

**Borough of Matawan  
Public Session  
September 18, 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 September 18, 2012. The meeting was called to order at 7:05 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: Councilman Lopez  
Councilwoman Angelini  
Councilman Urbano  
Councilwoman Clifton  
Councilman Fitzsimmons

Councilwoman Gould was absent.

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.

**Approval of Minutes**

Mayor Buccellato requested a motion to approve the minutes of September 4, 2012. Councilwoman Angelini made the motion, seconded by Councilman Lopez with Councilwoman Clifton abstaining. Council agreed. Motion passed.

**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**

Mayor Buccellato read by title Ordinance 12-15: Amending Chapter 34 – Development Regulations of the Code of the Borough of Matawan Creating a New Mixed Use Development (MUD) District.

Mr. Menna advised this Ordinance as well as a Planner's Report had initially been reviewed by the Borough of Matawan Planning/Zoning Board of Adjustments and has been introduced by the Mayor and Council at its last meeting. The Ordinance proposes change to many development regulations and applicable permitted uses with respect to the Route 34 Mixed Use Development District (MUD). This does involve a Planning/Zoning Application on Route 34 with notifications sent to property owners within 200' and, more importantly, to the New Jersey State Department of Transportation, Monmouth County and adjacent municipalities, the Townships of Aberdeen and of Old Bridge.

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As Aberdeen and Old Bridge governing bodies may not have met since the Ordinance introduction, I respectfully request a public hearing be held tonight and we prorogue and continue the public hearing to October 2, 2012, and for final action and vote by and Council. Council agreed. Mayor Buccellato requested a motion to open the public hearing. Councilman Lopez made the motion, seconded by Councilwoman Angelini. Council agreed. Motion passed. Mayor Buccellato requested comments. There were no comments. Mayor Buccellato requested a motion to recess the public hearing. Councilwoman Angelini made the motion, seconded by Councilwoman Clifton. Council agreed. Motion passed. Mayor Buccellato announced Ordinance 12-15: Amending Chapter 34 – Development Regulations of the Code of the Borough of Matawan Creating a New Mixed Use Development (MUD) District will be carried to the October 2, 2012 with an additional public hearing, if necessary, and for final adoption.

**Clerk's Report**

No report.

**Mayor's Report**

No report.

**Attorney's Report**

No report.

**Engineer's Report**

Mr. Keady reported the October 1, 2012 deadline for work to commence on the Water Plant Rehabilitation and Ryers Lane Water Tank.

Mr. Keady reminded Council applications for 2013 municipal aid for road projects are due to the NJS Department of Transportation by October 16, 2012. Mr. Keady stated they were successful last year and could continue Sunset Avenue at Route 34, to complete between Crown Place and Woodland Avenue, however this is a more residential area. They could apply for William Street from Route 79 moving to John Street. He felt they would be more successful with that. Councilman Lopez asked if this grant could be used to maintain some newly repaired streets that are beginning to crack. Mr. Keady suggested that be tacked on to a road program. Council agreed to Mr. Keady's recommendation of applying for Williams Street.

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

No report.

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

Councilman Lopez reported \$7,600.00 total fees collected for the Fire Prevention Bureau for the months of July and August 2012.

**Police, Railroad Parking, Library**

No report.

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

Councilman Urbano gave the Water/Sewer report for the month of August 2012 was \$283,509.99 with a year-to-date of \$2,937,642.39.

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Councilman Urbano reported the Borough has three sewer lift “stages” which run on propane. DPW Superintendent Jake Applegate is coordinating New Jersey Natural Gas to convert these “stages” for an anticipated annual savings projection of \$2,000.00 to \$3,000.00.

In addition, Mr. Applegate expressed concern over the vendor for shared service for grass cutting, Greenleaf Landscape Systems & Services and does not believe they are providing services as outlined in the contract. Councilman Urbano asked Mr. Menna to review the contract with Mr. Applegate.

**Recreation, Historic Sites, Technnology**

Councilwoman Clifton reported on the success of “Movies in the Park” held this summer.

She reminded all about upcoming events of October 13, 2012 Matawan Day and the November 24, 2012 Turkey Trot.

Mayor Buccellato reminded Councilpersons Clifton and Urbano to schedule a meeting with the Special Events Committee to coordinate all events. Councilwoman Clifton stated the meeting is scheduled for tomorrow, September 19, 2012.

Councilwoman Clifton added this fall the Historic Sites Commission will once again host cemetery tour of Rose Hill Cemetery on October 20 and 21, 2012.

**Finance, Sanitation/Recycling**

No report.

Councilman Fitzsimmons related discussions with Borough Property Maintenance Officer, Rob Bittle, on several properties adjacent to the railroad station, including New Jersey Transit, that have fallen to disrepair with a lack of continued maintenance. After discussion Mayor Buccellato will direct Mr. Applegate to provide a cost estimate of continued maintenance of the area requesting Mr. Menna to contact New Jersey Transit with the projected cost for reimbursement to the Borough of Matawan.

**Consent Agenda**

Mayor Buccellato read by title Resolutions 12-09-19 through and including 12-09-22 requesting a motion to adopt en masse. Councilwoman Clifton made the motion, seconded by Councilman Lopez. Council agreed. Motion passed.

***RESOLUTION 12-09-19  
REDEMPTION OF TAX SALE CERTIFICATE  
WEN LU  
CERTIFICATE #11-00024***

***WHEREAS***, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00024 which was sold to Wen Lu, 144-90 41<sup>st</sup> Avenue, Apt. 515, Flushing, NY 11355; and

***WHEREAS***, Certificate #11-00024 has been paid and fully redeemed for the property owner, Block 28, Lot 10 otherwise known as 1 Fountain Ave.

***NOW, THEREFORE, BE IT RESOLVED*** by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,678.88 and a Premium of \$300.00 to the above for the redemption of Tax Sale Certificate #11-00024.

***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.

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**RESOLUTION 12-09-20  
REDEMPTION OF TAX SALE CERTIFICATE  
BOROUGH OF MATAWAN  
CERTIFICATE #11-00037**

*WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00037 which was sold to the Borough of Matawan.*

*Whereas, Certificate #11-00037 has been paid and fully redeemed for the property owner, Block 41 Lot 2 otherwise known as 256 Main St.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$948.71 for the above for the redemption of Tax Sale Certificate #11-00037.*

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

**RESOLUTION 12-09-21  
APPROVAL OF RAFFLE LICENSE  
VILLAGE SCHOOL PSA  
50/50 CASH  
RL-620**

*BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the raffle license for Village School PSA Fundraiser.*

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

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

**RESOLUTION 12-09-22  
APPROVAL OF RAFFLE LICENSE  
VILLAGE SCHOOL PSA  
GIFT AUCTION  
RL-621**

*BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the raffle license for Village School PSA Fundraiser.*

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

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

**New Business**

Mayor Buccellato read by title Resolution 12-09-23: Renewal of 2011-2012 ABC Liquor Licenses. Mayor Buccellato requested a motion. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 12-09-23  
RENEWAL OF 2011-2012 ABC LIQUOR LICENSES**

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*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, 2011.

<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>					
1329-33-015-006	NCC Corporation	254 Main St.	Matawan	NJ	07747

Mayor Buccellato read by title Resolution 12-09-24: Resolution Appointing Mayor Paul Buccellato as the Fund Commissioners to the Monmouth County Municipal Joint Insurance Fund - Central Jersey Health Insurance Fund. 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: Councilman Lopez  
Councilwoman Angelini  
Councilman Urbano  
Councilwoman Clifton  
Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-09-24  
RESOLUTION APPOINTING MAYOR PAUL BUCCELLATO  
AS THE FUND COMMISSIONERS TO THE  
MONMOUTH COUNTY MUNICIPAL JOINT INSURANCE FUND  
CENTRAL JERSEY HEALTH INSURANCE FUND**

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

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

*WHEREAS*, it is the desire of the Mayor and Council to appoint Mayor Paul Buccellato as the Fund Commissioner to the Monmouth County Municipal Joint Insurance Fund; and

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

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

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

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

Mayor Buccellato read by title Ordinance 12-17: Bond Ordinance Amending Bond Ordinance Number 10-18 Finally Adopted by the Borough Council of the Borough of Matawan, New Jersey, on

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October 19, 2010. Mayor Buccellato requested a motion to introduce. Councilman Urbano made the motion, seconded by Councilman Lopez. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**ORDINANCE 12-17  
BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 10-18 FINALLY ADOPTED BY THE  
BOROUGH COUNCIL OF THE  
BOROUGH OF MATAWAN, NEW JERSEY  
ON OCTOBER 19, 2010**

**BE IT ORDAINED** BY THE BOROUGH COUNCIL OF THE BOROUGH OF MATAWAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

*Section 1. The Bond Ordinance of the Borough Council of the Borough of Matawan, in the County of Monmouth, New Jersey (the "Borough") entitled "Bond Ordinance Providing An Appropriation Of \$1,150,000 For Replacement Of Water Mains On Various Streets For And By The Borough Of Matawan In The County Of Monmouth, New Jersey And, Authorizing The Issuance Of \$1,092,500 Bonds Or Notes Of The Borough For Financing Part Of The Appropriation" finally adopted on October 19, 2010 (the "Ordinance") is hereby incorporated by reference in its entirety.*

*Section 2. Section 3(a) of the Ordinance is hereby amended in its entirety as follows:*

*"(a) The improvements authorized and the purpose for the financing of which said obligations are to be issued is for replacement of water mains on various roads, including but not limited to, on Rustic Lane, Aberdeen Road, Matawan Avenue, Indian Trail, Fawn Drive, Sutton Drive and Wilson Avenue, and replacement of water meters, including all work materials, necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications on file with the Borough Clerk."*

*Section 3. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolutions in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.*

*Section 1. This Section 4 constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that the Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$1,092,500.*

*Section 5. All other provisions of the Ordinance shall remain unchanged.*

*Section 2. This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final adoption as provided by Local Bond Law.*

Mayor Buccellato read by title Resolution 12-09-25: 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: Councilman Lopez with abstention on Vendor #05820  
Councilwoman Angelini  
Councilman Urbano  
Councilwoman Clifton

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Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-09-25  
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	\$431,735.59
Water & Sewer	\$34,641.25
Grant	\$588.50
Borough Trust	\$12,906.15
Developers Escrow Account	\$643.00
Railroad Parking Trust	\$2.00
Recreation Trust	\$556.75
<b>Total</b>	<b>\$481,703.24</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.*

Mayor Buccellato read by title Resolution 12-09-26: Resolution to Adopt the Best Practice Worksheet as Required by the State of New Jersey. Mayor Buccellato requested a motion. Councilwoman Clifton made the motion, seconded by Councilman Fitzsimmons. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 12-09-26  
APPROVING 2012 BEST PRACTICES INVENTORY**

***WHEREAS**, New Jersey State's Fiscal Year 2013 Appropriations Act, PL 2011, c.85, requires the Division of Local Government Services to determine how much of each municipality's final 5% allocation of its Consolidated Municipal Property Tax Relief Act and Energy Tax Receipt aid will be disbursed based upon the results of a Best Practices Inventory (Inventory) to be completed by each municipality; and,*

***WHEREAS**, the Inventory is a constructive way to encourage municipalities to consider and embrace a range of best practices that will help improve financial accountability and transparency; and*

***WHEREAS**, the Chief Financial Officer has previously certified the Inventory and submitted the results to the Governing Body for its review.*

***NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Matawan hereby approves the 2012 Best Practices Inventory for the Borough of Matawan as certified by the Chief Financial Officer; and*

***BE IT FURTHER RESOLVED** that the Municipal Clerk shall complete the 2012 Best Practice Public Meeting Certification Form and as required submit it to the Division of Local Government Services.*

**Privilege of the Floor**

Mayor Buccellato opened the Privilege of the Floor.

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James Archibald, Borough of Matawan First Aid Rescue Squad, requested Council approval to proposed Santa runs for the 2012 holiday season, providing the Borough Clerk with copy, with December 1, 2012 tree lighting. Mayor Buccellato and Council agreed to donate the cost of the candy. Condition of the tree with decorations will look to be improved. Council agreed thanking Mr. Archibald for his efforts.

Jeremiah E. Hourihan, Sr., 13 Edgewater Drive, Matawan, expressed dissatisfaction with the condition of the Burrowes Mansion, disagreed with the promotion of the Rose Hill Cemetery tour.

Mayor Buccellato closed the Privilege of the Floor.

**Adjournment**

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

Meeting adjourned at 7:50 PM.

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Jean B. Montfort, RMC  
Municipal Clerk