

**Borough of Matawan
Public Session
September 17, 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 September 17, 2013. The meeting was called to order at 7:08 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 *Asbury Park Press* on January 9, 2013, by sending notice to *The Independent*, and by posting. Mayor Buccellato requested a roll call.

On roll call the following members responded present:

Yes: Councilwoman Daly
 Councilman Fitzsimmons
 Councilwoman Gould (by telephone)
 Councilwoman Clifton
 Councilman Urbano

Councilman Angelini was not in attendance.

Also, present were Louis Ferrara, Borough Administrator, Pasquale Menna, Borough Attorney, and Robert Keady, Borough Engineer.

Mayor Buccellato asked everyone to stand for a moment of silence remembering the lives lost in Washington DC and of the lives lost and missing in Colorado.

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

Presentation by Eagle Scout Candidate Taylor Grillo

Taylor Grillo presented pictures to Council of his two and a half year refurbishing of Gravelly Brook basement dug out and related the project's journey. Mr. Grillo thanked the Mayor and Council for their support throughout the process. Mayor and Council commended Troop 66 on 127 Eagle Scouts.

**Public Hearing
Monmouth County Open Space Program – Gravelly Brook Park Improvements**

The purpose of the hearing was to review the Borough's grant application to the Monmouth County Municipal Open Space Program requesting \$250,000 in funding to expand recreational opportunities and improve facilities at the Borough-owned Gravelly Park.

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

Borough Administrator Louis Ferrara provided a summary of the application, which requests funding to assist with "Phase 1" improvements to the park. These improvements represent a \$718,000 project of which the Borough is committed to providing \$468,000 to match the (requested) \$250,000 County grant.

Phase 1 improvements include: new grading and drainage facilities that will increase the number of days the existing sports field can be used for recreation; the complete reconstruction of the sports field to include new baseball and soccer amenities, making the field a true "multi-purpose" facility; a new irrigation system; and demolition of an existing structure. The project will greatly expand both the number of days that the park can be used for sports activity and the quality of the park facilities. This will increase use by local residents as well as organized recreational leagues.

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Mr. Ferrara pointed to the broad base of municipal and community support for this project, including letters he has received from the Matawan-Aberdeen Babe Ruth League, the Borough Recreation Department, and the Mayor's Office. He also noted that the proposed improvements were compatible with the goals and objectives of the Borough Master Plan and other plans and ordinances. A letter indicating that is also included in the grant application.

Mayor Buccellato opened the floor to public comment.

Andy Ginsberg, VP – Matawan-Aberdeen Soccer Club. Mr. Ginsberg related the Club's membership of 542 children for recreation, travel and special needs (Phoenix Division) athletic programs, 35% of which are Matawan residents, and not one soccer field in the Borough. Mr. Ginsberg gave the Borough the Club's full support in its endeavor to move forward with its grant application and the much needed improvements to Gravelly Brook Park.

Jeremiah E. Hourihan, Sr., 13 Edgewater Drive, Matawan. Mr. Hourihan, a lifetime resident, recalled the Park's place in the Borough's history, expressing his support of the application and the need of all to maintain any and all improvements.

There were no further comments.

Mayor Buccellato closed the floor to public comment.

Members of Borough Council commented positively on the application and pointed to the importance of the proposed improvements. A municipal resolution of support was subsequently adopted at the Council meeting for inclusion in the application.

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

Old Business

None.

Consent Agenda

Mayor Buccellato read by title Resolutions 13-09-02 through and including 13-09-09 requesting a motion to approve en masse. Councilman Urbano 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

Motion passed.

**RESOLUTION 13-09-02
REDEMPTION OF TAX SALE CERTIFICATE
JIAN YANG
CERTIFICATE #12-00025**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #12-00025 which was sold to Jian Yang, 144-90 41st Ave., Apt. #515, Flushing, NY 11355; and

WHEREAS, Certificate #12-00025 has been paid and fully redeemed for the property owner, Block 28, Lot 10 otherwise known as 1 Fountain Avenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$768.15 and a Premium of \$100.00 to the above for the redemption of Tax Sale Certificate #12-00025.

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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 13-09-03
REDEMPTION OF TAX SALE CERTIFICATE
JIAN YANG
CERTIFICATE #12-00052**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #12-00052 which was sold to Jian Yang, 144-90 41st Ave., Apt. #515, Flushing, NY 11355; and

WHEREAS, Certificate #12-00052 has been paid and fully redeemed for the property owner, Block 47.02, Lot 79 otherwise known as 36 Danemar Drive.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$7,132.44 and a Premium of \$200.00 to the above for the redemption of Tax Sale Certificate #12-00052.

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

**RESOLUTION 13-09-04
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR CRESTAR CAPITAL, LLC
CERTIFICATE #12-00064**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #12-00064 which was sold to US Bank Cust for Crestar Capital, LLC, TLSC 2 Liberty Pl., 50 S 16th St., Ste 1950, Philadelphia, PA 19102; and

WHEREAS, Certificate #12-00064 has been paid and fully redeemed for the property owner, Block 66.12, Lot 13.02 otherwise known as 173 Ravine Dr.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$4,083.41 and a Premium of \$700.00 to the above for the redemption of Tax Sale Certificate #12-00064.

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

**RESOLUTION 13-09-05
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR CRESTAR CAPITAL, LLC
CERTIFICATE #12-00076**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #12-00076 which was sold to US Bank Cust for Crestar Capital, LLC, TLSC 2 Liberty Pl., 50 S 16th St., Ste 1950, Philadelphia, PA 19102; and

WHEREAS, Certificate #12-00076 has been paid and fully redeemed for the property owner, Block 90, Lot 1 otherwise known as 7 Oakland St.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,797.97 and a Premium of \$500.00 to the above for the redemption of Tax Sale Certificate #12-00076.

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

**RESOLUTION 13-09-06
REDEMPTION OF TAX SALE CERTIFICATE
US BANK AS CUST FOR TOWER DBW II
CERTIFICATE #12-00098**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #12-00098 which was sold to US Bank as Cust for Tower DBW II, 50 S 16th St., Ste 1950, Philadelphia, PA 19102; and

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WHEREAS, Certificate #12-00098 has been paid and fully redeemed for the property owner, Block 123, Lot 78 otherwise known as 1 Poet Dr.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$12,876.23 and a Premium of \$9,600.00 to the above for the redemption of Tax Sale Certificate #12-00098.

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

**RESOLUTION 13-09-07
REFUND TAX OVERPAYMENT DUE TO TAX APPEAL
MATAWAN REALTY, LLC – BLOCK 69, LOT 1**

WHEREAS, a State Tax Board Judgment has been favorably awarded to Matawan Realty, LLC, Block 69, Lot 1, for the fiscal year 2011, 2012 and 2013; and

WHEREAS, such judgment has resulted in an overpayment of 2011 and 2012 property taxes in the amount of \$12,605.84 and \$25,158.79, respectively. 2013 tax credit has been applied towards the balance of taxes due for 2013.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, County of Monmouth, State of New Jersey, hereby authorize the Borough Treasurer to issue a check in the amount of \$37,764.63 for said overpayment of property taxes to Brach Eichler, LLC and Matawan Realty, LLC at 101 Eisenhower Pkwy, Roseland, NJ 07068.

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

**RESOLUTION 13-09-08
REFUND TAX OVERPAYMENT DUE TO TAX APPEAL
NATHAN & STEPHANIE SURGET
11 WILSON AVENUE – BLOCK 121, LOT 12.01**

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

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

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

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

Block/Lot	Vendor	Amount of Refund	Notation
121/12.01	Nathan & Stephanie Surget 11 Wilson Ave. Matawan, NJ 07747	\$921.02	Overpaid Due to Successful Tax Appeal

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

**RESOLUTION 13-09-09
REMOVAL OF 2010 TAX BALANCE
ON THE TAX RECORDS OF THE BOROUGH OF MATAWAN
BLOCK 69, LOT 3**

WHEREAS, Block 69, Lot 3 has a balance on their 2010 taxes on the tax records of the Borough of Matawan; and

WHEREAS, ownership of property was issued to the State of New Jersey and no tax or assessment is to be levied on the State; and

WHEREAS, the Assessor has qualified this property as exempt and no taxes should be billed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, County of Monmouth, State of New Jersey, hereby authorizes the Tax Collector to cancel the tax balance for 2010 on Block 69, Lot 3.

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***BE IT FURTHER RESOLVED**, that a certified copy of this Resolution be forwarded to the Borough Tax Collector.*

Mayor Buccellato informed WNYC television recently was in the Borough to interview myself, and Messrs. Hourihan and Savolaine with regard to the Shark Attacks. Dr. Fernacola, who worked on the “Jaws” script was interviewed as well. The Mayor will inform when the program will air on WNYC.

**Presentation – Eric Zanetti, Borough of Matawan Tax Assessor
Monmouth County Real Estate Reval Pilot Program**

Mr. Zanetti, Tax Assessor, reviewed the Monmouth County Real Estate Reval Pilot Program. County legislation requires all Monmouth County municipalities to perform manual re-assessments for a five year inspection program. This legislation is designed and aimed at cost savings to bring property values as close to 100% as possible with a window of 15% in either direction. This involves annual examination of every sale in every neighborhood; perform an assessment mandating inspection of every property over a five year period at 20% (a physical inspection) per year. The Borough’s tax will be filed on November 1 with tax appeals filed prior to January 15. Those appeals will be heard prior to May 5 after which time we can certify the ratable base in the current year.

Mayor Buccellato informed residents the County suggests municipal participation due to the high number of successful tax appeals which has reduced municipal income from property tax, and still requires said municipality to pay school and county tax.

Councilpersons Clifton and Fitzsimmons expressed concern over the difference in tax payments between the first and last 20% of properties to be assessed.

Mr. Zanetti said in year one some will go up some will go down some will remain. That 20% will allow those properties to be correctly assessed. House sale prices are the best indicator of a more accurate assessment.

Mayor Buccellato states a complete municipal review will be made. Some properties may go down 5% or 10%, some may stay the same - it will balance out. Every year various neighborhoods will be assessed and fine-tuned, and may go down or up 5% or 10%. Assessments on every property will change in a uniform way. The revaluation will be performed every year and inspections 20% per year.

Mayor and Council thanked Mr. Zanetti. Mr. Zanetti welcomed any questions to his office.

New Business

Mayor Buccellato read by title Resolution 13-09-10: Authorizing Waiver of Fees – First Baptist Church. Mayor Buccellato requested a motion. Councilwoman Clifton made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-09-10
AUTHORIZING THE WAIVER OF FEES
FIRST BAPTIST CHURCH**

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***WHEREAS**, the First Baptist Church is a long standing member of the Matawan community; and,*

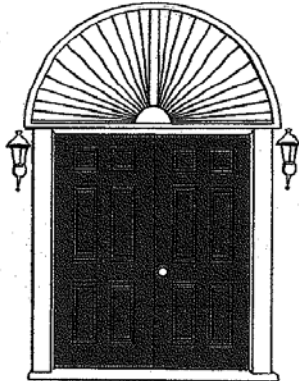
***WHEREAS**, the First Baptist Church's Chapel new roof recently was installed placing a financial burden on the Church; and*

***WHEREAS**, the First Baptist Church is requesting the Borough, as an expression of support and encouragement, waive the municipal fees in the total amount of \$240.00 for the municipal permit(s).*

***NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Matawan do hereby waive the Borough of Matawan municipal permit fee(s) for the First Baptist Church, 232 Main Street.*

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cc: Paul
Lou
(P)



The Church With The Red Doors

Jesus said: "I am the door: by me if any man enter in he shall be saved..."

August 20, 2013

Mayor Paul Buccellato
Matawan Borough
201 Broad Street
Matawan, NJ 07747

Dear Mr. Mayor:

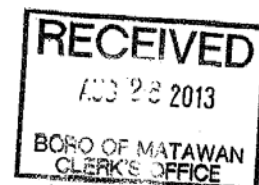
As the new pastor of the First Baptist Church of Matawan, I am very excited to meet you sometime in the near future. My family and I relocated from Colorado Springs at the beginning of the summer, and we have been very pleased and impressed with this community.

I apologize for the need to talk business before having even met you personally, but we would like to request that the permit fee be waived for the new roof that was installed on our chapel building in July of 2013. Please let me know whether this is possible.

Thank you for your service to this community. You are in our prayers.

Sincerely,

Daniel Wiginton
Pastor



First Baptist Church • 232 Main Street • Matawan, NJ 07747
Office Phone: 732 566-7515

Mayor Buccellato read by title Resolution 13-09-11: Authorizing Waiver of Fees – First Presbyterian Church. Mayor Buccellato requested a motion. 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

Motion passed.

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***RESOLUTION 13-09-11
AUTHORIZING THE WAIVER OF FEES
FIRST PRESBYTERIAN CHURCH***

***WHEREAS**, the First Presbyterian Church has applied to the Borough of Matawan for a permit to replace two gas heating boilers; and*

***WHEREAS**, the First Presbyterian Church has provided all the necessary paperwork as required by ordinance; and*

***WHEREAS**, the First Presbyterian Church, a long standing member of the Matawan community, is requesting the Borough, as an expression of support and encouragement, ease the Church's financial burden by waiving the municipal fee(s) in the total amount of \$524.00 for the municipal permit.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan, they hereby authorize the waiver of the Borough of Matawan municipal permit fee(s) for the replacement of two gas heating boilers for First Presbyterian Church.*

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First Presbyterian Church

*cc: Paul
Lou
construction
(P)*

883 STATE HWY. 34

MATAWAN, NJ 07747

REVEREND DR. N. SCOTT CUPP
PASTOR

TELEPHONE: (732) 566-2663
FAX: (732) 583-8865
www.fpc-matawan.org

Mayor Paul Buccelleto
Matawan Borough Council
201 Broad Street
Matawan, NJ 07747

28 August 2013

Mr. Mayor and Members of the Council:

The First Presbyterian Church is in the process of replacing two gas heating boilers that were seriously out of date with two new, energy efficient, replacements. We understand that normally the permit to do this would cost \$524.

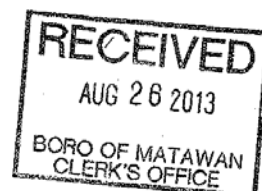
We respectfully request that the Council waive the permit cost at this time.

Thank you for your consideration.

Respectfully yours,

A handwritten signature of Dr. N. Scott Cupp is written over a horizontal line.

Dr. N. Scott Cupp
Pastor



Mayor Buccellato read by title Resolution 13-09-12: Authorizing Application for Monmouth County Open Space Grant Funding. Mayor Buccellato requested a motion. Councilwoman Clifton made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

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**RESOLUTION 13-09-12
AUTHORIZING APPLICATION FOR
MONMOUTH COUNTY OPEN SPACE GRANT FUNDING**

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Governing Body of Matawan Borough desires to obtain County Open Space Trust Funds in the amount of \$250,000.00 to fund the expansion and development of recreational facilities at Gravelly Park, located at Villanova Place; and

WHEREAS, the total cost of the project including all matching funds is \$468,000.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, New Jersey that:

1. Louis Ferrara, Administrator of the Borough of Matawan is authorized (a) to make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondent of the above named municipality; and
2. The Borough of Matawan is committed to this project and will provide the balance of funding necessary to complete the project as described in the grant application in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state and local government rules, regulations and statutes thereto; and
4. Louis Ferrara is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. This resolution shall take effect immediately.

Mayor Buccellato read by title Resolution 13-09-13: Approval of Street Tree Removal – Greenscape Landscape Contractor, Inc. Mayor Buccellato requested a motion. Councilman Urbano 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

Motion passed.

**RESOLUTION 13-09-13
APPROVAL OF STREET TREE REMOVAL
GREENSCAPE LANDSCAPE CONTRACTOR, INC.**

WHEREAS, the Council of the Borough of Matawan has been informed of the need to remove two additional trees associated with the 2013 Street Tree Removal; and

WHEREAS, the 2013 Street Tree Removal contractor, Greenscape Landscape Contractor, Inc., has agreed to remove the two additional trees at a cost of One Thousand Two Hundred Dollars and No Cents (\$1,200.00).

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan hereby approves the removal of the two additional trees by Greenscape Landscape Contractor, Inc., 733 Willow Grove Avenue, Glenside, Pennsylvania 19038 at a cost of One Thousand Two Hundred Dollars and No Cents (\$1,200.00).

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BE IT FURTHER RESOLVED the Mayor is hereby authorized to execute any necessary documents to implement the aforesaid award of contract.

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 C-04-55-911-102 Budget of the Borough of Matawan for the cost of the removal of two additional trees by Greenscape Landscape Contractors in an amount not to exceed One Thousand Two Hundred Dollars and No Cents (\$1,200.00).

This certification is based solely on the information encumbered into the financial records of the borough by the appropriate using division as of this date and relies on the completeness of financial records.

Chief Financial Officer

(Signature on File)

Monica Antista

Dated: September 17, 2013

Mayor Buccellato read by title Resolution 13-09-14: Award of Quote to Acclaim Inventory, LLC to Perform Inventory of Borough of Matawan Capital and Fixed Assets. Mayor Buccellato requested a motion. Councilwoman Clifton made the motion, seconded by Councilman Fitzsimmons. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-09-14
AWARD OF QUOTE TO ACCLAIM INVENTORY, LLC
TO PERFORM INVENTORY OF
BOROUGH OF MATAWAN CAPITAL AND FIXED ASSETS
ACCLAIM INVENTORY, LLC**

WHEREAS, the State of New Jersey requires that all municipalities and counties establish an asset inventory system and authorizes this responsibility to the Municipal Chief Financial Officer; and

WHEREAS, the Council of the Borough of Matawan has determined the need for professional services for an organizational assessment of the Borough's capital and fixed assets; and

WHEREAS, Acclaim Inventory, LLC, 8 Hamilton Avenue, Edison, New Jersey 08820, submitted the attached quotation in the amount of Three Thousand Three Hundred Dollars and No Cents (\$3,300.00); and

WHEREAS, the Chief Financial Officer has determined Acclaim Inventory, LLC has the personnel who can provide the level of professional experience needed for such assessment and has recommended Acclaim Inventory to conduct said assessment in accordance with the attached quotation; and

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan accepts the Chief Financial Officer's recommendation and hereby authorizes Acclaim Inventory, LLC, 8 Hamilton Avenue, Edison, New Jersey 08820 to conduct an organizational assessment of the Borough's capital and fixed assets at a cost not to exceed Three Thousand Three Hundred Dollars and No Cents (\$3,300.00).

BE IT FURTHER RESOLVED, the Council of the Borough of Matawan resolves that Paul Buccellato or the successor to the office of Mayor is hereby authorized as signatory on behalf of the Borough of Matawan.

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 various department Budgets of the Borough of Matawan to Acclaim Inventory, LLC for the inventory of Borough of Matawan capital and fixed assets in an amount not to exceed Three Thousand Three Hundred Dollars and No Cents (\$3,300.00).

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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: September 17, 2013

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Introduction

ACCLAIM INVENTORY LLC; Our staff has over 20 years experience managing and conducting on-site physical inventories, specializing in capital/fixed assets. We are comfortable in any type of work environment, be it corporate, office or industrial. We are also very aware of the sensitivities inherent to most public safety facilities. All inventories are as discrete and unobtrusive as the particular job calls for. We are quite knowledgeable as to pricing and nomenclature of almost every type of asset we might commonly encounter, and as such, require only minimal effort from client contacts. **ACCLAIM INVENTORY LLC** will also assist you in whatever post-inventory asset control is necessary (e.g.: Annual updates, Asset administration). On an optional basis, we will provide you with a disc containing the complete multi-tab file of your particular database (Standard Excel file). The management staff is also highly trained with Directive 85-2, and its requirements for compliance.

The Law!

The State of New Jersey requires that all municipalities and counties establish an asset inventory system. The local unit may use a threshold of \$5,000 per unit, stated by the Technical Accounting Directive Number 85-2. Acclaim Inventory Company suggests that the municipalities and counties governments use a lower threshold. At \$5,000 per asset, only very high-ticket items would be included in the database such as vehicles and major machinery. Those items that are particularly prone to theft and/or vandalism (such as computers, Audio/Visual, and Radio equipment) would rarely be tagged and included in the database. It is our firm contention that Fixed Asset inventories should be used for more than simply satisfying the State Regulations. In our opinion, control, accountability, and possible insurance ramifications are of equal if not greater importance.

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Asset Threshold

(Based on average replacement value)

With a threshold of \$1,000 threshold, items such as these would be included:

Computers (both PC and Laptop), most network hardware, most radio equipment as well as DPW and Playground equipment.

With a threshold of \$500 these types of items would additionally be included:

Printers, Lateral files, Firearms, Typewriters, Desks, Fire Apparatus equipment, Kitchen appliances, smaller DPW tools.

If requested, lower and higher dollar thresholds will be offered, but please note: There is little or no difference in our fees for any threshold between \$1,000 and \$5000.

Tagging of Assets

Placement: Each asset meeting the dollar threshold requirements will be given a sequentially numbered, human-readable, bar code tag. Each item with nameplate specification data is tagged by or near the actual serial# label. Furniture items are tagged as discretely and uniformly as possible; the only exceptions being filing cabinets, which are placed on the front left. Specific tag placement requests will of course be honored. Also, if requested, groups of like, non-serialized items will be assigned a tag number with a value reflecting the total value (e.g.: Stack chairs, Conference chairs, Folding tables). Finally, certain items which are obtained from a client-supplied database, such as Police firearms and Police/Fire walkie talkies will be each be assigned a separate tag number as these items, in most cases, can not be physically tagged. Once again, specific requests will be honored, such as the assigning of tag numbers for certain sensitive undercover or surveillance vehicles and items, rather than being physically tagged. This decision is at the discretion of each particular department head.

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Information: Every asset will be accompanied by certain standard data fields. We will try to obtain as much identifying information as possible. The standard data fields we provide include:

- **Basic standardized description**
- **Quantity (when applicable)**
- **Vehicle Number (when applicable)**
- **Nameplate Data (make, model, and serial #, when applicable)**
- **Disposition (item in use, in storage)**
- **Average replacement value**
- **Estimated historic value**
(Exact value is recorded if client so provides from P.O.)
- **Building where item was located**
- **Room or area where item was located**
- **Departmental ownership**
- **Equipment class of item**
- **Date of acquisition (if applicable)**

Additional fields may also be included if specifically requested by the client. This may include depreciation schedules similar to the GASB34 requirements for New Jersey School Districts.

Reporting:

All obtained information will be compiled, and finally delivered to the client in the form of a standardized set of easily-readable reports (Excel format), sorted and summarized by:

- Tag Number
- Building/Area
- Department
- Equipment Class
- Land and Improvement values

Any report sort not mentioned will be provided to the client upon request.

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Specifics for the Borough of Matawan :

All Borough Locations:

Quotations:

\$5,000 Threshold-	\$2,600
\$1,000 Threshold-	\$2,900
\$500 Threshold-	\$3,300

(Also includes tagging and logging of most computer-related items)

***All options Include All Reports,
Physical Tagging and Complete Excel
File on Disc.**

**If you have any additional questions or issues please feel
free to call us:**

Denis Curto

Terrence Pitman

(732) 216-6356

8 HAMILTON AVENUE • EDISON, NEW JERSEY • 08820
PHONE: 732.216.6356 • EMAIL: DCURTO@ACCLAIMINVENTORY.COM

Mayor Buccellato read by title Resolution 13-09-15: Authorizing the Execution of a Commodity Resale Agreement with the County of Monmouth. Mayor Buccellato requested a motion. Councilwoman Clifton made the motion, seconded by Councilman Fitzsimmons. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**Borough of Matawan
Public Session
September 17, 2013**

**RESOLUTION 13-09-15
AUTHORIZING THE EXECUTION OF A
COMMODITY RESALE AGREEMENT WITH
THE COUNTY OF MONMOUTH**

***WHEREAS**, NJAC 5:34-7.15 authorizes local contracting units to enter into Commodity Resale Agreements for the purchase of certain commodities from other contracting units; and*

***WHEREAS**, the County of Monmouth has authorized the renewal of the Monmouth County Commodity Resale System (SYSTEM IDENTIFIER 99174 – MCCRS), for the period of September 30, 2013 through September 30, 2018; and*

***WHEREAS**, it would be in the best interest of this Municipality to become or remain a member of the Monmouth County Commodity Resale System for that period.*

***NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Matawan that the Mayor and Municipal Clerk be and they are hereby authorized to execute the attached Commodity Resale Agreement with the County of Monmouth.*

***BE IT FURTHER RESOLVED** that the Municipal Clerk forward a certified copy of this Resolution, along with the executed Commodity Resale Agreement to Stephen G. Callas, Director, Office of Shared Services, County of Monmouth, Hall of Records, First Floor, 1 East Main Street, Freehold, New Jersey 07728.*

**COMMODITY RESALE AGREEMENT
BETWEEN THE COUNTY OF MONMOUTH (the “COUNTY”)
AND THE BOROUGH OF MATAWAN (the “MUNICIPALITY”)**

The County and the Municipality enter into this Agreement pursuant to the Rules governing cooperative purchasing, namely NJAC 5:34-7.15.

IT IS AGREED:

- 1. Commodities Offered.** The County will offer the commodities listed on Exhibit “A” to the Municipality through the Monmouth County Commodity Resale System (SYSTEM IDENTIFIER 99174 – MCCRS).*
- 2. Amendment to Services Offered.** The County, in its discretion, may amend Exhibit “A” from time to time, upon approval by the Director of the Division of Local Government Services, if necessary, and written notice to the Municipality.*
- 3. No Obligation by Municipality.** The Municipality is under no obligation to purchase any commodities offered by the County.*
- 4. No Obligation by County.** The County is under no obligation to provide a commodity requested by the Municipality if the County is not then in a position to honor the request.*
- 5. Total Cost Undetermined.** The total cost of the services to be rendered under this Agreement cannot be estimated in advance, but will be determined by the extent to which the Municipality avails itself of the services available.*
- 6. Effective Dates.** This Agreement shall be in effect from September 30, 2013 until September 30, 2018, unless sooner terminated by either party.*
- 7. Early Termination.** Either party may terminate this Agreement, with or without cause, upon thirty (30) days written notice to the other party.*
- 8. County’s Representative.** The County’s Administrator or its Director of Public Works and Engineering, or his/her respective designee, will act on behalf of the County with regard to the commodities available to the Municipality.*
- 9. Municipality’s Representative.** The Municipality’s [indicate one or more authorized representative] () Administrator, (X) Public Works Director or () _____, or his/her respective designee, will act on behalf of the Municipality with regard to a request for commodities from the County.*
- 10. Payment of Invoices.** The Municipality will pay the County for commodities purchased under this Agreement within thirty (30) days of the County’s invoice for those commodities. If the Municipality disputes a County invoice, the Municipality will pay the undisputed portion and attempt to resolve the remaining portion in accordance with the article below, entitled “Disputes.”*

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11. **Disputes.** *If there is a dispute concerning either party’s performance under this Agreement, the parties will attempt to resolve the dispute amicably between them. If the parties cannot resolve the issue amicably, the parties will mediate the dispute before a third party mediator jointly agreed to by the parties. Each party will bear its own cost of participating in mediation and the parties will share the cost of the mediator equally. If the dispute is not resolved through mediation, either party may then pursue any available legal or equitable remedy to resolve the dispute.*
12. **Indemnification.** *Each party will indemnify the other party and hold the other party harmless for the negligent or intentional acts of the indemnifying party.*
13. **Authority to Execute Agreement.** *The execution of this Agreement has been duly authorized by the governing bodies of the County and the Municipality.*

IN WITNESS WHEREOF, *the parties have executed this Agreement.*

County:

Municipality:

COUNTY OF MONMOUTH

BOROUGH OF MATAWAN

By: THOMAS A. ARNONE
Title: Freeholder Director
Date:

By: PAUL BUCCELLATO
Title: Mayor
Date:

ATTEST:

ATTEST:

MARION MASNICK
Clerk of the Board

KAREN WYNNE, RMC
Municipal Clerk

**EXHIBIT “A”
MONMOUTH COUNTY COMMODITY RESALE SYSTEM**

Commodities available:

- Gasoline
- Diesel fuel
- Snow removal chemicals
- Public works materials and supplies, including road and roadway construction materials
- Such other materials as may be approved by the Director of the Division of Local Government Services

Pricing:

It is the intent that the County will recoup its actual costs, but no profit. Therefore, the cost of the commodities shall be the actual cost paid by the County for the commodities plus a modest administrative fee, as quoted by the County.

Procedure:

If the Municipality is interested in purchasing a commodity through the County’s Commodity Resale System, the Municipality will submit a completed Request Form to the County. If the County is able to honor the request, the County will approve the request and issue a price quotation. The Municipality will then decide, at its option, whether or not to complete the requested purchase, at the price(s) quoted by the County.

Mayor Buccellato read by title Resolution 13-09-16: 2013 Road Improvement Program Contract1 - Authorizing Change Order No. 1. Mayor Buccellato requested a motion. 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

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Councilwoman Gould
Councilwoman Clifton
Councilman Urbano

Motion passed.

**RESOLUTION 13-09-16
2013 ROAD IMPROVEMENT PROGRAM CONTRACT 1
AUTHORIZING CHANGE ORDER NO. 1**

***WHEREAS,** T&M Associates has informed the Council that during the 2013 Street Removal damaged concrete sidewalks and driveways on Daniel and Mohawk Drives and are in need of replacement; and*

***WHEREAS,** T&M Associates cites an increase of Items S1-Concrete Sidewalk, 4” Thick and S2-Concrete Driveway 6” Thick both for Daniel and Mohawk Drives in the amount of \$64,350.00 and \$6,000.00, respectively, for a total increase of Seventy Thousand Three Hundred Fifty Dollars and No Cents (\$70,350.00).*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan based upon the recommendations of Robert Keady, T&M Associates, that they hereby authorize Change Order No. 1 for the 2013 Road Improvement Program Contract 1, for a total increase in the amount of Seventy Thousand Three Hundred Fifty Dollars and No Cents (\$70,350.00).*

***BE IT FURTHER RESOLVED** the Mayor of the Borough of Matawan is hereby authorized to execute the contract modification proposal and acceptance.*

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 C-04-55-908-100 Budget of the Borough of Matawan to T&M Associates for the 2013 Road Improvement Program Contract 1 Change Order No. 1 in an amount not to exceed Seventy Thousand Three Hundred Fifty Dollars and No Cents (\$70,350.00).

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: September 17, 2013

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T&M ASSOCIATES
CONSULTING & MUNICIPAL ENGINEERS
ELEVEN TINDALL ROAD
MIDDLETOWN, NEW JERSEY 07748

SHEET NO. 1 OF 2
PROJECT NO. MATN-02781

CHANGE ORDER NO. 1

DATE:	September 3, 2013
PROJECT:	2013 Road Improvement Program - Contract 1
OWNER:	Borough of Matawan
CONTRACTOR:	Lucas Construction Group, Inc.

DESCRIPTION OF CHANGE:

REDUCTIONS:

EXTRA:

SUPPLEMENTARY:

S-1 Concrete Sidewalk, 4" Thick for Daniel Drive and Mohawk Drive

S-2 Concrete Driveway, Reinforced, 6" Thick for Daniel Drive and Mohawk Drive

APPROVAL RECOMMENDED:


ROBERT R. KEADY, JR., P.E., C.M.E.

ACCEPTED: 

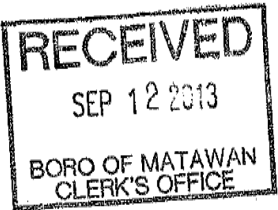
CONTRACTOR:
Lucas Construction Group, Inc.

OWNER'S APPROVALS:

NOTE: All work to be done
according to Contract
Specifications.

SEE ATTACHED DETAIL	ADDITIONAL	REDUCTION
A. TOTAL REDUCTIONS THIS C.O.	XXXXXXXXXXXX	\$0.00
B. TOTAL EXTRAS THIS C.O.	\$0.00	XXXXXXXXXXXX
C. TOTAL SUPPLEMENTARY THIS C.O.	\$70,350.00	XXXXXXXXXXXX
TOTALS THIS C.O.	\$70,350.00	\$0.00
NET CHANGE THIS CHANGE ORDER	\$70,350.00	
PREVIOUS CHANGE ORDERS	\$0.00	\$0.00
TOTAL CHANGE ORDERS TO DATE	\$70,350.00	\$0.00
NET CHANGE IN CONTRACT	\$70,350.00	

ORIGINAL CONTRACT BID PRICE	\$1,585,721.10
CHANGE ORDERS TO DATE	\$70,350.00
REVISED CONTRACT PRICE	\$1,656,071.10



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CHANGE ORDER NO. 1

SHEET NO. 2 OF 2
PROJECT NO. MATN-02781

PROJECT: 2013 Road Improvement Program - Contract 1

OWNER: Borough of Matawan

CONTRACTOR: Lucas Construction Group, Inc.

REDUCTIONS	ITEM NO.	DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00

A. TOTAL REDUCTIONS \$0.00

EXTRA					\$0.00
					\$0.00

B. TOTAL EXTRA \$0.00

SUPPLEMENTARY	S-1	Concrete Sidewalk, 4" Thick	1430.00 SY	\$45.00	\$64,350.00
	S-2	Concrete Driveway, Reinforced, 6" Thick	100.00 SY	\$60.00	\$6,000.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00

C. TOTAL SUPPLEMENTARY \$70,350.00

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Mayor Buccellato read by title Resolution 13-09-17: Authorizing T&M Associates to Provide Professional Services to Prepare the Borough of Matawan Master Plan Re-Examination Report. Mayor Buccellato requested a motion. Councilwoman Clifton made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-09-17
AUTHORIZING T&M ASSOCIATES TO PROVIDE
PROFESSIONAL SERVICES TO PREPARE
THE BOROUGH OF MATAWAN
MASTER PLAN RE-EXAMINATION REPORT**

***WHEREAS**, in accordance with the statutory requirements of Municipal Land Use Law (NJSA 40:55D-89) requires the Governing Body shall, at least every ten (10) years, provide for a general re-examination of its Master Plan and development regulations by the Planning Board; and*

***WHEREAS**, the Matawan Planning Board completed the previous Borough Re-Examination Report in November 1995, and it amended the Master Plan Land Use Element and Housing Element in January 2003; and*

***WHEREAS**, the Council of the Borough of Matawan received the attached proposal from T&M Associates for professional services to prepare the Borough of Matawan’s Master Plan Re-Examination Report; and*

***WHEREAS**, the proposal includes professional planning recommendations for revising and updating the Borough Plan and Zoning Ordinance to meet the needs of the Borough; and*

***WHEREAS**, the project fee for the scope of services, to include initial review and analysis, preparation of Re-Examination Report, project management, meetings, hearings and deliverables, is Nine Thousand Dollars and No Cents (\$9,000.00).*

***NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Matawan does hereby award the contract for professional services to T&M Associates to prepare the Borough of Matawan Master Plan Re-Examination Report as outlined in the attached proposal in an amount not to exceed Nine Thousand Dollars and No Cents (\$9,000.00).*

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 from the 3-01-20-165-200 Budget of the Borough of Matawan to T&M Associates to prepare the Borough of Matawan Master Re-Examination Report in an amount not to exceed Nine Thousand Dollars and No Cents (\$9,000.00).

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: September 17, 2013

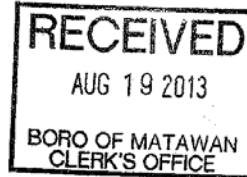
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Eleven Tindall Road, Middletown, New Jersey 07748-2792
(732) 671-6400 * fax (732) 671-7365 * www.tandmassociates.com



MATN-G1301

Louis Ferrara, Borough Administrator
Borough of Matawan
201 Broad Street
Matawan, NJ 07747



August 5, 2013

Re: Proposal to Prepare the Borough of Matawan Master Plan Reexamination Report

Dear Mr. Ferrara:

T&M Associates is pleased to provide this proposal to prepare the reexamination report of the Matawan Master Plan and Development Regulations. The reexamination report will include professional planning recommendations for revising and updating the Borough Plan and Zoning Ordinance to meet the needs of the Borough. T&M Associates will provide the following scope of services for this project.

SCOPE OF SERVICES

1.0 Initial Review and Analysis

The Matawan Planning Board completed the previous Borough Reexamination Report in November 1995, and it amended the Master Plan Land Use Element and Housing Element in January 2003. Matawan will retain a student intern to compile a report summarizing the variances and development approvals granted by the Planning Board subsequent to the completion of the 1995 reexamination report. The report will also summarize the amendments to the Borough Zoning and Development Regulations adopted subsequent to the 1995 reexamination. T&M Associates will supervise the compilation of the intern report and utilize the intern report in the preparation of the updated reexamination report.

2.0 Preparation of the Master Plan Reexamination Report

T&M Associates will prepare the master plan reexamination report in accordance with the statutory requirements of section 40:55D-89 of the Municipal Land Use Law (MLUL).

The report narrative will include:

1. A description of the requirements and content of the periodic reexamination report in accordance with the MLUL.
2. A review and discussion of the major problems and objectives identified in the most recent master plan amendments and in the previous reexamination report.
3. A review and discussion of the significant changes in the planning assumptions, policies and objectives of the Borough. The review will be based upon and include:
 - a. An updated demographic and socio-economic analysis of the Borough utilizing the 2010 U.S. Census.

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**Le: Louis Ferrara
Borough Administrator
Re: Master Plan Reexamination
Borough of Matawan**

**August 5, 2013
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- b. The changes in state, county, or municipal policies and objectives.
 - c. The land use and development trends within Matawan, giving particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, and the collection, disposition, and recycling of designated recyclable materials.
 - d. The zone plan in abutting municipalities in relation to the Borough Zone Plan.
 - e. The extent to which the planning issues and problems identified by the prior Matawan reexamination report have been addressed or have increased.
4. The specific changes recommended for the Borough master plan and development regulations, including the underlying objectives, policies, and standards, or whether a new plan or regulations should be prepared.
 5. Any recommendations concerning the incorporation of any redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," into the land use plan element of the master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the Borough.

Please note that the reexamination report will not include any ordinances or master plan amendments as may be required to implement the reexamination recommendations. If necessary, these will be addressed in a separate proposal and scope of work to be authorized by the Borough.

3.0 Project Management

T&M Associates will assign a New Jersey licensed professional planner and member of the American Institute of Certified Planners as the project manager. The project manager will be supported by the professional and technical staff of T&M's Planning Unit. The project manager will supervise and coordinate the preparation of the report with the input of the appropriate Borough representatives and the Planning Board.

4.0 Meetings and Hearings

T&M Associates will attend a total of two (2) meetings with the Borough to develop the deliverables and the work products to complete the master plan reexamination report. The meetings will include one (1) kickoff meeting with Borough officials and representatives and one (1) public meeting with the Planning Board to adopt the report.

5.0 Deliverables

The deliverables of this project will be the following:

- Draft Reexamination Report: Twenty (20) printed copies and an electronic version in PDF.
- Final Reexamination Report: Twenty (20) printed copies and an electronic version in PDF.

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Le: Louis Ferrara
Borough Administrator
Re: Master Plan Reexamination
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6.0 Project Schedule

T&M anticipates that the project will be completed in fourteen (14) weeks in accordance with the following project schedule:

- Initial review and analysis: 4 weeks
- Preparation of Draft Reexamination Report 6weeks
- Public Meeting and Approval 4weeks

7.0 Project Fee

The lump sum fee, utilizing the current Matawan specified rates, for the scope of services described in this proposal will be nine thousand dollars (\$9,000). The fee breakdown follows.

Task	Fee
Task 1.0 Initial Review and Analysis	\$1,000.00
Task 2.0 Preparation of Reexamination Report Task 3.0 Project Management Task 4.0 Meetings and Hearings Task 5.0 Deliverables	\$8,000.00
TOTAL	\$9,000.00

Thank you for the opportunity to provide this proposal. Should there be any questions, please do not hesitate to contact me.

Very truly yours,

T&M ASSOCIATES


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


RICHARD S. CRAMER, P.P.
PLANNING CONSULTANT

RRK:RSC:dk
Cc: Paul Buccellato, Mayor
Karen Wynne, Deputy Borough Clerk
H:\Matn\G1301\Correspondence\Matawan Master Plan Reexamination Proposal.doc

Mayor Buccellato read by title Resolution 13-09-18: Authorizing T&M Associates to Provide Professional Services for 150 Main Street Remediation of Former Unleaded and Leaded Gasoline Underground Storage Tanks. Mayor Buccellato requested a motion. Councilwoman Clifton made the motion, seconded by Councilman Fitzsimmons. 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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Motion passed.

**RESOLUTION 13-09-18
AUTHORIZING T&M ASSOCIATES
TO PROVIDE PROFESSIONAL SERVICES FOR
150 MAIN STREET REMEDIATION
OF FORMER UNLEADED AND LEADED GASOLINE
UNDERGROUND STORAGE TANKS**

WHEREAS, the Borough of Matawan Resolution 12-05-12 previously authorized T&M Associates to provide professional services for 150 Main Street Remediation; and

WHEREAS, ongoing monitoring of 150 Main Street Remediation, required by the New Jersey Department of Environmental Protection (NJSDEP) for the submission of a Remedial Action Progress Report by May 7, 2014, dictates additional activities be undertaken.

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan does hereby authorize T&M Associates for professional services to conduct ongoing remediation for 150 Main Street in an amount not to exceed Ten Thousand Five Hundred Dollars and No Cents (\$10,500.00).

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 150 Main Street Remediation of Former Unleaded and Leaded Gasoline Underground Storage Tanks in an amount not to exceed Ten Thousand Five Hundred Dollars (\$10,500.00).

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

Dated: September 17, 2013

Mayor Buccellato read by title Resolution 13-09-19: Rejection of All Bids for the Matawan Municipal Community Center ADA Improvements and Authorize T&M Associates to Undertake Any Necessary Steps for the Public Re-Advertisement and Accept Bids for the Matawan Municipal Community Center ADA Improvements. Mayor Buccellato requested a motion. Councilman Fitzsimmons made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-09-19
REJECTION OF ALL BIDS FOR THE
MATAWAN MUNICIPAL COMMUNITY CENTER
ADA IMPROVEMENTS AND AUTHORIZE T&M ASSOCIATES TO UNDERTAKE ANY NECESSARY
STEPS FOR THE PUBLIC
RE-ADVERTISEMENT AND ACCEPT BIDS FOR THE MATAWAN MUNICIPAL COMMUNITY CENTER
ADA IMPROVEMENTS**

WHEREAS, the Borough of Matawan previously authorized the receipt of bids for Municipal Community Center (MMCC) ADA Improvements; and

WHEREAS, pursuant to law the Borough of Matawan solicited bids for MMCC ADA Improvements; and

**Borough of Matawan
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***WHEREAS**, the Borough of Matawan received one (1) qualified bid(s) for the aforesaid MMCC ADA Improvements; and*

***WHEREAS**, Robert Keady of T&M Associates, Borough Engineer, has reviewed and recommended the rejection of any and all bids submitted based on the bid(s) exceeds the Engineer's Estimate.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that all bids for MMCC ADA Improvements be and are hereby rejected.*

***BE IT FURTHER RESOLVED** by the Council of the Borough of Matawan that it herewith authorizes T&M Associates to undertake any necessary steps for the public re-advertisement and acceptance of bids for the MMCC ADA Improvements in an amount not to exceed One Thousand Five Hundred Dollars and No Cents (\$1,500.00)*

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 from the 3-01-20-165-200 Budget of the Borough of Matawan to T&M Associates to undertake any necessary steps for the public re-advertisement and acceptance of bids for the MMCC ADA Improvements for the Borough of Matawan in an amount not to exceed One Thousand Five Hundred Dollars and No Cents (\$1,500.00).

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: September 17, 2013

Mayor Buccellato read by title Resolution 13-09-20: Amending Resolution 13-07-25: Authorizing the Hiring of a Temporary Part-Time Assistant Property Maintenance Officer Construction Department - Raymond Bassford. Mayor Buccellato requested a motion. 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
Councilwoman Clifton
Councilman Urbano

Motion passed.

**RESOLUTION 13-09-20
AMENDING
RESOLUTION 13-07-25
AUTHORIZING THE HIRING OF A TEMPORARY PART-TIME
ASSISTANT PROPERTY MAINTENANCE OFFICER
CONSTRUCTION DEPARTMENT
RAYMOND BASSFORD**

***WHEREAS**, the Council has been advised that there is a need for a Temporary Part-Time Assistant Property Maintenance Officer within the Borough of Matawan; and,*

***NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Matawan authorizes the hiring of Raymond Bassford as a Temporary Part-Time Assistant Property Maintenance Officer effective July 2, 2013 at \$28.00 per hour on an as needed basis pursuant to the Construction Official not to exceed Four Thousand Dollars and No Cents (\$4,000.00) per annum until such time as a permanent hire is made.*

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CERTIFICATION AS TO AVAILABLE FUNDING

I, Monica Antista, Chief Financial Officer of the Borough of Matawan do hereby certify that as of the date of this certification funds are available from the 3-01-22-200-100 Budget of the Borough of Matawan to Raymond Bassford in an amount not to exceed Four Thousand Dollars and No Cents (\$4,000.00).

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: September 17, 2013

Mayor Buccellato read by title Resolution 13-09-21: Appointing Registrar of Vital Statistics - Grace Rainforth. Mayor Buccellato requested a motion. Councilman Urbano 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

Motion passed.

***RESOLUTION 13-09-21
APPOINTING REGISTRAR OF VITAL STATISTICS
GRACE RAINFORTH***

WHEREAS, the appointment of a Registrar of Vital Statistics pursuant to NJAC 26:8-11 in districts where there is no separate board of health, the appointment shall be made by the Governing Body; and

WHEREAS, funds have been set aside for the purpose of employing a Registrar of Vital Statistics to perform such services; and

WHEREAS, pursuant to NJAC 26:8-13 the term of office of a local Registrar of Vital Statistics shall be three (3) years.

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan hereby authorizes the appointment of Grace Rainforth as Registrar of Vital Statistics for a term of three (3) year term, effective March 1, 2013, at the rate of compensation of Three Thousand Two Hundred Ninety Six Dollars and Fifty Three Cents (\$3,296.53).

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 3-01-27-330-100 Budget of the Borough of Matawan to Grace Rainforth as Registrar of Vital Statistics for the Borough of Matawan effective March 1, 2013 in an amount not to exceed Three Thousand Two Hundred Ninety Six Dollars and Fifty Three Cents (\$3,296.53).

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: September 17, 2013

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Mayor Buccellato read by title Resolution 13-09-22: Authorizing Accelerated Tax Sale for 2013. Mayor Buccellato requested a motion. 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
Councilwoman Clifton
Councilman Urbano

Motion passed.

**RESOLUTION 13-09-22
AUTHORIZING ACCELERATED TAX SALE FOR 2013**

BE IT RESOLVED by the Council of the Borough of Matawan, County of Monmouth, State of New Jersey, that the Borough Tax Collector hold an accelerated tax sale for the year 2013.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Borough Tax Collector, Treasurer, Auditor and Chief Financial Officer.

Regular Mailing	November 25, 2013
Regular Mailing	December 2, 2013
Newspaper Advertisement	December 11, 2013
Newspaper Advertisement	December 18, 2013
TAX SALE	December 27, 2013

Mayor Buccellato read by title Ordinance 13-17: Amending 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 introduce. 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

Motion passed.

**ORDINANCE 13-17
AMENDING 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

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***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

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, single 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, single 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 15-2.4 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.*

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- 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.*
- 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 (\$1,000.00) dollars, and the fee for the second renewal is one thousand five hundred (\$1,500.00) dollars. The fee for any subsequent renewal beyond the second renewal is two thousand (\$2,000.00) dollars.

Vacant Property / Building Registration Fee Schedule	
Initial registration	\$ 500.00
First renewal	\$1,000.00
Second renewal	\$1,500.00
Any subsequent renewal	\$2,000.00

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*

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- 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.*
- 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 ABANDONED/VACANT
COMMERICAL OR RESIDENTIAL PROPERTIES**

Block # _____ LOT # _____

1.

Address of Property

2.

Property Owner

Telephone #

3.

Property Owner 's Address

City

State

Zip Code

4.

E-mail Address

Name of Managing Agent Authorized to Act on behalf of Owner

Address

City

State

Zip Code

Home Telephone #

Cell Phone #

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:

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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
----------------------------	---------------

Mayor Buccellato read by title Resolution 13-09-23: Payment of Bills – September 3, 2013. Mayor Buccellato requested a motion. Councilwoman Clifton made the motion, seconded by Councilman Fitzsimmons. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-09-23
PAYMENT OF BILLS – SEPTEMBER 3, 2013**

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	\$1,881,938.20
Water & Sewer	\$79,695.97
Borough Capital	\$176,690.26
Water Capital	\$23,686.87
Grant	\$1,302.85
Borough Trust	\$25,808.07
Developers Escrow Account	\$9,604.14
Dog Tax Trust	\$56.40
Railroad Parking Trust	\$11,500.00
Recreation Trust	\$1,616.56
Unemployment Trust	\$166.50
Total	\$2,212,065.82

August 15, 2013 Payroll done early in computer system due to bank change.

Current	\$137,816.96
Water & Sewer	\$31,090.71
Borough Trust	\$4,198.68
Recreation Trust	\$6,339.63
Total	\$179,445.98

Mayor Buccellato read by title Resolution 13-09-24: Payment of Bills – September 3, 2013. Mayor Buccellato requested a motion. 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

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Councilman Fitzsimmons
Councilwoman Gould
Councilwoman Clifton
Councilman Urbano

Motion passed.

**RESOLUTION 13-09-24
PAYMENT OF BILLS – SEPTEMBER 17, 2013**

***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	\$344,134.46
Water & Sewer	\$41,427.81
Borough Capital	\$105,734.25
Water Capital	\$4,648.50
Grant	\$760.00
Borough Trust	\$18,640.70
Developers Escrow Account	\$45.00
Recreation Trust	\$646.00
Total	\$516,036.72

Mayor Buccellato read by title Resolution 13-09-25: Authorizing Shared Services Agreement Between the Borough of Matawan and the Borough of Keyport for Mechanic Services. Mayor Buccellato requested a motion. 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

Motion passed.

**RESOLUTION 13-09-25
AUTHORIZING SHARED SERVICES AGREEMENT
BETWEEN THE BOROUGH OF MATAWAN AND
THE BOROUGH OF KEYPORT FOR
MECHANIC SERVICES**

***WHEREAS**, the Borough of Matawan Department of Public Works currently has a vacant position for mechanic services and is desirous of implementing a Shared Services Agreement with the Borough of Keyport; and*

***WHEREAS**, the New Jersey Uniform Shared Services and Consolidation Act (C.40A:65-1, et seq.) authorizes local units such as these Municipalities to enter into Shared Services Agreement with other local units; and*

***WHEREAS**, it is in the best interest of the Borough of Matawan to enter into a Shared Services Agreement with the Borough of Keyport.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that hereby authorizes the Borough of Matawan enter into the attached Shared Services Agreement with the Borough of Keyport, and hereby authorizes Mayor Paul Buccellato to execute this Agreement on behalf of the Borough of Matawan.*

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**SHARED SERVICES AGREEMENT
BETWEEN THE BOROUGH OF MATAWAN
AND BOROUGH OF KEYPORT
MECHANIC SERVICES**

THIS SHARED SERVICES AGREEMENT is effective the 13th day of September, 2013 between the BOROUGH OF MATAWAN, a municipal corporation of the State of New Jersey and the BOROUGH OF KEYPORT, a municipal corporation of the state of New Jersey.

The purpose of this Agreement is for the Borough of Keyport to provide Licensed Mechanical Services for the Borough of Matawan according to the following:

- 1. This AGREEMENT shall take effect September 17th, 2013, and shall expire December 31, 2014. Either municipality may terminate this Agreement by giving 30 days advance written notice to the other party.*
- 2. The following Keyport staff member with significant mechanical expertise will be available under the supervision of the Borough of Keyport DPW Superintendent for oversight of vehicle repairs:*

<u><i>Borough of Keyport Mechanic Staff</i></u>	<u><i>Qualification</i></u>
<i>Richard Sickler</i>	<i>Certified Technician</i>

The Borough of Keyport reserves the right to substitute qualified personnel for this position, providing any replacement personnel hold the same or superior certifications and holds the same responsibility with the Borough.

- 3. The Borough of Keyport further offers mechanical services operated by the Keyport Department of Public Works, for use by the Borough of Matawan on a scheduled or as-needed basis or for emergencies. The mechanic will be available at the corresponding daily rate:*

<u><i>Borough of Keyport Mechanical Services</i></u>	<u><i>Daily Rate</i></u>
<i>One mechanic</i>	<i>\$277.00</i>

- 4. The Borough of Matawan will be responsible for all parts, materials or equipment used in the maintenance or repair of any of their vehicles or equipment. The Borough of Matawan agrees to reimburse the Borough of Keyport for any expenses incurred in the repair or maintenance of any of Matawan's vehicles or equipment.*
- 5. Payment shall be due from Matawan within thirty (30) days of the date of billing.*
- 6. During the term of this Agreement, and for one year past the expiration of this Agreement, the Borough of Matawan agrees not to employ any person who is a Borough of Keyport employee, subcontractor, or agent who provides mechanical services to the Borough of Matawan in accordance with this agreement.*
- 7. It is agreed that no employer /employee relationship will exist between the Borough of Keyport employees, and the Borough of Matawan. The Borough of Keyport agrees to maintain all required insurance on its employees, including worker's compensation insurance.*

IN WITNESS THEREOF, parties have hereunto caused this instrument to be signed by the proper authorized parties and have caused their proper seals to be affixed hereto as of the date and year first above written.

<i>BOROUGH OF MATAWAN</i>	<i>BOROUGH OF KEYPORT</i>
<hr/> <i>Mayor Paul Buccellato</i>	<hr/> <i>Lorene K. Wright, Business Administrator</i>
<hr/> <i>Karen Wynne, Borough Clerk</i>	<hr/> <i>Valerie T. Heilweil, Borough Clerk</i>

Mayor Buccellato read by title Resolution 13-09-26: Award of Bid for 2013 Road Program Contract 2. Mayor Buccellato requested a motion. Councilman Fitzsimmons made the motion, seconded by Councilwoman Clifton. Mr. Keady informed we received bids today; the low bidder was Esposito Construction in the amount of \$1,724,273.10. \$400,000.00 of grant monies is included in this Contract. 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

Motion passed.

**RESOLUTION 13-09-26
AWARD OF BID FOR 2013 ROAD PROGRAM CONTRACT 2**

WHEREAS, the Borough of Matawan previously authorized the receipt of bids for the 2013 Road Program; and

WHEREAS, pursuant to law the Borough of Matawan solicited bids for the 2013 Road Program; and

WHEREAS, the Borough of Matawan received four (4) bids for the aforesaid contract; and

WHEREAS, Esposito Construction, LLC has submitted the low bid of One Million Seven Hundred Twenty Four Thousand Two Hundred Seventy Three Dollars and Ten Cents (\$1,724,273.10); and

WHEREAS, the Borough Engineer, Robert Keady of T&M Associates, has reviewed, approved and recommended the bid of Esposito Construction, LLC for the aforesaid bid.

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that the contract for the 2013 Road Improvement Program Contract 2 be and is hereby awarded to Esposito Construction, LLC, 253 Main Street, Matawan, New Jersey 07747 for the amount as indicated above and in accordance with all bid specifications, contracts and documents, commencing twenty (20) days after publication, and subject to certification by the Chief Financial Officer that funds are available, review and approval of bid documents by the Borough Attorney and approval of the New Jersey Department of Labor, Division of Wage and Hour Compliance, approval of the New Jersey Department of Transportation and the Mayor is hereby authorized to execute any necessary documents to implement the aforesaid award of contract, commencing twenty (20) days after publication.*

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 C-04-55-911-100, C-04-55-913-100, W-06-55-553-101 and W-06-55-557-100 Budget of the Borough of Matawan for the contract awarded to Esposito Construction, LLC for the 2013 Road Improvement Program Contract 2 in an amount not to exceed One Million Seven Hundred Twenty Four Thousand Two Hundred Seventy Three Dollars and Ten Cents (\$1,724,273.10).

This certification is based solely on the information encumbered into the financial records of the borough by the appropriate using division as of this date and relies on the completeness of financial records.

Chief Financial Officer

(Signature on File)

Monica Antista

Dated: September 17, 2013

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



MATN-02780

September 17, 2013
Via email and First Class Mail

Louis Ferrara
Borough Administrator
Borough of Matawan
201 Broad Street
Matawan, NJ 07747

**Re: 2013 Road Improvement Program – Contract 2
Review of Bids and Recommendation of Award**

Dear Mr. Ferrara:

On Tuesday, September 17, 2013, bids were received for the above referenced project. A detailed bid summary is attached. The following is a list of the bidders and their respective bids:

<u>Bidders</u>	<u>Proposal A</u>	<u>Proposal B</u>	<u>Total Bid</u>
Esposito Construction	\$ 547,197.55	\$ 1,177,075.55	\$ 1,724,273.10
Black Rock Enterprises	\$ 576,368.04	\$ 1,223,441.64	\$ 1,799,809.68
Fiore Paving Company	\$ 612,693.90	\$ 1,262,528.90	\$ 1,875,222.80
Lucas Construction	\$ 602,467.30	\$ 1,291,501.80	\$ 1,893,969.10

The apparent low bidder is Esposito Construction, LLC, 253 Main Street, Suite 385, Matawan, New Jersey 07747. We have experience with the low bidder and recommend award to the low bidder, Esposito Construction, LLC in the amount of \$1,724,273.10.

Award of the project should be made subject to the review and approval by the Borough Attorney. Any award should also be made subject to certification of the availability of funds and concurrence of the award by the New Jersey Department of Transportation.

I have attached a bid summary for your records. If you have any questions or require additional information, please call.

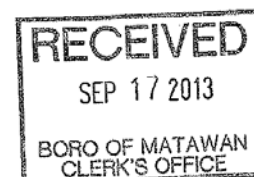
Very truly yours,

T&M ASSOCIATES

Robert R. Keady Jr.
ROBERT R. KEADY JR., P.E., C.M.E.
BOROUGH OF MATAWAN ENGINEER

RRK:PSN:lkc
Enclosures

c: Paul Buccellato, Mayor
Karen Wynne, Clerk (via email with copies of bid packages)
Pasquale Menna, Attorney (via email with copies of bid packages)
Monica Antista, CFO via email



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Mayor Buccellato read by title Resolution 13-09-27: Resolution Rejecting Bids for Storm Damage Repair Project 13-09-27: Award of Bid for 2013 Road Program Contract 2. Mayor Buccellato requested a motion. 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
Councilwoman Clifton
Councilman Urbano

Motion passed.

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**RESOLUTION 13-09-27
RESOLUTION REJECTING BIDS
FOR STORM DAMAGE REPAIR PROJECT**

WHEREAS, after the required legal advertising was published, sealed bids were received in August 14, 2013 by the Borough of Matawan in accordance with NJSA 40A:11-1 et seq., the “Local Public Contracts Law” for a Storm Damage Repair Project; and

WHEREAS, the bids received were referred to the Borough Engineer for review; and

WHEREAS, a total of four (4) bids were submitted to the Borough Engineer for review and recommendation; and

WHEREAS, CMS Construction, Inc. (“CMS”) was determined to be the lowest responsible bidder; and

WHEREAS, CMS has informed the Borough Engineer in writing that there was a numerical error and written error in their bid that resulted in a lower bid amount; and

WHEREAS, the error made by CMS is an non-waivable error; and

WHEREAS, CMS has indicated that it will withdraw its bid; and

WHEREAS, the second lowest bidder is above the Engineer’s Estimate and above the maximum amount of funding allocated for the project; and

WHEREAS, it is the recommendation of the Borough Engineer that all bids be rejected and the contract be re-bid; and

WHEREAS, the Mayor and Council hereby accepts the recommendation of the Borough Engineer to reject all bids and re-bid the contract.

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Matawan, do permit the withdrawal of the lowest bidder and reject all bids for the Storm Damage Repair Project since all other bids exceed the Borough Engineer’s cost estimate, and authorize the Borough Engineer to re-bid the project.

Mr. Keady provided status of the 2013 Road Improvement Program. Contract 1 has completed the underdrain and paving work on Wyckoff Road; Mohawk Drive water main installation is complete however services and remainder of road improvements remain. They are currently working on water main installation on Daniel Drive, and curbing and sidewalks will begin on both Mohawk and Daniel Drives thereafter; and, Boston Lane has been “face paved.”

Mayor Buccellato informed residents of Councilman Urbano’s request to purchase a used fire truck from Old Bridge Township at a cost of approximately \$15,000. The truck meets all code requirements. The Old Bridge Fire District is asking for a Letter of Intent for the Mayor’s execution with the understanding the purchase will not take place until 2014. Mayor Buccellato requested a voice vote. Council agreed. Motion passed.

Privilege of the Floor

Mayor Buccellato opened the Privilege of the Floor.

There were no comments.

Mayor Buccellato closed the Privilege of the Floor.

Adjournment

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

Meeting adjourned at 8:20 PM.

Karen Wynne, RMC
Municipal Clerk