of said permit.*

*The owner of any clothing donation bin which is sponsored by any department of the Borough shall be required to comply with the licensure requirements hereof, but shall specifically be exempt from the fee requirement hereof.*

**III. Location Criteria**

- a. *The bins are not to be placed in the front yard.*
- b. *A minimum ten (10) foot setback from property lines should be required.*
- c. *Bins should not be placed in any required driveways or on any unimproved lot.*
- d. *No bins permitted on residential properties.*
- e. *Whenever possible, the bins should not be placed on lots adjacent to residences; however, should the Zoning Officer determine that it is appropriate to establish a bin on such a location, it must be set back a minimum of ten (10) feet.*
- f. *Bins may be placed within a parking area, provided the Municipal Engineer determines that the space or spaces dedicated to the bin are underutilized.*

**IV. Duty to Maintain and Service Bins**

*It shall be the duty of each registered organization issued a permit hereunder to properly maintain and service any clothing donation bin placed within the Borough so as to prevent such clothing bin from creating any nuisance, hazardous or unsafe condition.*

**V. Enforcement and Limitation on Licenses.**

*The Zoning Officer shall, upon receipt of a complaint by a local resident or any other person that a clothing donation bin is causing a nuisance, hazardous or unsafe condition, investigate such complaint and take such enforcement action as is permitted pursuant to N.J.S.A. 40:48-2.62 and N.J.S.A. 40:48-2.63. The Zoning Officer shall not be authorized to issue more than two (2) clothing donation bin permits at any given site.*

**VI. Violations, Penalties and Revocation of License.**

*Any licensee who violates any provision of this section and fails to cure such violation within forty-eight (48) hours of notice of such violation shall be subject to the following penalties, in addition to those penalties and remedies as set forth in N.J.S.A. 40:48-2.62 and 40:48-2.63:*

- a. *For the first offense: \$100.00 per day.*
- b. *For the second offense: \$250.00 per day.*
- c. *For the third offense: mandatory revocation of permit.*

*Section 2. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance shall be and the same are hereby repealed.*

*Section 3. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.*

*Section 4. This ordinance shall take effect upon final passage and publication as provided by law.*

*Application for Clothing Donation Bin  
Borough of Matawan  
201 Broad Street, Matawan, NJ 07747  
[www.matawanborough.com](http://www.matawanborough.com)  
732-566-3898*

*Name of Registered Organization pursuant to P.L. 1994, c.16*

\_\_\_\_\_  
*Office Address, Telephone and Contact for Register Organization:* \_\_\_\_\_

\_\_\_\_\_

**Borough of Matawan  
Public Session  
July 17, 2012**

Profit \_\_\_\_\_ Non-Profit \_\_\_\_\_

Name and telephone number of any organization or entity that may share or profit from any collected items.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Location of Bin: \_\_\_\_\_

Written Consent of Property Owner to place Bin on Property: \_\_\_\_\_ (please attach)

Information must be provided that details the manner in which the organization anticipates any clothing or other donations collected via the bin would be used, sold, or disbursed and the method by which the proceeds of collected donations would be allocated or spent.

How often will bin be emptied? \_\_\_\_\_

Contact Tele. For pick-up: \_\_\_\_\_

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Zoning Officer's Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Permit will be issued upon approval and must be posted on clothing bin.

Fee: \$25.00 Annually

G:\MUNICIPAL CLERK\Forms\Application For Clothing Donation Bin.Doc

Mayor Buccellato read by title Resolution 12-07-43: Payment of Bills. Mayor Buccellato requested a motion. Councilman Fitzsimmons 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 12-07-43  
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       | \$560,878.24 |
| Water & Sewer | \$544,377.91 |
| Water Capital | \$162,092.00 |
| Grant         | \$3,248.82   |
| Borough Trust | \$81,923.64  |

**Borough of Matawan  
Public Session  
July 17, 2012**

|                                  |                       |
|----------------------------------|-----------------------|
| <i>Developers Escrow Account</i> | \$4,290.07            |
| <i>Railroad Parking Trust</i>    | \$9.00                |
| <i>Recreation Trust</i>          | \$14,679.18           |
| <b>Total</b>                     | <b>\$1,371,498.86</b> |

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

**Privilege of the Floor**

Mayor Buccellato opened the Privilege of the Floor.

Anthony Brizendine, 14 Schenck Road, Holmdel. Mr. Brizendine asked for a status on a filed grievance. Mayor Buccellato replied as this is a personnel matter it will be discussed in executive session after the public portion of tonight's meeting.

Deputy Fire Chief Donald Mason, Matawan. Mr. Mason asked why the truck bid was rejected. Mr. Menna explained under State Law if a material deviation from the published spec document occurs it is best to go out for rebid. Mr. Mason stated the Matawan Fire Department requests 30 days to redo the specs themselves. Council agreed.

Jeremiah E. Hourihan, 13 Edgewater Drive, Matawan. Mr. Hourihan questioned if the clothing bins being designated to certain areas or at the discretion of private properties. Mr. Menna clarified it is as the discretion of private properties but permit is now required enabling regulation by the Borough.

Ron Rodriguez, 60 Ravine Drive, Matawan. Mr. Rodriguez commented on the lengthy delay for a fire truck questioning Council support of the Fire Department.

Jeremiah E. Hourihan, 13 Edgewater Drive, Matawan. Mr. Hourihan disagreed with Mr. Rodriguez as the process must follow the law.

Mayor Buccellato closed the Privilege of the Floor.

At 7:55 PM Mayor Buccellato requested a motion to move back into Executive Session. No formal action will be taken. Councilwoman Angelini made the motion, seconded by Councilman Urbano. Council agreed. Motion passed.

**Adjournment**

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

Meeting adjourned at 8:30 PM.

---

Jean B. Montfort, RMC  
Municipal Clerk