

**Borough of Matawan
Workshop Session
August 7, 2013**

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 August 7, 2013. The meeting was called to order at 7:00 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 July 18, 2013, by sending notice to the *Asbury Park Press*, and by posting. A copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk. Mayor Buccellato requested a roll call.

On roll call the following members responded present:

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

Also present were Louis C. Ferrara, Borough Administrator and Pasquale Menna, Esq., Borough Attorney.

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

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

Old Business

Mayor Buccellato read by title Ordinance 13-14: Authorizing the Leasing of Certain Capital Equipment by the Borough of Matawan, New Jersey from the Monmouth County Improvement Authority and the Execution of a Lease and Agreement Relating Thereto. Mayor Buccellato requested a motion to open the public hearing. Councilwoman Clifton 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 close the public hearing. Councilwoman Clifton made the motion, seconded by Councilwoman Gould. Council agreed. Motion passed. Mayor Buccellato read by title on third and final reading Ordinance 13-14: Authorizing the Leasing of Certain Capital Equipment by the Borough of Matawan, New Jersey from the Monmouth County Improvement Authority and the Execution of a Lease and Agreement Relating Thereto requesting a motion to adopt. Councilman Fitzsimmons made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**ORDINANCE 13-14
AUTHORIZING THE LEASING OF CERTAIN CAPITAL EQUIPMENT BY
THE BOROUGH OF MATAWAN, NEW JERSEY FROM THE
MONMOUTH COUNTY IMPROVEMENT AUTHORITY AND THE
EXECUTION OF A LEASE AND AGREEMENT RELATING THERETO**

BE IT ORDAINED by the Borough Council of the Borough of Matawan, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

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Section 1. Pursuant to Section 78 of the County Improvement Authorities Law, N.J.S.A. 40:37A-44, et seq., the Borough of Matawan (the "Municipality") is hereby authorized to unconditionally and irrevocably lease certain items of capital equipment from The Monmouth County Improvement Authority (the "Authority") pursuant to a Lease and Agreement, substantially in the form submitted to this meeting (the "Lease"), a copy of which is on file in the office of the Clerk to the Municipality. The Mayor is hereby authorized to execute the Lease on behalf of the Municipality in substantially such form as submitted to this meeting and with such changes as may be approved by the Mayor, which approval shall be conclusively evidenced by the execution thereof, and the Clerk to the Municipality is hereby authorized to affix and attest the seal of the Municipality.

Section 2. The following additional matters are hereby determined, declared, recited and stated:

- (a) In recognition of the fact that the lease payment of the Municipality under the Lease will be based, in part, on the amount of bonds issued by the Authority to finance the acquisition of the leased equipment and the interest thereon, the maximum amount of bonds which the Authority shall issued to finance the acquisition of the equipment to be leased to the Municipality shall not exceed \$562,000 and the interest rate on said bonds shall not exceed five and fifty hundredths percent (5.50%) per annum;*
- (b) The items to be leased from the Authority shall be as set forth in Schedule A hereto; provided that the Mayor or any authorized municipal representative (as defined in the Lease) may substitute or add items of equipment in accordance with the provisions of the Lease; and*
- (c) The lease term applicable to a particular item of leased equipment shall not exceed the useful life of such item.*

Section 3. This ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by law.

Mayor Buccellato read by title Ordinance 13-15: An Ordinance to Fix and Determine the Salaries and Wages of Officers, Management, Supervisory Personnel and General Employees Not Represented by an Organized Bargaining Unit and Employed by the Borough of Matawan, Monmouth County, NJ. Mayor Buccellato requested a motion to open the public hearing. Councilwoman Clifton made the motion, seconded by Councilman Urbano. Council agreed. 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 13-15: An Ordinance to Fix and Determine the Salaries and Wages of Officers, Management, Supervisory Personnel and General Employees Not Represented by an Organized Bargaining Unit and Employed by the Borough of Matawan, Monmouth County, NJ requesting a motion to adopt. Councilwoman Clifton made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**ORDINANCE 13-15
AN ORDINANCE TO FIX AND DETERMINE THE
SALARIES AND WAGES
OF OFFICERS, MANAGEMENT, SUPERVISORY PERSONNEL AND
GENERAL EMPLOYEES NOT REPRESENTED BY AN ORGANIZED
BARGAINING UNIT AND EMPLOYED BY THE BOROUGH OF
MATAWAN, MONMOUTH COUNTY, NJ**

Be it ordained by the Mayor and Council of the Borough of Matawan, in the County of Monmouth, NJ as follows;

Section 1. The annual salaries or compensations of the officers, management, supervisory personnel and general employees of the Borough of Matawan not covered by any organized bargaining unit, effective January 1, 2013, shall be as follows;

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<u>DEPARTMENT/TITLE</u>	<u>STATUS</u>	<u>PAYMENT CATEGORY</u>	<u>RANGE FROM</u>	<u>TO</u>
<u>Administration and Executive</u>				
Mayor	Elected	Annual	\$4,000.00	\$6,000.00
Council	Elected	Annual	\$3,000.00	\$5,000.00
Administrator Assistant	Full Time	Annual	\$25,000.00	\$50,000.00
Business Administrator	Full Time	Annual	\$48,000.00	\$150,000.00
Borough Clerk	Full Time	Annual	\$35,000.00	\$60,000.00
Deputy Borough Clerk	Full Time	Annual	\$25,000.00	\$40,000.00
Part Time Hourly Employee Clerical	Part Time	Hourly	\$15.00	\$25.00
Borough Attorney	Part Time	Annual	\$25,000.00	\$50,000.00
Elections Clerk	Full Time	Annual	\$1,000.00	\$4,000.00
Deputy Elections Clerk	Part Time	Annual	\$200.00	\$600.00
Downtown Redevelopment Coordinator	Part Time	Annual	\$10,000.00	\$20,000.00
Systems Coordinator	Part Time	Annual	\$4,000.00	\$10,000.00
Clerical-Starting Salary All Departments	Full-Time	Annual	\$25,000.00	27,500.00
Registrar	Part-Time	Annual	\$3,000.00	\$5,000.00
Deputy Registrar	Part-Time	Annual	\$1,000.00	\$2,000.00
<u>Construction, Inspections & Property Maintenance Offices</u>				
Construction Official/ Zoning Officer/Bldg Insp.	Part Time	Annual	\$30,000.00	\$48,000.00
Construction Official/Zoning Officer/Bldg Insp.	Full Time	Annual	\$50,000.00	\$75,000.00
Bldg Sub-Code Official or Building Inspector	Part Time	Hourly	\$28.00	\$50.00
Plumbing Sub-Code Official	Part Time	Annual	\$5,000.00	\$10,000.00
Plumbing Inspector	Part Time	Annual	\$5,000.00	\$10,000.00
Plumbing Sub-Code Official or Plumbing Insp.	Part Time	Hourly	\$28.00	\$50.00
Electrical Sub-Code Official	Part Time	Annual	\$5,000.00	\$10,000.00
Electrical Inspector	Part Time	Annual	\$5,000.00	\$10,000.00
Electrical Sub-Code Official or Electrical Insp.	Part Time	Hourly	\$28.00	\$50.00
Fire Sub-Code Official	Part Time	Annual	\$5,000.00	\$10,000.00
Fire Inspector	Part Time	Annual	\$5,000.00	\$10,000.00
Fire Sub-Code Official or Fire Inspector	Part Time	Hourly	\$28.00	\$50.00
Technical Assistant	Full Time	Annual	\$25,000.00	\$60,000.00
Clerk/Typist Construction/Zoning/Fire Prev.	Full Time	Annual	\$25,000.00	\$40,000.00
Property Maintenance Officer	Part Time	Annual	\$8,000.00	\$15,000.00
Assistant Property Maintenance Officer	Part Time	Annual	\$6,000.00	\$10,000.00
Assistant Property Maintenance Officer	Part Time	Hourly	\$28.00	\$50.00
<u>Fire Prevention Bureau</u>				
Fire Prevention Officer/Inspector	Part-Time	Annual	\$10,000.00	\$40,000.00
Fire Prevention Inspector	Part-Time	Annual	\$6,000.00	\$10,000.00
<u>Finance/Tax Offices</u>				
CFO/Treasurer	Full Time	Annual	\$60,000.00	\$90,000.00
CFO	Part Time	Hourly	\$50.00	\$100.00
Tax Assessor	Part Time	Annual	\$10,000.00	\$28,000.00
Revenue Collector/Assessing Clerk	Full Time	Annual	\$25,000.00	\$40,000.00
Tax Collector	Full Time	Annual	\$35,000.00	\$50,000.00
Tax Collector	Part Time	Hourly	\$35.00	\$55.00
Deputy Tax Collector	Full Time	Annual	\$25,000.00	\$45,000.00
Supervisor/Payroll, Personnel & Accounting Services	Full Time	Annual	\$35,000.00	\$65,000.00
Bookkeeper	Part-time	Hourly	\$15.00	\$30.00
<u>Municipal Court</u>				
Court Administrator	Full Time	Annual	\$35,000.00	\$60,000.00
Deputy Court Administrator	Full Time	Annual	\$25,000.00	\$35,000.00
Deputy Court Administrator	Part Time	Hourly	\$15.00	\$30.00
Magistrate	Full Time	Annual	\$12,000.00	\$35,000.00
Prosecutor	Part Time	Annual	\$8,000.00	\$25,000.00
Public Defender	Part Time	Annual	\$4,000.00	\$20,000.00
<u>Public Safety</u>				
Chief of Police	Full Time	Annual	\$79,000.00	\$150,000.00
Captain of Police	Full Time	Annual	\$74,000.00	\$140,000.00
Lieutenant of Police	Full Time	Annual	\$69,000.00	\$130,000.00
Police Matron	Part Time	Hourly	\$15.00	\$25.00
School Crossing Guard (based on 10 Months)	Part Time	Annual	\$7,500.00	\$12,000.00
School Crossing Guard	Part Time	Per Post	\$15.00	\$30.00
Substitute School Crossing Guard	Part Time	Per Post	\$23.00	\$30.00
Police Secretary	Full Time	Annual	\$25,000.00	\$45,000.00
Police Records Clerk	Full Time	Annual	\$25,000.00	\$50,000.00

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<i>Class Two Specials</i>	<i>Part-Time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$30.00</i>
<i>Class One Specials</i>	<i>Part-Time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$30.00</i>
<i>Emergency Management Chief</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$500.00</i>	<i>\$3,500.00</i>
<i>Emergency Management 1st Deputy</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$300.00</i>	<i>\$1,000.00</i>
<i>Emergency Management 2nd Deputy</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$300.00</i>	<i>\$1,000.00</i>
<i>Emergency Management Secretary</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$200.00</i>	<i>\$1,500.00</i>
<i>Railroad Parking Enforcement Officer</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$25.00</i>

Public Works

<i>Superintendent of Public Works</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$60,000.00</i>	<i>\$120,000.00</i>
<i>Recycling Coordinator</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$2,000.00</i>	<i>\$7,000.00</i>

Recreation

<i>Summer Program Director</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$1,700.00</i>	<i>\$6,000.00</i>
<i>Assistant Summer Program Director</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$1,260.00</i>	<i>\$4,500.00</i>
<i>Canoe Renter-1st Year</i>	<i>Seasonal/PT</i>	<i>Hourly</i>	<i>\$8.00</i>	<i>\$20.00</i>
<i>Canoe Renter-2nd Year</i>	<i>Seasonal/PT</i>	<i>Hourly</i>	<i>\$8.50</i>	<i>\$20.00</i>
<i>Director</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$10,000.00</i>	<i>\$20,000.00</i>
<i>Apprentice Summer Counselors</i>	<i>Seasonal/PT</i>	<i>Hourly</i>	<i>\$7.15</i>	<i>\$10.00</i>
<i>Junior Summer Counselors</i>	<i>Seasonal/PT</i>	<i>Hourly</i>	<i>\$7.65</i>	<i>\$12.00</i>
<i>Senior Summer Counselors</i>	<i>Seasonal/PT</i>	<i>Hourly</i>	<i>\$8.15</i>	<i>\$14.00</i>

Sewer

<i>Licensed Waste Water Personnel</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$1,000.00</i>	<i>\$4,000.00</i>
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Water

<i>Licensed Water Plant Operator</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$50,000.00</i>	<i>\$120,000.00</i>
<i>N-1 Licensed Water Personnel</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$1,000.00</i>	<i>\$3,500.00</i>
<i>Water/Sewer Clerk</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$22.00</i>

Boards

<i>Board, Commission and Agency Secretary</i>	<i>Part Time</i>	<i>Per Meeting</i>	<i>\$100.00</i>	<i>\$250.00</i>
<i>Planning/ Zoning Board Attorney</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$5,000.00</i>	<i>\$15,000.00</i>

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.

Mayor Buccellato read by title Ordinance 13-16: Ordinance to Amend the Code of the Borough of Matawan – Chapter XV – Property Maintenance – Article I – Section 15-2 – Maintenance of Vacant Properties, Structures – Registration Requirements and Fees. Mayor Buccellato requested a motion to open the public hearing. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Council agreed. Motion passed. Mayor Buccellato requested comments.

Ralph Evans, 87 Aberdeen Road, Matawan. As the owner of vacant properties in the Borough, Mr. Evans believes the fees to be excessive questioning if Council fully vetted the Ordinance prior to introduction. He asks if there is opportunity for appeal. Mayor replied, yes, by the Borough Administrator, Borough Attorney, and Mayor and Council. This is not a “violation” fee subject to appeal, but a registration fee for abandoned, vacant properties to avoid maintenance issues. Vacant buildings not maintained by property owners are subject to care by the Borough’s Property Maintenance and Police Departments. This Ordinance will address those issues. If a property is being properly maintained and actively being looked to be occupied, the property is exempt.

Douglas Harris, 124 Broad Street, Matawan. Mr. Harris thanked the Council for the Ordinance citing neighboring properties in need of repair and which experience security issues.

Piper Bailey, 25 Orchard Street, Matawan. Ms. Bailey reiterated Mr. Harris’ comments as she also has similar neighboring properties with the same issues, specifically, 26 Orchard Street. Mayor Buccellato informed Ms. Bailey they have contacted the property owner, Borough

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departments have made on-site visits and will be addressing property maintenance and security issues. In addition, Chief Gallo will be setting up a meeting with some of the neighborhood residents as well. Mr. Ferrara added Public Works, with Fire Department approval, will erect a “barrier” of some nature to eliminate cars parking on the property.

Zoltan Varsanyi, 10 Crown Place, Matawan. Mr. Varsanyi asks if the Ordinance includes new construction. Mr. Menna states the Ordinances does not cover ongoing construction. It covers abandoned, vacant properties.

Mayor Buccellato requested a motion to close the public hearing. Councilwoman Clifton made the motion, seconded by Councilwoman Gould. Council agreed. Motion passed. Mayor Buccellato read by title on third and final reading Ordinance 13-16: Ordinance to Amend the Code of the Borough of Matawan – Chapter XV – Property Maintenance – Article I – Section 15-2 – Maintenance of Vacant Properties, Structures – Registration Requirements and Fees requesting a motion to adopt. Councilman Fitzsimmons made the motion, seconded by Councilwoman Daly. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**ORDINANCE 13-16
ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF MATAWAN
CHAPTER XV – PROPERTY MAINTENANCE – ARTICLE I – SECTION 15-2
MAINTENANCE OF VACANT PROPERTIES, STRUCTURES REGISTRATION REQUIREMENTS & FEES**

***WHEREAS,** the Borough of Matawan is desirous of maintaining and providing the residents of Matawan with a safe, pleasant environment, and to that end structures that are abandoned or vacant distract from this goal create an attractive nuisance for a neighborhood; and*

***WHEREAS,** in many cases the owners or other responsible parties of these structures are neglectful of them, do not maintain or secure them to a recognized adequate community standard or municipal maintenance code, or restore them to productive use; and*

***WHEREAS,** vacant and abandoned structures cause severe harm to the health, safety, and general welfare of the community, including diminution of neighboring property values, increased risk of fire, and potential increases in criminal activity and public health risk; and*

***WHEREAS,** the Borough of Matawan incurs disproportionate costs in order to address the problems of vacant and abandoned structures, including but not limited to code enforcement violations, excessive police calls, fire calls, property maintenance calls, and property inspections; and*

***WHEREAS,** it is in the public interest for the Borough of Matawan to establish minimum standards of accountability for the owners or other responsible parties of vacant and abandoned structures in order to protect the health, safety, and general welfare of the residents of the Borough of Matawan; and*

***WHEREAS,** it is in the public interest for the Borough of Matawan to impose a fee in conjunction with a registration ordinance fee, which is in addition to others fees or costs that are imposed or required by the Borough of Matawan for any maintenance or other reason for vacant and abandoned structures in light of the disproportionate costs imposed on the Borough by the presence of these structures within the Borough.*

NOW, THEREFORE, BE IT ORDAINED by the Borough of Matawan that:

15-2 Maintenance of Vacant Properties, Structures Registration Requirements and Fees

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15-2.1 Definitions

Owner shall include the title holder, any agent of the title holder having authority to act with respect to a vacant property, any foreclosing entity subject to the provisions of, or any other entity determined by the Borough of Matawan to have authority to act with respect to the property.

Vacant property shall mean any building or structure intended for or having an existing commercial, industrial, mixed-use, or multifamily residential use, and which is not legally occupied or at which substantially all lawful commercial, business, construction operations or residential occupancy has ceased, or said structure is in such condition that it cannot legally be occupied without repair, renovation, or rehabilitation; provided, however, that any property that contains all building systems or components in working order and is being actively marketed by its owner for sale or rental, shall not be deemed vacant. Property determined to be "abandoned property" in accordance with the meaning of such term in the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78 et seq., which shall include commercial, industrial, or multifamily, or mixed-use residential structures are deemed to be vacant property for the purposes of this section. However, the owner or owner's agent shall maintain and secure the property even if the property, building, or structure has been placed for sale or rental until such time as the property, building, or structure is sold or rented and occupied.

15-2.2 General Requirements

- a. Effective September 1, 2013, the owner of any vacant property or structure as defined herein shall within sixty (60) days after the building or structure becomes vacant property or within thirty (30) days after assuming ownership of the vacant property or structure, whichever is later, file a registration statement for each such vacant property or structure with the Borough Clerk or any other designated Borough Representative on forms provided by the Borough of Matawan for such purposes. The registration shall remain valid for one (1) year from the date of registration. The owner shall be required to renew the registration annually as long as the building or structure remains vacant property and shall pay a registration or renewal fee in the amount prescribed in Section of this Ordinance for each vacant property registered.
- b. Any owner of any building that meets the definition of vacant property prior to September 1, 2013, shall file a registration statement for that property on or before November 1, 2013. The registration statement shall include the information required under the appropriate Section of this Ordinance as well as any additional information that the Borough may reasonably require.
- c. The owner shall notify the Borough Clerk or any other designated Borough Representative within thirty (30) days of any change in the registration information by filing an amended registration statement on a form provided by the Borough for such purpose.
- d. The registration statement shall be deemed an official record and business record in any administrative enforcement proceeding or court proceeding instituted by the Borough of Matawan against the owner, owners, or other responsible parties responsible for the building or structure.

15-2.3 Registration Statement Requirements; Property Inspection

After filing a registration statement or a renewal of a registration statement, the owner of any vacant property or structure shall provide access by the Borough's agent or representative to conduct an exterior and interior inspection of the building to determine compliance with the Municipal Code, following reasonable notice, during the period covered by the initial registration or any subsequent renewal.

- a. The registration statement shall include the name, street address and telephone number of a person twenty-one (21) years of age or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process, in any court proceeding or administrative enforcement proceeding, on behalf of such owner or owners in connection with the enforcement of any applicable code. This person must maintain an office in the State of New Jersey. The statement shall also include the name of the person responsible for the maintenance and security of the property, if different.
- b. An owner who is a person who meets the requirements of this Ordinance as to location of residence or office may designate him or herself as agent.

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- c. *By designating an authorized agent under the provisions of this section the owner or designated agent consents to receive any and all notices of code violations concerning the registered vacant property and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered building by service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purposes of this section until the owner notifies the Borough's agent or representative of a change of authorized agent or until the owner files a new annual registration statement. The designation of an authorized agent in no way releases the owner from any requirement of this Ordinance.*

15-2.4 Fee Schedule

The initial registration fee for each building shall be Five hundred (\$500.00) dollars. The fee for the first renewal is one thousand five hundred (\$1,000.00) dollars, and the fee for the second renewal is three thousand (\$1,500.00) dollars. The fee for any subsequent renewal beyond the second renewal is five thousand (\$2,000.00) dollars.

Vacant Property / Building Registration Fee Schedule

<i>Initial registration</i>	<i>\$ 500.00</i>
<i>First renewal</i>	<i>\$1,000.00</i>
<i>Second renewal</i>	<i>\$1,500.00</i>
<i>Any subsequent renewal</i>	<i>\$2,000.00</i>

15-2.5 Requirements for Owners of Vacant Property

The owner, owners, or the authorized agent of any building that has become or is a vacant property, and any person maintaining, operating or collecting rent for any such building that has become vacant shall, within thirty (30) days:

- a. *Enclose and secure the building against unauthorized entry as provided in the applicable provisions of the State of New Jersey and the Borough of Matawan, or as set forth in rules and regulations adopted by the Borough of Matawan to supplement those codes; and*
- b. *Post a permanent laminated or protected sign in a form specified by the Borough agent or representative and affixed to the building indicating the name, address and telephone number of the owner, the owner's authorized agent for the purpose of service of process, and the person responsible for day-to-day supervision and management of the building, if such person is different from the owner holding title or authorized agent. The sign shall be of a size and placed in such a location so as to be legible from the nearest public street or sidewalk, whichever is nearer, but shall be no smaller than 18 inches x 24 inches. The sign shall be professional made and printed (no hand written signs will be permitted); and*
- c. *Secure the building from unauthorized entry and maintain the sign until the building is again legally occupied or demolished or until repair or rehabilitation of the building is complete.*

15-2.6 Administration

The Borough of Matawan may issue rules and regulations for the administration of the provisions of this ordinance as it deems necessary.

15-2.7 Violations and Penalties

- a. *Any owner who is not in full compliance with this ordinance or who otherwise violates any provision of this ordinance or of the rules and regulations issued hereunder shall be in addition to the payment of the prescribed licensing fee subject to a fine of not less than \$200.00 and not more than \$1,000.00 for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this chapter shall be recoverable from the owner and shall be a lien on the property and all such legal fees associated with any reasonable cost recoverable from the owner as well.*
- b. *For purposes of this section, failure to file a registration statement in time, failure to provide correct information on the registration statement, failure to comply with the provisions of Section 15-2.2 through and including Section 15-2.5 this Chapter, or such other matters as may be established by the rules and regulations of the Borough of Matawan shall be deemed to be violations of this ordinance.*

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- c. *Nothing in this Ordinance is intended to nor shall be read to conflict or prevent the Borough of Matawan from taking action against owners of building or structures found to be unfit for human habitation or are unsafe structures as provided in applicable provision of the Code of the Borough of Matawan, including but not limited to provisions of the State or Borough Building or Property Maintenance codes. Further, any action taken under any such code provision other than the demolition of a structure shall relieve an owner from its obligations under this ordinance.*
- d. *This Ordinance shall take effect immediately upon final passage and publication and in accordance with the laws of the State of New Jersey.*

**REGISTRATION FORM FOR AABANDONED/VACANT
COMMERICAL OR RESIDENTIAL PROPERTIES**

Block # _____ LOT # _____

1. _____
Address of Property

2. _____
Property Owner Telephone #

3. _____
Property Owner 's Address City State Zip Code

_____ E-mail Address

4. _____
Name of Managing Agent Authorized to Act on behalf of Owner

_____ Address City State Zip Code

_____ Telephone #

_____ E-mail Address

5. Property Description: Total Units: Commercial Units:

a. Number of stories:

b. Date Property Acquired:

c. Does the Owner intend to restore property to productive use and occupancy
Yes No
What is the anticipated date of the above:

d. Is Property currently:

1. Enclosed and secured from authorized entry: Yes No:

2. What is the type of securement:

3. Sign affixed to building indicating the name, address, and telephone number of
the Owner and the Owner's authorized agent? Yes No

4. Who will maintain the building and sign in a secure and closed condition?

*I certify that the forgoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to a fine indicated in Section 1.
a. under Violations and Penalties, which will be in addition to other fees indicated in this Ordinance.*

Owner's Signature

Date

Consent Agenda

Mayor Buccellato read by title Resolutions 13-08-02 through and including 13-08-22 as well as Resolutions 13-08-31 and 13-08-32, requesting a motion to approve en masse. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

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Councilwoman Angelini

Motion passed.

**RESOLUTION 13-08-02
REDEMPTION OF TAX SALE CERTIFICATE
FNA JERSEY LIEN SERVICES, LLC
CERTIFICATE #10-00008**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #10-00008 which was sold to FNA Jersey Lien Services, LLC, PO Box 1030, Brick, NJ 08723; and

WHEREAS, Certificate #10-00008 has been paid and fully redeemed for the property owner, Block 9, Lot 18.01 otherwise known as Main St.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$100,127.26 to the above for the redemption of Tax Sale Certificate #10-00008.

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

**RESOLUTION 13-08-03
REDEMPTION OF TAX SALE CERTIFICATE
ACE PLUS, LLC
CERTIFICATE #10-00011**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #10-00011 which was sold to Ace Plus, LLC, 1416 Avenue L, Brooklyn, NY 11230; and

WHEREAS, Certificate #10-00011 has been paid and fully redeemed for the property owner, Block 12, Lot 5 otherwise known as 80 Atlantic Avenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$19,506.50 to the above for the redemption of Tax Sale Certificate #10-00011.

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

**RESOLUTION 13-08-04
REDEMPTION OF TAX SALE CERTIFICATE
FNA JERSEY LIEN SERVICES, LLC
CERTIFICATE #10-00062**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #10-00062 which was sold to FNA Jersey Lien Services, LLC, PO Box 1030, Brick, NJ 08723; and

WHEREAS, Certificate #10-00062 has been paid and fully redeemed for the property owner, Block 74, Lot 10 otherwise known as 119 Ravine Drive.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$29,579.23 and a Premium of \$500.00 to the above for the redemption of Tax Sale Certificate #10-00062.

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

**RESOLUTION 13-08-05
REDEMPTION OF TAX SALE CERTIFICATE
MTAG SERVICES AS CUST FOR ATCF II NEW JERSEY, LLC
CERTIFICATE #11-00052**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00052 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 #11-00052 has been paid and fully redeemed for the property owner, Block 61, Lot 4.60 otherwise known as 60 Oak Knoll Drive.

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NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$24,314.83 and a Premium of \$7,000.00 to the above for the redemption of Tax Sale Certificate #11-00052.

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

**RESOLUTION 13-08-06
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR FNA JERSEY BOI, LLC
CERTIFICATE #12-00011**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #12-00011 which was sold to US Bank Cust for FNA Jersey BOI, LLC, 50 S 16th St., Ste 1950, Philadelphia, PA 19102; and

WHEREAS, Certificate #12-00011 has been paid and fully redeemed for the property owner, Block 9, Lot 18.01 otherwise known as Main St.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$9,594.23 to the above for the redemption of Tax Sale Certificate #12-00011.

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

**RESOLUTION 13-08-07
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR PRO CAP II, LLC
CERTIFICATE #12-00021**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #12-00021 which was sold to US Bank Cust for Pro Cap II, LLC, US Bank TLSG, 50 S 16th St., Ste 1950, Philadelphia, PA 19102; and

WHEREAS, Certificate #12-00021 has been paid and fully redeemed for the property owner, Block 22, Lot 2 otherwise known as 137-143 Main St.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$12,671.00 and a Premium of \$100.00 to the above for the redemption of Tax Sale Certificate #12-00021.

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

**RESOLUTION 13-08-08
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR CRESTAR CAPITAL, LLC
CERTIFICATE #12-00028**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #12-00028 which was sold to US Bank Cust for Crestar Capital, LLC, TLSG 2 Liberty Pl., 50 S 16th St., Ste 1950, Philadelphia, PA 19102; and

WHEREAS, Certificate #12-00028 has been paid and fully redeemed for the property owner, Block 33, Lot 7 otherwise known as 163 Broad St.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$2,773.43 to the above for the redemption of Tax Sale Certificate #12-00028.

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

**RESOLUTION 13-08-09
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR PRO CAP II, LLC
CERTIFICATE #12-00058**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #12-00058 which was sold to US Bank Cust for Pro Cap II, LLC, US Bank TLSG, 50 S 16th St., Ste 1950, Philadelphia, PA 19102; and

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***WHEREAS**, Certificate #12-00058 has been paid and fully redeemed for the property owner, Block 64.01, Lot 2 otherwise known as Sutton.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,308.39 to the above for the redemption of Tax Sale Certificate #12-00058.*

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

**RESOLUTION 13-08-10
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR CRESTAR CAPITAL, LLC
CERTIFICATE #12-00059**

***WHEREAS**, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #12-00059 which was sold to US Bank Cust for Crestar Capital, LLC, TLSG 2, 50 S 16th St., Ste 1950, Philadelphia, PA 19102; and*

***WHEREAS**, Certificate #12-00059 has been paid and fully redeemed for the property owner, Block 64.02, Lot 6 otherwise known as 99 Aberdeen Rd.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,340.36 to the above for the redemption of Tax Sale Certificate #12-00059.*

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

**RESOLUTION 13-08-11
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR CRESTAR CAPITAL, LLC
CERTIFICATE #12-00086**

***WHEREAS**, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #12-00086 which was sold to US Bank Cust for Crestar Capital, LLC, TLSG, 50 S 16th St., Ste 1950, Philadelphia, PA 19102; and*

***WHEREAS**, Certificate #12-00086 has been paid and fully redeemed for the property owner, Block 119, Lot 2 otherwise known as 21 Center Ave.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$837.34 and a Premium of \$100.00 to the above for the redemption of Tax Sale Certificate #12-00086.*

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

**RESOLUTION 13-08-12
APPROVING MASSEUSE LICENSE RENEWAL
MARTHA ROWSE**

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

***WHEREAS**, on the condition that **Martha Rowse** 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 hereby approve renewal of the following Masseuse license:*

*Business: Martha Rowse
c/o Touch of Health Therapeutic Massage & Spa Services, LLC
95 Main Street, 2nd Floor
Matawan, New Jersey 07747*

*Applicant: Martha Rowse
139 Willow Avenue
Matawan, New Jersey 07747*

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**RESOLUTION 13-08-13
APPROVING MASSAGE PARLOR LICENSE RENEWAL
TOUCH OF HEALTH THERAPEUTIC MASSAGE & SPA SERVICES, LLC**

WHEREAS, Touch of Health Therapeutic Massage & Spa Service, LLC (Massage Parlor) has passed the required Police Department background checks; and

WHEREAS, on the condition that Touch of Health Therapeutic Massage & Spa Service, LLC 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 hereby approve the following Massage Parlor license renewal:

*Business: Touch of Health Therapeutic Massage & Spa Service, LLC
95 Main Street, 2nd Floor
Matawan, New Jersey 07747*

*Applicant: Martha Rowse
139 Willow Avenue
Aberdeen, New Jersey 07747*

**RESOLUTION 13-08-14
APPROVING TOWING & STORAGE LICENSE RENEWAL
BAYSHORE AUTO SERVICE**

WHEREAS, Bayshore Auto Service, (towing & storage contractor services) has submitted an application to be added to the Matawan Police Department tow call list; and

WHEREAS, on the condition that, Bayshore Auto Service, (towing & storage contractor services) has certified that the requirements of Chapter 4 of the Code of the Borough of Matawan and all other Statutes have been met and that the independent investigation by the Police Department reveals no nonconformity.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the following towing & storage license renewal:

*Business: Bayshore Auto Service, Inc.
81 Route 35
Keyport, New Jersey 07735*

Applicant: John Falco, President & Owner

**RESOLUTION 13-08-15
APPROVING TOWING & STORAGE LICENSE RENEWAL
D&D TOWING SERVICE, INC.**

WHEREAS, D&D Towing Service, Inc., (towing & storage contractor services) has submitted an application to be added to the Matawan Police Department tow call list; and

WHEREAS, on the condition that, D&D Towing Service, Inc., (towing & storage contractor services) has certified that the requirements of Chapter 4 of the Code of the Borough of Matawan and all other Statutes have been met and that the independent investigation by the Police Department reveals no nonconformity.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the following towing & storage license renewal:

*Business: D&D Towing Service, Inc., Inc.
369 Highway 36
Hazlet, New Jersey 07730*

Applicant: Daniel Ceccarelli

**RESOLUTION 13-08-16
APPROVAL OF RAFFLE LICENSE
WOMAN'S CLUB OF MATAWAN
50/50 CASH
RL-632**

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***BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby approve the raffle license for Woman’s Club of Matawan Fundraiser.*

Name & Location of Organization’s Event
Woman’s Club of Matawan
199 Jackson Street
Matawan, New Jersey 07747

Date & Time
December 2, 2013
12 Noon

**RESOLUTION 13-08-17
APPROVAL OF RAFFLE LICENSE
TRINITY EPISCOPAL CHURCH
50/50 CASH
RL-633**

***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
September 14, 2013
7:00 PM – 10:00 PM

**RESOLUTION 13-08-18
APPROVAL OF RAFFLE LICENSE
ST. GABRIEL’S CHURCH
GIFT AUCTION
RL-634**

***BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby approve the raffle license for St. Gabriel’s Church Fundraiser.*

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

Date & Time
October 24, 2013
6:00 PM – 11:00 PM

**RESOLUTION 13-08-19
APPROVAL OF RAFFLE LICENSE
ST. GABRIEL’S CHURCH
50/50 CASH
RL-635**

***BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby approve the raffle license for St. Gabriel’s Church Fundraiser.*

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

Date & Time
October 24, 2013
6:00 PM – 11:00 PM

**RESOLUTION 13-08-20
APPROVAL OF RAFFLE LICENSE
MATAWAN FIRST AID & RESCUE SQUAD
50/50 CASH
RL-636**

***BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby approve the raffle license for Matawan First Aid & Rescue Squad Fundraiser.*

Name & Location of Organization’s Event
MJ’s of Matawan
845 Rt. 34
Matawan, New Jersey 07747

Date & Time
December 6, 2013
7:00 PM – 9:00 PM

**RESOLUTION 13-08-21
RELEASE OF ESCROW FUNDS
CONTI ENTERPRISES, INC.
BAYSHORE REGIONAL SEWERAGE AUTHORITY
WIND TURBINE PROJECT**

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***WHEREAS**, on May 22, 2012 in accordance with Resolution 12-03-26 and its attached Agreement between The Conti Group, also known as Conti Enterprises, Inc., and the Borough of on Matawan, Conti Enterprises, Inc. posted total escrow in the amount of Ten Thousand Dollars and No Cents (\$10,000.00) to transport the wind turbine assembly for the Bayshore Regional Sewerage Authority Project Wind-to-Energy Project in Union Beach along Route 79 and Main Street; and*

***WHEREAS**, The Conti Group informed the Wind-to-Energy Project is on hold with no scheduled transportation and erection date and has requested the release of the balance on their escrow account; and*

***WHEREAS**, The Conti Group has requested the release of the balance on their escrow account; and*

***WHEREAS**, as certified by the Treasurer/CFO the remaining cash portion balance as of July 31, 2013 is Six Thousand Eight Hundred Seventy Five Dollars and Twenty Nine Cents (\$6,875.29).*

***NOW, THEREFORE, BE IT RESOLVED** the Council of the Borough of Matawan hereby approves the release of the balance on the escrow funds in the amount of Six Thousand Eight Hundred Seventy Five Dollars and Twenty Nine Cents (\$6,875.29) posted by Conti Enterprises, Inc.*

CERTIFICATION FOR RELEASE OF FUNDS

I, Monica Antista, Chief Financial Officer of the Borough of Matawan do hereby certify that as of June 30, 2013, the balance of the Escrow Account for Conti Enterprises, Inc. is approximately Six Thousand Eight Hundred Seventy Five Dollars and Twenty Nine Cents (\$6,875.29).

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: August 7, 2013*

**RESOLUTION 13-08-22
REDUCTION OF PERFORMANCE GUARANTEE BOND
AND CASH ESCROW CALCULATION
MOSHIUR RAHMAN
131 MAIN STREET - BLOCK 9, LOT 27**

***WHEREAS**, Moshiur Rahman has requested a reduction of his performance guarantee bond and escrow calculation for site plan improvements located at 131 Main Street – Block 9, Lot 27; and*

***WHEREAS**, T&M Associates has performed a site inspection to review the status of the improvements and has recommended that the performance guarantee bond be reduced from the original amount of Thirty Eight Thousand Seven Hundred Seventy Two Dollars and No Cents (\$38,772.00) to Eleven Thousand Six Hundred Thirty One Dollars and Sixty Cents (\$11,631.60); and*

***WHEREAS**, T&M Associates has also recommended the cash escrow be reduced from the original amount of Four Thousand Three Hundred Eight Dollars and No Cents (\$4,308.00) to One Thousand Two Hundred Ninety Two Dollars and Forty Cents (\$1,292.40); and*

***WHEREAS**, as certified by the Treasurer/CFO the remaining cash escrow balance including interest as of July 31, 2013 is Four Thousand Three Hundred Eighteen Dollars and Fourteen Cents (\$4,318.14); and*

***NOW, THEREFORE, BE IT RESOLVED** the Council of the Borough of Matawan hereby approves the reduction of the Performance Guarantee Bond and the release of the difference on the Cash Escrow in the amount of Three Thousand Twenty Five Dollars and Seventy Four Cents (\$3,025.74) posted by Moshuir Rahman for 131 Main Street, Block 9, Lot 27, 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 August 1, 2013 the cash escrow balance including interest is Four Thousand Three Hundred Eighteen Dollars and Fourteen Cents (\$4,318.14) less the reduced cash escrow calculation of One Thousand Two Hundred Ninety Two Dollars and Forty Cents (\$1,292.40) allows the difference to be released to Moshuir Rahman of approximately Three Thousand Twenty Five Dollars and Seventy Four Cents (\$3,025.74).

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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: August 7, 2013

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Eleven Tindall Road, Middletown, New Jersey 07748-2792
(732) 671-6400 * fax (732) 671-7365 * www.tandmassociates.com



MWPB-R0271

May 16, 2013

Karen Wynne, Borough Clerk's Office
Borough of Matawan
201 Broad Street
Matawan, New Jersey 07747

**Re: Moshir Rahman
131 Main Street; Block 9 Lot 27
Application for Variance
Performance Bond Estimate – Reduction #1**

Dear Ms. Montfort:

As requested, this office has made an inspection of the status of improvements at the above referenced site plan for purpose of recommendation concerning bond reduction. The inspection confirmed the majority of improvements have been completed therefore this office recommends the following reduction:

Performance Guarantee:

Original Performance Guarantee	\$ 43,080.00
Bond Amount	\$ 38,772.00
Cash	\$ 4,308.00
Reduced Performance Guarantee	\$ 12,924.00
Bond Amount	\$ 11,631.60
Cash	\$ 1,292.40

This reduces the performance guarantee to 30 percent of the original amount, which is the maximum allowed by the Municipal Land Use Law.

If you have any questions or require additional information concerning this matter, please advise.

Very truly yours,

T&M ASSOCIATES


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

RRK:RDM:dk
Enclosure

cc: John T. Quinn, Construction Official
Michael Irene, Esq., Board Attorney
Kenneth Cassidy, Board Chairman
Moshir Rahman, 105 Stevenson Drive, Marlboro, NJ 07746 (via email: mr1719@att.com)
Richard Karl Heuser, P.E., P.L.S., 307 Main Street, Matawan, NJ 07747
H:\MWPB\R0271\Correspondence\Montfort_PAH_Performance Bond Estimate_Reduction #1.doc

ENERGY & UTILITIES • ENVIRONMENTAL SERVICES • PUBLIC WORKS
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MWPBR0271
16-May-13

MOSHIUR RAHMAN
BLOCK 9, LOT 27
ON-SITE IMPROVEMENTS - REDUCTION #1
SCHEDULE "A"

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	% NOT COMPLETE	TOTAL AMOUNT	BOND AMOUNT
1 SOIL EROSION & SEDIMENT CONTROL AND SITE STABILIZATION	1	LS	\$5,000.00	25	\$1,250.00	\$1,500.00
2 TRAFFIC CONTROL	1	LS	\$5,000.00	25	\$1,250.00	\$1,500.00
3 SITE CLEARING (BUILDING DEMO)	1	LS	\$5,000.00	0	\$0.00	\$0.00
4 SITE GRADING	480	SY	\$5.00	0	\$0.00	\$0.00
5 DENSE GRADED AGGREGATE, 5" THK.	480	SY	\$6.00	0	\$0.00	\$0.00
6 HMA SURFACE COURSE,FA-BC 1.5" THK.	45	TON	\$90.00	25	\$1,012.50	\$1,215.00
7 HMA STAB. BASE COURSE, 3" THK.	90	TON	\$90.00	25	\$2,025.00	\$2,430.00
8 SIGNS, ADA	1	EA	\$100.00	100	\$100.00	\$120.00
9 SINGLE LIGHT, POLE MNTD.	2	EA	\$1,500.00	100	\$3,000.00	\$3,600.00
10 TRAFFIC STRIPING, 4" WIDE	345	LF	\$1.00	100	\$345.00	\$414.00
11 PAVEMENT MARKINGS	1	EA	\$25.00	100	\$25.00	\$30.00
TOTAL					\$9,007.50	\$10,810.00
90% OF BOND AMOUNT POSTED IN FORM OF SURETY BOND			\$9,729.00			
10% OF BOND AMOUNT POSTED IN FORM OF CASH			\$1,081.00			
INSPECTION FEE			\$460.00			

NOTE 1:
EROSION/SLOPE CONTROL MEASURES TO BE OBSERVED BY THE DEVELOPER TO CONTROL SILTATION IN ACCORDANCE WITH THE FREEHOLD SOIL CONSERVATION DISTRICT CERTIFIED PLAN AND PROVISIONS OF THE SOIL EROSION AND SEDIMENT CONTROL ACT, AND/OR AS DIRECTED BY THE MUNICIPAL ENGINEER AT THE TIME OF CONSTRUCTION.

NOTE 2:
ADDITIONAL DRAINAGE, IF REQUIRED, DUE TO FIELD CONDITIONS AT THE TIME OF CONSTRUCTION AND AS DIRECTED BY THE MUNICIPAL ENGINEER.

RESOLUTION 13-08-31
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR CRESTAR CAPITAL, LLC
CERTIFICATE #12-00030

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #12-00030 which was sold to US Bank Cust for Crestar Capital, LLC, TLSG 2 Liberty Pl., 50 S 16th St., Ste 1950, Philadelphia, PA 19102; and

WHEREAS, Certificate #12-00030 has been paid and fully redeemed for the property owner, Block 34, Lot 3 otherwise known as 135 Broad St.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,367.89 and a Premium of \$400.00 to the above for the redemption of Tax Sale Certificate #12-00030.

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

**RESOLUTION 13-08-32
ALLOWING VETERAN EXEMPTION
ALEXANDER GRIBTSOV
183 WASHINGTON AVENUE – BLOCK 78, LOT 10.02**

WHEREAS, the following property has been granted a Veteran exemption by the Department of Veterans Affairs and should be against the 2013 property taxes; and

WHEREAS, as long as said property qualifies for said exemption his property shall bear no tax.

NOW, THEREFORE, BE IT RESOLVED that the Borough Tax Collector grant an exemption to the following:

Block/Lot	Vendor	Notation
78/10.02	Alexander Gribtsov	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 13-08-23: Authorizing the Appointment of Recycling Coordinator – Grace Rainforth requesting a motion to approve. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-08-23
AUTHORIZING THE APPOINTMENT OF
RECYCLING COORDINATOR
GRACE RAINFORTH**

WHEREAS, the Mayor and Council have been advised that there is a need for a recycling coordinator within the Borough of Matawan; and

WHEREAS, Grace Rainforth has the ability, education and expertise to fill that position.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that Grace Rainforth is hereby appointed as Recycling Coordinator effective July 11, 2013 through and including December 31, 2013. The rate of compensation will be pro-rated at the rate of Three Thousand Dollars and No Cents (\$3,000.00) per annum.

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 3-01-26-305-180 Budget of the Borough of Matawan to Grace Rainforth as Recycling Coordinator for the Borough of Matawan effective July 11, 2013 through and including December 31, 2013 in a pro-rated amount not to exceed Three Thousand Dollars and No Cents (\$3,000.00).

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.

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Chief Financial Officer

(Signature on File)

Monica Antista, CMFO

Dated: August 7, 2013

Mayor Buccellato read by title Resolution 13-08-24: Tonnage Grant Application – Year 2013 requesting a motion to approve. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-08-24
TONNAGE GRANT APPLICATION
YEAR 2013**

WHEREAS, the Mandatory Source Separation and Recycling Act PL 1987, c102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants for calendar year 2012 will memorialize the commitment of the municipality to recycling and to indicate the assent of the Township Council of the Township of Aberdeen to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Grace Rainforth, Recycling Coordinator, to ensure that the application is properly filed.

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purpose of recycling.

Mayor Buccellato read by title Resolution 13-08-25: Designating T&M Associates as the Borough of Matawan’s Consultant on Energy – Energy Audit requesting a motion to approve. Councilwoman Clifton made the motion, seconded by Councilwoman Gould. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

Yes: Councilwoman Daly
Councilman Fitzsimmons

**Borough of Matawan
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Councilwoman Gould
Councilwoman Clifton
Councilman Urbano
Councilwoman Angelini

Motion passed.

**RESOLUTION 13-08-25
DESIGNATING T&M ASSOCIATES AS
THE BOROUGH OF MATAWAN’S CONSULTANT ON ENERGY
ENERGY AUDIT**

WHEREAS, the New Jersey Board of Public Utilities (BPU) is accepting applications for the Federal/State Energy Efficiency and Conservation Block Grant program; and

WHEREAS, the Borough of Matawan is desirous of receiving reimbursement of seventy-five percent (75%) at the satisfactory completion of an audit performed in accordance with the New Jersey Board of Public Utilities (BPU) Local Government Energy Audit guidelines and the possibility of receiving the balance upon implementation of some of the recommended improvements; and

WHEREAS, T&M Associates, Borough Engineer, a given a written quote to conduct the energy audit, as per the attached Exhibit A. All work will be performed in accordance with the New Jersey Board of Public Utilities (BPU) Local Government Energy Audit guidelines for the following locates in an amount not to exceed Three Thousand Five Hundred Dollars and No Cents (\$3,500.00):

1. Borough Hall/Community Center
2. Public Works Building
3. Water Plant

WHEREAS, this audit is also a prerequisite to receiving grants as a portion of the Federal/State Energy Efficiency and Conservation Block Grant program.

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan hereby designates T&M Associates, Eleven Tindall Road, Middletown, New Jersey 07748-2792 as the Borough’s energy consultant for grant application purposes.

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 3-01-20-165-200 Budget of the Borough of Matawan to T&M Associates as Consultant on Energy for the Borough of Matawan in an amount not to exceed Three Thousand Five Hundred Dollars and No Cents (\$3,500.00).

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: August 7, 2013

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August 7, 2013**

Eleven Tindall Road, Middletown, New Jersey 07748-2792
(732) 671-6400 * fax (732) 671-7365 * www.tandmassociates.com



MATN-G1301
MATN-01560

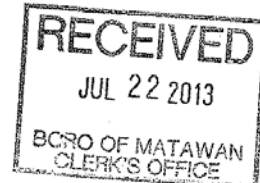
July 18, 2013

e-mail louis.ferrara@matawanborough.com

Borough of Matawan
201 Broad Street
Matawan, New Jersey 07747

Attn: Mr. Louis Ferrara, Borough Administrator

Re: Energy Audits for Borough Facilities



Dear Mr. Ferrara:

As discussed, we are pleased to present this Proposal for Professional Engineering Services to assist the Borough with the completion of Energy Audits for the following facilities:

Base

Borough Hall/Community Center
Public Works Building
150 Main Street

The audits will be performed in accordance with the New Jersey Board of Public Utilities (BPU) Local Government Energy Audit guidelines, which will allow the Borough to receive a reimbursement of 100% at the satisfactory completion of the audit.

The following tasks will be performed:

- Meet with Borough personnel (DPW, Administration) to discuss particular items of concern.
- Visit each site to confirm previously obtained baseline information:
 - Photograph
 - Size of building, number of rooms
 - Type of HVAC systems
 - Special considerations, if any
- Assemble RFP documents
 - Prepare Facility Data Forms and Preliminary Scopes of Work
 - Coordinate with Borough regarding energy bill data and consolidate the energy bill data to include in the Request for Proposal (RFP).
- Assist with distribution of RFP. It is anticipated that the documents will be distributed by the Borough
- Review proposals, discuss with Borough and NJ Clean Energy personnel and assist with submission of results to the BPU
- Issue Recommendation of Award letter
- Review final report and provide appropriate guidance to Borough regarding recommendations

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Borough of Matawan
Attn: Mr. Louis Ferrara, Borough Administrator

Re: Energy Audits for Borough Facilities

These services will be provided in accordance with our existing agreement with the Borough at an estimated fee of **\$3,500**.

If you have any questions, please call me.

Very truly yours,

T&M ASSOCIATES


ROBERT R. KEADY, P.E.
MATAWAN BOROUGH ENGINEER

RRK:PCS:lkc

cc: Karen Wynne, Deputy Borough Clerk

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Mayor Buccellato read by title Resolution 13-08-26: Authorizing T&M Associates to Provide Professional Services for Lake Matawan Dam Inspection – Class II Significant Hazard Dam. Councilwoman Clifton made the motion, seconded by Councilwoman Gould. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

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**RESOLUTION 13-08-26
AUTHORIZING T&M ASSOCIATES
TO PROVIDE PROFESSIONAL SERVICES FOR
LAKE MATAWAN DAM INSPECTION
CLASS II SIGNIFICANT HAZARD DAM**

***WHEREAS,** the Mayor and Council of the Borough of Matawan received an estimate from T&M Associates for professional services for Lake Matawan Dam Inspection, Class II Significant Hazard Dam; and*

***WHEREAS,** the NJDEP Division of Engineering and Construction Dam Safety Section is requiring the Borough of Matawan to perform an inspection of the Matawan Dam in accordance with the New Jersey Dam Safety Program; and*

***WHEREAS,** Robert Keady, Borough Engineer, has submitted for T&M Associates a proposal to provide the professional services needed for the Lake Matawan Dam Inspection in an amount not to exceed Five Thousand Dollars and No Cents (\$5,000.00).*

***NOW, THEREFORE, BE IT RESOLVED** the Council of the Borough of Matawan does hereby award the contract for professional services to T&M Associates for the Lake Matawan Dam Inspection in an amount not to exceed Five Thousand Dollars and No Cents (\$5,000.00).*

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 3-01-20-165-200 Budget of the Borough of Matawan for T&M Associates for professional services for the Lake Matawan Dam Inspection in an amount not to exceed Five Thousand Dollars and No Cents (\$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: August 7, 2013*

**Borough of Matawan
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Eleven Tindall Road, Middletown, New Jersey 07748-2792
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MATN-G1301

July 11, 2013

Louis Ferrara, Business Administrator
Borough of Matawan
201 Broad Street
Matawan, New Jersey 07747

cc: Paul
Lou
Clerk
ⓔ

**Re: Matawan Lake Dam Inspection
Class II Significant Hazard Dam
Borough of Matawan**

Dear Mr. Ferrara:

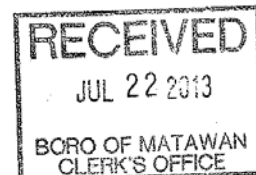
As previously discussed, New Jersey Department of Environmental Protection is requiring the Borough of Matawan to perform an inspection of the Matawan Dam this year. As a result, we are furnishing this proposal for consideration.

T&M Associates has completed numerous similar dam inspections, analyses, and rehabilitation throughout the State of New Jersey for public and private clients. We are very familiar with the Department rules and regulations and have developed a good working relationship with them over the years.

The proposed Visual Inspections for the referenced dam will be performed in accordance with the Dam Safety Standards, N.J.A.C. 7:20.

The Department of Environmental Protection, Division of Engineering and Construction, Dam Safety Section, implement the New Jersey Dam Safety Program. The objective of the program is to protect lives and property from the consequences of a dam failure or the improper release of impounded water. A primary means of achieving this goal is through the maintenance and periodic inspection of in-service dams.

Regular Inspection: The visual inspection of a dam by a qualified, New Jersey licensed professional engineer to detect any signs of deterioration in material, developing weaknesses or unsafe hydraulic or structural behavior. For Class I and Class II dams, a Department approved Emergency Action Plan should be confirmed and its adequacy determined. For all dams a Department approved Operation and Maintenance Manual should be prepared and its adequacy determined. All instrumentation data should be reviewed and evaluated.



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**Re: Matawan Lake Dam Inspection
Class II Significant Hazard Dam
Borough of Matawan**

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SCOPE OF SERVICES

TASK 1: REGULAR VISUAL INSPECTION

A report will be prepared and submitted to the Borough of Matawan documenting the current conditions of the dam. Any change that may affect the safety will be immediately reported to the Borough. The visual inspection Checklist, and Compliance Schedule Form in accordance with the Department of Dam Safety, will be completed and accompany the inspection report. Color photographs, will also be provided with the inspection report. A brief text will be prepared on the condition of the dam outlining the following information, in accordance with department regulations:

- All relevant dam and dam related facts, findings, conclusions, recommendations, and data.
- Color photographs with each photograph indicating the date it was taken, the State dam reference number, and the photograph location.
- Completed visual inspection checklist. This general checklist should be used as an aid when examining the dam. This checklist may not, however, include all features or conditions found at a specific dam that are relevant to the safety of that dam. All features integral to the safety of the dam being examined will be inspected and their condition reported.
- Recommendations for immediate and/or long-term improvement repairs and/or modifications necessary to maintain dam safety. Recommendations as to the appropriate dam classification.
- Comments will address, if the recommendations above included, those from the Phase I Inspection Report or previous Regular or Formal Inspection Reports.
- The Compliance Schedule form will also be completed. The purpose of this form is to allow the dam owner, through consultation with their engineer, to establish a time line for addressing the deficiencies identified in the inspection report for the dam and bringing the dam into compliance with the New Jersey Dam Safety Standards, N.J.A.C. 7:20-1.1 et seq.
- The Emergency Action Plan or the Operation and Maintenance Manual are to be reviewed as part of the visual inspection. T&M will recommend if the O&M and EAP need to be updated. Please note that updating the EAP and O&M are not part of this proposal.

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**Re: Matawan Lake Dam Inspection
Class II Significant Hazard Dam
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FIELD RECONNAISSANCE

We propose to visit the project site to ascertain current field conditions of the impoundment. The visits will take several days and will be comprised of two engineers, experienced in hydrology/hydraulics and structures. The Team Leader will be a licensed professional engineer with a minimum of ten (10) years of experience.

SCHEDULE

The professional services outlined in Task 1 above will be completed within Thirty (30) calendar days after notice of award, weather permitting.

DELIVERABLES

Items to be delivered will consist of two (2) copies of the Visual Inspection Report to Borough of Matawan. The report text will contain and address all items listed under the Scope of Services Task 1.

EXCEPTIONS

Please note that during the course of the Visual Inspection, there may be certain repair work, design, plans and or studies that may be required for the dam to determine its safety and/or adequacy to meet the NJDEP Dam Safety Standards. These are not considered as part of this proposal. We will recommend what the stated items are.

Updates to the Operations and Maintenance Manual and the Emergency Action Plan, which may be required per the NJDEP Dam Safety Standards are excluded from this proposal.

Underwater inspection is not considered as part of this proposal.

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Re: **Matawan Lake Dam Inspection
Class II Significant Hazard Dam
Borough of Matawan**

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SUMMARY OF FEES

A **Lump Sum Fee** of each Task listed below will compensate for all professional services as outlined in this proposal. A breakdown of the fee for each task is provided below.

<u>TASK 1: REGULAR VISUAL INSPECTION</u>	<u>\$ 5,000</u>
TOTAL	\$ 5,000

If you have any questions concerning this proposal, please do not hesitate call.

Very truly yours,

T&M ASSOCIATES


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

RK:DRF:RM:lkc

c: , Deputy Clerk

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Mayor Buccellato read by title Resolution 13-08-27: Resolution of the Borough of Matawan, New Jersey Approving the Form and Authorizing the Execution and Delivery of a Letter of Representation and a Continuing Disclosure Agreement in Connection with the Issuance and Delivery of the Monmouth County Improvement Authority's Capital Equipment Pooled Lease Revenue Bonds, Series 2013 and Authorizing an Authorized Municipal Representative to Do all Other Things Deemed Necessary or Advisable in Connection with the Issuance, Sale and Delivery of Such Bonds. Councilman Fitzsimmons made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

Yes: Councilwoman Daly
Councilman Fitzsimmons
Councilwoman Gould

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Councilwoman Clifton
Councilman Urbano
Councilwoman Angelini

Motion passed.

RESOLUTION 13-08-27

A RESOLUTION OF THE BOROUGH OF MATAWAN, NEW JERSEY APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LETTER OF REPRESENTATION AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE ISSUANCE AND DELIVERY OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY'S CAPITAL EQUIPMENT POOLED LEASE REVENUE BONDS, SERIES 2013 AND AUTHORIZING AN AUTHORIZED MUNICIPAL REPRESENTATIVE TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS

WHEREAS, the Borough of Matawan, New Jersey (the "Municipality") desires to lease and permanently finance the cost of acquisition of certain capital equipment (the "Equipment") from The Monmouth County Improvement Authority (the "Authority"); and

WHEREAS, the Authority will provide for the financing of the cost of the acquisition of the Equipment by the issuance of its Capital Equipment Lease Revenue Bonds, Series 2013 (Matawan Project) (the "Bonds") payable from rentals by the Municipality pursuant to a Lease and Agreement by and between the Municipality and the Authority (the "Lease"); and

WHEREAS, in order to induce the Authority to issue and deliver the Bonds and its Capital Equipment Pooled Lease Revenue Bonds, Series 2013, there has been prepared and submitted to the Municipality a Letter of Representative in the form attached hereto as Exhibit A; and

WHEREAS, there has been prepared and submitted to the Municipality a Continuing Disclosure Agreement in the form appended hereto as Exhibit B for execution by the Municipality if the Authority shall determine that the Municipality is or will be an "obligated person" with respect to the Authority's Capital Equipment Lease Revenue Bonds, Series 2013 within the meaning of Rule 15c2-12 of the United States Securities and Exchange Commission (an "Obligated Person");

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF MATAWAN AS FOLLOWS:

Section 1. That the Letter of Representation, in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative (as that term is defined in the Lease) is hereby authorized to, and one of such officers shall execute the Letter of Representation, with such additions, deletions or modifications as such officer shall approve, and to deliver the same to the addressees designated on such Letter of Representation, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 2. That the Continuing Disclosure Agreement in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative is hereby authorized to, and one of such officers shall execute the Continuing Disclosure Agreement, with such additions, deletions or modifications as such officer shall approve, and to deliver the same upon the determination by the Authority that the Municipality is or will be an Obligated Person, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 3. That any Authorized Municipal Representative is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or property for carrying out the sale, issuance and delivery of the Bonds, the Authority's Capital Equipment Pooled Lease Revenue Bonds, Series 2013 and all related transactions contemplated by this resolution.

Section 4. All resolutions or proceedings or parts thereof, in conflict with the provisions of this resolution are to the extent of such conflict hereby repealed.

Section 5. This resolution shall become effective immediately.

Mayor Buccellato read by title Resolution 13-08-28: Governing Body Certification of the Annual Audit – 2012. Councilman Fitzsimmons made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

Yes: Councilwoman Daly
Councilman Fitzsimmons

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Councilwoman Gould
Councilwoman Clifton
Councilman Urbano
Councilwoman Angelini

Motion passed.

**RESOLUTION 13-08-28
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT - 2012**

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

WHEREAS, the Annual Report of Audit for the year 2012 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to NJSA 40A:5-6, and a copy has been received by each member of the Governing Body; and

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

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

General Comments
Recommendations
Auditors' Opinions

and

WHEREAS, the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations
Auditors' Opinions

as evidenced by the group affidavit form of the Governing Body attached hereto; and

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

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

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

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

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

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON AUGUST 7, 2013.

Karen Wynne, RMC
Deputy Clerk

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

STATE OF NEW JERSEY
COUNTY OF MONMOUTH

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

- 1. We are duly elected members of the Mayor and Council, of the Borough of Matawan, in the county of Monmouth;
- 2. In the performance of our duties, and pursuant to NJAC 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to NJSA 40A:5-6 for the year 2012;
- 3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled “Comments and Recommendations.”

(L.S.)Councilman Fitzsimmons	(L.S.)Councilwoman Daly
(L.S.)Councilwoman Angelini	(L.S.)
(L.S.)Councilman Urbano	(L.S.)
(L.S.)Councilwoman Gould	(L.S.)
(L.S.)Councilwoman Clifton	(L.S.)

Mayor Buccellato read by title Resolution 13-08-29: Borough of Matawan – Monmouth County – Corrective Action Report for 2012 Audit Report. Councilman Fitzsimmons made the motion, seconded by Councilwoman Gould. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-08-29
BOROUGH OF MATAWAN – MONMOUTH COUNTY
CORRECTIVE ACTION REPORT FOR 2012 AUDIT REPORT**

1. Audit Comment 2012-1: Grant cancellations were not authorized by resolution

Department: Finance/Monica Antista

Description of Circumstances: Grant cancellations were not authorized by resolution

Corrective Action: Cancellations will be approved by Governing Body Officials

Date of Implementation: August 2013

2. Audit Comment 2012-2: The General Ledger required material adjustments in order to produce accurate financial statements

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Department: Finance/Monica Antista

Description of Circumstances: The auditor determined the General Ledger required material adjustments in order to produce accurate financial statements.

Corrective Action: Our offices were closed for 2 weeks due to Superstorm Sandy. Care will be taken to ensure accurate accounting be maintained for all General Ledger accounts.

Date of Implementation: August-December 2013

3. Audit Comment 2012-3: Interfund balances existed at year end

Department: Finance/Monica Antista

Description of Circumstances: Interfund balances existed at year end

Corrective Action: Procedures should be implemented to insure the liquidation of interfunds prior to year-end.

Date of Implementation: December 2013

4. Audit Comment 2012-4: Outstanding checks in excess of six months exist

Department: Finance/Monica Antista

Description of Circumstances: Outstanding checks in excess of six months exist

Corrective Action: We have cancelled by resolution any outstanding checks in excess of six months and put into place a bi-yearly plan to continue this practice. It will occur in June and December

Date of Implementation: July 2013

5. Audit Comment 2012-5: A bid package did not have a fully executed contract available and employees were unable to locate the fully executed contract

Department: Borough Clerk/Jean Montfort

Description of Circumstances: A Bid package did not have a fully executed contract available and employees were unable to locate the fully executed contract

Corrective Action: All bid packages will be maintained properly with fully executed contracts

Date of Implementation: December 2013

6. Audit Comment 2012-6: In accordance with Technical Accounting Directive No. 85-2, a Fixed Assets accounting and reporting System is required to be maintained.

Department: Finance/Monica Antista

Description of Circumstances: The Borough has not established a Fixed Assets Accounting and Reporting System

Corrective Action: The Borough has contacted an outside firm to do an initial fixed assets requirement. We will incorporate this process over a 6 month timeframe, September 2013 to February 2014.

Date of Implementation: September 2013

*Respectively submitted
July 29, 2013*

*Monica A. Antista
Chief Financial Officer/Treasurer*

Mayor Buccellato read by title Resolution 13-08-30: Payment of Bills. Councilman Fitzsimmons made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

Yes: Councilwoman Daly
Councilman Fitzsimmons

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Councilwoman Gould
Councilwoman Clifton
Councilman Urbano
Councilwoman Angelini

Motion passed.

**RESOLUTION 13-08-30
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	\$3,933,782.35
Water & Sewer	\$130,954.89
Borough Capital	\$117,063.19
Water Capital	\$102,010.00
Grant	\$7,714.00
Borough Trust	\$282,753.74
Developers Escrow Account	\$17,327.64
Railroad Parking Trust	\$11,517.00
Recreation Trust	\$29,712.97
Total	\$4,632,835.78

Mayor Buccellato read by title Resolution 13-08-33: Authorizing the Appointment of Borough Clerk – Karen Wynne. Councilwoman Gould made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-08-33
AUTHORIZING THE APPOINTMENT OF BOROUGH CLERK
KAREN WYNNE**

***WHEREAS**, the Mayor and Council has been advised that there is a need for a full time Borough Clerk within the Borough of Matawan; and*

***NOW, THEREFORE, BE IT RESOLVED** the Council of the Borough of Matawan hereby authorizes the appointment of Karen Wynne as Borough Clerk for a three (3) year term, effective August 16, 2013, at the rate of compensation of Fifty Thousand Dollars and No Cents (\$50,000.00) per annum.*

***BE IT FURTHER RESOLVED** the Council of the Borough of Matawan hereby authorizes the appointment of Karen Wynne as Elections Clerk for a three (3) year term, effective August 16, 2013, for a three (3) year term, at the rate of compensation of Fifty Thousand Dollars and No Cents (\$50,000.00) per annum, and as Elections Clerk at the rate of compensation of Two Thousand Five Hundred Seventy One Dollars and No Cents (\$2,571.00) per annum.*

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 3-01-20-120-180 Budget of the Borough of Matawan to Karen Wynne as Borough Clerk for the Borough of Matawan effective August 16, 2013 in an amount not to exceed Fifty Thousand Dollars and No Cents (\$50,000.00) per annum, and as Elections Clerk in an amount not to exceed Two Thousand Five Hundred Seventy One Dollars and No Cents (\$2,571.00) per annum.

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August 7, 2013**

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: August 7, 2013

Mayor Buccellato read by title Resolution 13-08-34: Authorizing the Appointment of Acting Deputy Clerk – Louis C. Ferrara. Councilwoman Clifton made the motion, seconded by Councilwoman Gould. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-08-34
AUTHORIZING THE APPOINTMENT OF ACTING DEPUTY CLERK
LOUIS C. FERRARA**

WHEREAS, Louis C. Ferrara, is the Borough Administrator for the Borough Of Matawan, and is fully cognizant of the practices and procedures of the Borough of Matawan; and,

WHEREAS, it may be necessary, from time to time, for the Borough Clerk to be temporarily absent from her duties, and for the Deputy Borough Clerk to be in a position to undertake the duties of the Clerk of the Borough of Matawan, and there is a need for an occasional appointment of a Deputy Borough Clerk of the Borough of Matawan.

NOW, THEREFORE, BE IT RESOLVED by and Council of the Borough of Matawan that Louis C. Ferrara, Borough Administrator of the Borough of Matawan, is also further appointed as the Acting Deputy Clerk of the Borough of Matawan for calendar year 2013, which appointment will expire on December 31, 2013, unless extended by the Council of the Borough of Matawan.

BE IT FURTHER RESOLVED that the within appointment is made to avoid disruption of the office of the Clerk at any time and is made without additional compensation or remuneration to Louis C. Ferrara for the additional duty when needed to act as the Acting Deputy Borough Clerk.

Mayor Buccellato read by title Resolution 13-08-35: Acceptance of Resignation – Robert Nelson – Plumbing Sub-Code Official & Plumbing Inspector – Part Time. Councilwoman Clifton made the motion, seconded by Councilwoman Gould. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-08-35
ACCEPTANCE OF RESIGNATION
ROBERT NELSON
PLUMBING SUB-CODE OFFICIAL & PLUMBING INSPECTOR
PART TIME**

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WHEREAS, Robert Nelson has submitted his resignation as Plumbing Sub-Code Official & Plumbing Inspector – Part Time.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan accepts the resignation of Robert Nelson as Plumbing Sub-Code Official & Plumbing Inspector, effective July 23, 2013.

Mayor Buccellato read by title Resolution 13-08-36: Authorizing the Appointment of Charles West – Temporary Plumbing Sub-Code Official & Plumbing Inspector – Part Time. Councilwoman Gould made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-08-36
AUTHORIZING THE APPOINTMENT OF
SEBASTIAN C. WEST
TEMPORARY PLUMBING SUB-CODE OFFICIAL
& PLUMBING INSPECTOR
PART TIME**

WHEREAS, the Mayor and Council has been advised that there is a need for a part time Temporary Plumbing Sub-Code Official and Plumbing Inspector within the Borough of Matawan; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan authorizes the appointment of Sebastian C. West as part time Temporary Plumbing Sub-Code Official and Plumbing Inspector, effective August 8, 2013, for approximately six (6) hours per week at the rate of compensation of \$28.50 per hour.

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 3-01-22-195-100 Budget of the Borough of Matawan to Sebastian C. West for Temporary Plumbing Sub-Code Official & Plumbing Inspector – Part Time for the Borough of Matawan in an amount not to exceed Three Thousand Five Hundred Dollars and No Cents (\$3,500.00).

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: August 7, 2013

Mayor Buccellato read by title Resolution 13-08-37: Termination of Contract for Affordable Housing Services Between Piazza & Associates and the Borough of Matawan. Councilwoman Daly made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

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**RESOLUTION 13-08-37
TERMINATION OF CONTRACT FOR
AFFORDABLE HOUSING SERVICES BETWEEN
PIAZZA & ASSOCIATES AND THE BOROUGH OF MATAWAN**

WHEREAS, in 2008 the Borough of Matawan authorized the execution of a contract with respect to Piazza & Associates providing affordable housing services for the Borough of Matawan; and

WHEREAS, the agreement was for a period of one year and provides for a written notice provision, the Borough Attorney has delivered written communication on behalf of the Borough of Matawan notifying the agreement and contract shall be terminated and shall be of no binding effect and force commencing October 6, 2013.

NOW THEREFORE, BE IT RESOLVED that the Council of the Borough of the Matawan hereby terminates the contract for affordable housing services between Piazza & Associates and the Borough of Matawan effective October 6, 2013.

Mayor Buccellato read by title Resolution 13-08-38: Authorizing Agreement for Affordable Housing Administrative Services Between New Jersey Housing & Mortgage Finance Agency and the Borough of Matawan. Councilwoman Fitzsimmons made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Abstain: Councilwoman Angelini

Motion passed.

**RESOLUTION 13-08-38
AUTHORIZING AGREEMENT FOR
AFFORDABLE HOUSING ADMINISTRATIVE SERVICES BETWEEN NEW JERSEY HOUSING &
MORTGAGE FINANCE AGENCY AND THE BOROUGH OF MATAWAN**

WHEREAS, the Borough of Matawan requires affordable housing administrative services for the thirty-one low and moderate income rental units located at The Preserve at Matawan in the Borough of Matawan; and

WHEREAS, the New Jersey Housing and Mortgage Finance Agency has proposed to provide said service; and

WHEREAS, the he Borough Attorney has delivered written communication on behalf of the Borough of Matawan requesting a standard form of agreement for review and execution be forwarded to his attention including the Borough's stipulation of all fees and costs with respect to the administration of the contract shall be born and paid for by The Preserve at Matawan, and the reports and regulatory requirements shall be provided to the Borough pursuant to the statutes and regulations in force at the present time concerning the administration of affordable housing units on a regular basis.

NOW THEREFORE, BE IT RESOLVED that the Council of the Borough of the Matawan hereby authorizes the Borough to enter into an Agreement for Affordable Housing Administrative Services between New Jersey Housing & Mortgage Finance Agency and the Borough of Matawan and authorizes the Mayor to execute said Agreement.

Mayor Buccellato announced the Borough is eligible to participate in the 2014 DOT Grant Application. The Borough Engineer recommends the continuation of the Mill Road Project and apply for a Grant between Highways 79 and 34. Councilwoman Angelini made the motion to authorize the Borough Engineer to apply for the DOT Grant Program with a deadline of September 20 for continuation of the Mill Road Project, seconded by Councilman Fitzsimmons. Council agreed. Motion passed.

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Privilege of the Floor

Mayor Buccellato opened the Privilege of the Floor.

Jeremiah E. Hourihan, Jr., 13 Edgewater Drive, Matawan. Mr. Hourihan asks the Borough to be sure the vacant property Ordinance is properly enforced to ensure each owner complies in a timely manner to address maintenance issues.

Zoltan Varsanyi, 10 Crown Place, Matawan. Mr. Varsanyi commended Council passage of vacant property Ordinance citing lack of maintenance of neighboring new construction properties. Mayor Buccellato directed Mr. Ferrara to contact the Construction Official, John Quinn, to immediately address those properties' issues.

Andy Lopez, 51 Union Street, Matawan. Mr. Lopez questioned authorizing T&M Associates to perform inspection of Lake Matawan Dam when the Borough is aware of the necessary repairs and the dams are scheduled to be repaired. Mayor Buccellato stated the NJS DEP requires annual inspection of the dam spillways. Though repairs are scheduled the required inspections must be performed.

Florin Lupo, 119 Main Street, Matawan. Mr. Lupo asked the origin of Matawan Day and what it should represent. Mayor Buccellato related how years ago Matawan Day was a food festival in Terhune Park which eventually added arts and crafts and food over the years. Several years ago the Recreation Commission got together with Councilwoman Clifton and moved the event to Main Street in conjunction with the Chamber of Commerce to become one of the most successful Matawan Days. It grew from there and has been on Main Street now for some time. Two years ago the Chamber stepped aside as the event became so large they did not have the staff to handle. One of the Chamber's members offered to assume responsibility for part or all and the Recreation Commission gave its permission. The individual represents himself through the Commission to solicit event vendors. Mr. Lupo believes the individual is realizing a profit at the Borough's expense, ie, cost of Police and sanitation overtime. Mr. Menna stated it is his understanding Matawan Day is under the auspices of the Borough Recreation Commission. That Commission is mandated to undertake an event for the public purpose. The Commission has done that so if there are any fees or other participation requirements that are charged those fees are accounted for by the Commission. Councilwoman Clifton added most fees are not taken in by the Commission as most of them are done by a private individual/organization who then reports back to the Borough. Mr. Menna said as the Commission is the umbrella organization; he will look at what has been done and get back to Mr. Lupo. Councilwoman Clifton said in the past the Borough assumed all costs of the event with residents paying for arms bands. The individual running the event has now accumulated enough vendors to alleviate those costs with collected fees used to pay for the event. Mr. Lupo asks the Borough to be sure they receive a proper account of monies collected and expended. He added he and other business owners donated money for rides which were never paid for and the individual kept the money. Councilwoman Clifton informed the ride person could not provide the rides as the fire official would not allow the rides due to high winds. Mr. Lupo asked what happened to the collected money? Mayor Buccellato answered the Chamber and the Borough not the individual ran the event that year. All monies stayed in the account toward the following year's Matawan Day. The Chamber meeting took a vote to return the money to the vendor. Mr. Lupo questioned the authenticity of liquor licensing. Mayor Buccellato informed the NJS ABC licensing was issued. Mr. Lupo believes the area was not being properly patrolled but did not make mention to the Police that day. Mayor said he will obtain any information Mr. Lupo is requesting and meet with him at this convenience.

Phoebe Buchalter, 4 Daniel Drive, Matawan. Ms. Buchalter thanked the Mayor for meeting with residents to address their concerns with the 2013 Road Program Street Tree Removal.

Councilman Urbano thanked the Matawan Police Department for hosting National Night Out. The Fire Department was in attendance and displayed its advance unit ASU vehicle and also performed a roof rescue demonstration.

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Councilwoman Clifton announced the success of this year's Fourth of July fireworks citing the Recreation Commission and its Director, Deirdre Ring, on their efforts of fundraising and accomplishing its task in such a short time frame.

Mayor Buccellato requested a motion to close the Privilege of the Floor. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini.

Adjournment

Mayor Buccellato requested a motion to recess into Execute Session stating no formal action will be taken. Councilwoman Angelini made the motion, seconded by Councilwoman Clifton. Council agreed. Motion passed.

Meeting recessed at 7:55 PM.

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

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

Executive and Public Session meetings adjourned at 8:45 PM.

Karen Wynne, RMC
Municipal Clerk