

**Borough of Matawan
Public Session
December 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 December 17, 2013. The meeting was called to order at 7:05 PM by Mayor Buccellato presiding. Mayor Buccellato called the meeting to order, pursuant to Section 5 of the Open Public Meetings Act that adequate notice of this meeting has been provided in the notice which was published in the *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
 Councilwoman Clifton
 Councilman Urbano
 Councilwoman Angelini

Also, present Pasquale Menna, Esq., Borough Attorney, and Robert J. Keady, Jr., of T&M Associates, Borough Engineer.

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

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

Privilege of the Floor – Agenda Items Only

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

There were no comments.

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

Old Business

Mayor Buccellato read by title Ordinance 13-21: Ordinance Supplementing the Code of the Borough of Matawan – Chapter XI – Personnel Policies – Article II – “Personnel Policies Concerning Members of the Police Department,” Establishing Promotion Procedures for the Ranks of Police Chief, Lieutenant and Sergeant, and Establishing a Procedure for Acting Appointments and Hiring Police Officers. Mayor Buccellato requested a motion to open the public hearing. Councilman Urbano made the motion, seconded by Councilwoman Angelini. Council agreed. Motion passed. Mayor Buccellato requested comments. Borough Attorney recommended and discussed some editorial changes to the Ordinance. Mayor Buccellato requested a motion to close the public hearing. Councilwoman Angelini made the motion, seconded by Councilman Urbano. Council agreed. Motion passed. Mayor Buccellato read by title on third and final reading Ordinance 13-21: Ordinance Supplementing the Code of the Borough of Matawan – Chapter XI – Personnel Policies – Article II – “Personnel Policies Concerning Members of the Police Department,” Establishing Promotion Procedures for the Ranks of Police Chief, Lieutenant and Sergeant, and Establishing a Procedure for Acting Appointments and Hiring Police Officers requesting a motion to adopt. Councilman Urbano made the motion, seconded by Councilwoman Gould. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Daly – (not in favor of testing)
 Councilman Fitzsimmons
 Councilwoman Gould
 Councilwoman Clifton
 Councilman Urbano

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Councilwoman Angelini

Motion passed.

**ORDINANCE 13-21
ORDINANCE SUPPLEMENTING THE CODE OF THE
BOROUGH OF MATAWAN
CHAPTER IX – PERSONNEL POLICIES**

**ARTICLE II – “PERSONNEL POLICIES CONCERNING MEMBERS OF THE POLICE
DEPARTMENT,” ESTABLISHING PROMOTION PROCEDURES FOR THE RANKS OF
POLICE CHIEF, LIEUTENANT AND SERGEANT, AND ESTABLISHING A PROCEDURE
FOR ACTING APPOINTMENTS AND HIRING POLICE OFFICERS**

WHEREAS, within its general powers as a municipality, the Borough of Matawan may make and enforce ordinances, rules and regulations not contrary to Federal or State law as it deems necessary and to protect the public safety and welfare of its residents; and

WHEREAS, the Mayor and Council of the Borough of Matawan support and encourage efficiency within the Matawan Police Department; and

WHEREAS, the Mayor and Council of the Borough of Matawan have determined that it would be in the best interest of the citizens of the Borough to establish a promotional practice based upon merit for the positions of Police Chief, Lieutenant and Sergeant when there are vacancies in said positions; and

WHEREAS, the Borough of Matawan desires to have a promotional practice for the positions of Police Chief, Lieutenant and Sergeant based upon merit, experience, education, demonstrated ability, competitive examinations and competitive written submissions within the Matawan Police Department to better serve the residents of the Borough of Matawan; and

WHEREAS, the Borough of Matawan further desires to establish appropriate hiring criteria based on merit, experience, moral character and sufficient physical health when hiring police officers; and

WHEREAS, notwithstanding what is referenced in this Ordinance the education credit may only be applied if received in criminal justice or criminal science.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Matawan that Chapter IX, Article II of the Code of the Borough of Matawan entitled “Personnel Policies Concerning Members of the Police Department” is hereby amended as follows:

1) **Section 9-26** is repealed and replaced with the following Sections 9-26 (A) – (D):

§9-26(A) Promotion to Rank of Police Chief

A. The Borough of Matawan Governing Body desires to promote the most qualified candidate to the position of Police Chief. This ordinance establishes the eligibility requirements and the process for promotion to Police Chief. The promotion process shall be on the basis of merit, experience, education, demonstrated ability, competitive examinations and competitive written submissions. In accordance with N.J.S.A. 40A:14-129, the promotion of any officer shall be made from the membership of the Matawan Police department. No person shall be eligible for promotion to Police Chief unless he or she shall have served as a full-time police officer in the Borough of Matawan Police Department for a period of ten (10) years or more. Promotions to the rank of Police Chief shall be open to members of the next lowest rank who have served at least two (2) years in said rank, unless the Mayor and Council, in the best interest of the department, choose to test a wider pool of candidates, in which case they may open testing to the next lower rank and/or reduce the length of time requirement in rank.

B. The Borough Administrator shall announce the promotional process to members of the department at least thirty (30) days before any written examination is to be given. The announcement shall be posted in common areas of the department accessible to all members. The announcement shall contain, at a minimum, the rank to be filled, the dates of the exams, source materials or reading lists from which exam questions will be taken or topics from which questions will be formulated. Candidates who qualify shall notify the Borough Administrator of his or her interest in taking the examination by submitting a letter of interest no later than ten (10) calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.

C. **Promotional Testing Procedure:**

The promotional testing procedure for the Borough of Matawan Police Department may consist of the following: a written examination, an oral examination, a psychological examination, a record review and an interview with the

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Mayor and Council. The Mayor and Council reserve the right to waive the written examination and/or oral examination by the outside entity and shall so notify any applicant when the initial announcement for the promotional process is posted.

1. *Written Examinations*: The written examination shall be supplied by a professional testing company, professional law enforcement organization (e.g. State Chiefs of Police Association, International Chiefs of Police Association, etc.) To proceed to the oral examination of the examination procedure, a candidate must achieve a minimum score of seventy percent (70%) on the written examination.*

2. *Oral Examinations*: Candidates will be notified, in writing, of their successful or unsuccessful completion of the written portion of the exam by the Borough Administrator or his designee. The oral examination shall take place after the receipt of the written examination results. A standardized interview will be conducted by an outside agency (e.g. Chiefs of Police Association, International Chiefs of Police Association, etc.) by a Board of three (3) examiners, at least one of whom shall be a Personnel Evaluator from the outside testing agency. None of the evaluators shall be an officer, employee, resident or relative thereof, of the Borough of Matawan. To proceed to the record review and interview portion of the promotional process, a candidate must achieve a minimum score of seventy percent (70%).*

** The testing organization shall assign each candidate an identification number, which shall be the only identification used when the written and oral examination is graded. The identification numbers of all candidates for promotion shall be posted on a pass/fail basis only. A complete master list of the actual results of the written and oral examination shall be placed under seal and retained in the office of the Borough Administrator and shall not be revealed to the Mayor and Council until after the interview and record review of the applicants are complete.*

3. *Record Review and Interview by the Mayor and Council.*

Candidates who successfully achieve a minimum score of seventy percent (70%) on the written examination and a minimum score of seventy percent (70%) on the oral examination and receive a satisfactory psychological examination shall proceed to the next step in the promotional process, the review of service record and interview. The interview shall be conducted by the Mayor and Council. The record review shall be conducted by the Borough Administrator.

(a) *The interview with the Mayor and Council shall focus on, but not be limited to, leadership and management skills, knowledge of the Borough of Matawan’s form of government, knowledge of the Police Department ordinances, familiarity with the municipal budget process, the police department budget in particular, manpower allocations, Attorney General Guidelines and knowledge of N.J.S.A. 40A:14-118. The Mayor and Council shall grade each candidate on a thirty-five (35) point scale and shall ask each candidate the identical questions and the Borough Clerk will keep written records of each candidate’s responses to same.*

(b) *The Borough Administrator shall examine the personnel jacket of each candidate and give specific weight to each category and grade each candidate on a twenty (20) point scale. The weight of each category of the record review shall be the maximum of the following points in each of the enumerated categories as follows:*

Specialized Training (e.g. FBI Academy) 0 to 3 points
Each completed course +1 point to a total of 3 points.

Performance Evaluations 0 to 8 points
All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

Commendations 0 to 3 points
+1 point for each commendation up to maximum of 3 points.

Education
Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.

Associate’s Degree	1 point
Bachelor’s Degree	2 points
Master’s Degree	3 points
PhD (JD) Degree	4 points

Military Experience
Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).

*Rank of Sergeant or lower 1 point
Any rank above Sergeant 2 points*

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Disciplinary Actions

Each major sustained discipline (more than 5 day) -2 points. Each minor sustained discipline (5 day suspension or less including written reprimands) -1 point. All previous sustained disciplinary actions shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

4. *The weight or percentage of each portion of the process shall be as follows:*

<i>Written examination</i>	<i>25%</i>
<i>Oral examination</i>	<i>20%</i>
<i>Record Review</i>	<i>20%</i>
<i>Mayor and Council Interview</i>	<i>35%</i>

E. The candidate with the highest overall score shall be voted on by the Mayor and Council as the Police Chief subject to satisfactory psychological examination and certification by a Borough selected physician stating that the candidate is able to perform the essential functions of the Police Chief title.

F. Where two (2) or more candidates are ranked equally pursuant to the promotional procedure set forth herein, preference shall be given to the candidate with the most seniority in service pursuant to N.J.S.A. 40A:14-129, or a resident over a non-resident pursuant to N.J.S.A. 40A:14-122.6. Seniority shall prevail over residency in the case of candidates that are ranked equally.

§9-26(B) *Promotion to Rank of Lieutenant*

A. The Borough of Matawan Governing Body desires to promote the most qualified candidate to the position of Lieutenant. This ordinance establishes the eligibility requirements and the process for promotion to Lieutenant. The promotion process shall be on the basis of merit, experience, education, demonstrated ability, competitive examinations and competitive written submissions. In accordance with N.J.S.A. 40A:14-129, the promotion of any officer shall be made from the membership of the Matawan Police department. No person shall be eligible for promotion to Lieutenant unless he or she shall have served as a full-time police officer in the Borough of Matawan Police Department for a period of ten (10) years or more. Promotions to the rank of Lieutenant shall be open to members of the next lowest rank who have served at least two (2) years in said rank, unless the Mayor and Council, in the best interest of the department, chooses to test a wider pool of candidates, in which case they may open testing to the next lower rank and/or reduce the length of time requirement in rank.

B. The Police Chief shall announce the promotional process to members of the department at least thirty (30) days before the written examination is to be given. The announcement shall be posted in common areas of the department accessible to all members. The announcement shall contain, at a minimum, the rank to be filled, the dates of the exams, source materials or reading lists from which exam questions will be taken or topics from which questions will be formulated. Candidates who qualify shall notify the Police Chief of his or her interest in taking the examination by submitting a letter of interest no later than ten (10) calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.

C. Promotion Testing Procedure:

The promotion testing procedure for the Borough of Matawan Police Department shall consist of the following: a written examination, an oral examination, a psychological examination, a record review and interview with the Mayor and Council and the Police Chief.

1. Written Examinations: The written examination shall be supplied by a professional testing company, professional law enforcement organization (e.g. State Chiefs of Police Association, International Chiefs of Police Association, etc.) To proceed to the oral examination of the examination procedure, a candidate must achieve a minimum score of seventy percent (70%) on the written examination.*

2. Oral Examinations: Candidates will be notified, in writing, of their successful or unsuccessful completion of the written portion of the exam by the Police Chief or his designee. The oral examination shall take place after the receipt of the written examination results. A standardized interview will be conducted by an outside agency (e.g. Chiefs of Police Association, International Chiefs of Police Association, etc.) by a Board of three (3) examiners, at least one of whom shall be a Personnel Evaluator from the outside testing agency. None of the evaluators shall be an officer, employee, resident or relative thereof, of the Borough of Matawan. To proceed to the record review and interview portion of the promotional process, a candidate must achieve a minimum score of seventy percent (70%).*

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**The testing organization shall assign each candidate an identification number, which shall be the only identification used when the written and oral examination is graded. The identification numbers of all candidates for promotion shall be posted on a pass/fail basis only. A complete master list of the actual results of the written and oral examination shall be placed under seal and retained in the office of the Police Chief and shall not be revealed to the Mayor and Council until after the interview and record review of the applicants are complete.*

3. Record Review and Interview by the Mayor and Council and Police Chief.

Candidates that successfully achieve a minimum score of seventy percent (70%) on the written examination and a minimum score of seventy percent (70%) on the oral examination and receive a satisfactory psychological examination shall proceed to the next step in the promotional process, the review of service record and interview. The interview shall be conducted by the Mayor and Council and the Police Chief. The record review shall be conducted by the Borough Administrator and the Police Chief.

(a) The interview with the Mayor and Council and Police Chief shall focus on, but not be limited to, leadership and management skills, knowledge of the Borough of Matawan’s form of government, knowledge of the Police Department ordinances, familiarity with the municipal budget process, the police department budget in particular, manpower allocations, Attorney General Guidelines and knowledge of N.J.S.A. 40A:14-118. The Mayor and Council and Police Chief shall grade each candidate on a thirty-five (35) point scale and shall ask each candidate the identical questions and the Borough Clerk will keep written records of each candidate’s responses to same.

(b) The Borough Administrator and Police Chief shall examine the personnel jacket of each candidate and give specific weight to each category and grade each candidate on a twenty (20) point scale. The weight of each category of the record review shall be the maximum of the following points in each of the enumerated categories as follows:

Specialized Training (e.g. FBI Academy) 0 to 3 points
Each completed course +1 point to a total of 3 points.

Performance Evaluations 0 to 8 points
All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

Commendations 0 to 3 points
+1 point for each commendation up to maximum of 3 points.

Education
Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.

<i>Associate’s Degree</i>	<i>1 point</i>
<i>Bachelor’s Degree</i>	<i>2 points</i>
<i>Master’s Degree</i>	<i>3 points</i>
<i>PhD (JD) Degree</i>	<i>4 points</i>

Military Experience
Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).

<i>Rank of Sergeant or lower</i>	<i>1 point</i>
<i>Any rank above Sergeant</i>	<i>2 points</i>

Disciplinary Actions
Each major sustained discipline (more than 5 day) -2 points. Each minor sustained discipline (5 day suspension or less including written reprimands) -1 point. All previous sustained disciplinary actions shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

4. The weight or percentage of each portion of the process shall be as follows:

<i>Written examination</i>	<i>25%</i>
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<i>Record Review</i>	<i>20%</i>
<i>Mayor, Council and Chief Interview</i>	<i>35%</i>

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E. The candidate with the highest overall score shall be voted on by the Mayor and Council as the Lieutenant subject to satisfactory psychological examination and certification by a Borough-selected physician stating that the candidate is able to perform the essential functions of the Lieutenant title.

F. Where two (2) or more candidates are ranked equally pursuant to the promotional procedure set forth herein, preference shall be given to the candidate with the most seniority in service pursuant to N.J.S.A. 40A:14-129, or a resident over a non-resident pursuant to N.J.S.A. 40A:14-122.6. Seniority shall prevail over residency in the case of candidates that are ranked equally.

§9-26(C) Promotion to Rank of Sergeant

A. The Borough of Matawan Governing Body desires to promote the most qualified candidate to the position of Sergeant. This ordinance establishes the eligibility requirements and the process for promotion to Sergeant. The promotion process shall be on the basis of merit, experience, education, demonstrated ability, competitive examinations and competitive written submissions. In accordance with N.J.S.A. 40A:14-129, promotion of any officer shall be made from the membership of the Matawan Police department. No person shall be eligible for promotion to Sergeant unless he or she shall have served as a full-time police officer in the Borough of Matawan Police Department for a period of ten (10) years or more.

B. The Police Chief shall announce the promotional process to members of the department at least thirty (30) days before the written examination is to be given. The announcement shall be posted in common areas of the department accessible to all members. The announcement shall contain, at a minimum, the rank to be filled, the dates of the exams, source materials or reading lists from which exam questions will be taken or topics from which questions will be formulated. Candidates who qualify shall notify the Police Chief of his or her interest in taking the examination by submitting a letter of interest no later than ten (10) calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.

C. Promotion Testing Procedure:

The promotion testing procedure for the Borough of Matawan Police Department shall consist of the following: a written examination, an oral examination, a psychological examination, a record review and interview with the Mayor and Council and Police Chief.

1. Written Examinations*: The written examination shall be supplied by a professional testing company, professional law enforcement organization (e.g. State Chiefs of Police Association, International Chiefs of Police Association, etc.) To proceed to the oral examination of the examination procedure, a candidate must achieve a minimum score of seventy percent (70%) on the written examination.

2. Oral Examinations*: Candidates will be notified, in writing, of their successful or unsuccessful completion of the written portion of the exam by the Borough Administrator or his designee. The oral examination shall take place after the receipt of the written examination results. A standardized interview will be conducted by an outside agency (e.g. Chiefs of Police Association, International Chiefs of Police Association, etc.) by a Board of three (3) examiners, at least one of whom shall be a Personnel Evaluator from the outside testing agency. None of the evaluators shall be an officer, employee, resident or relative thereof, of the Borough of Matawan. To proceed to the record review and interview portion of the promotional process, a candidate must achieve a minimum score of seventy percent (70%).

* The testing organization shall assign each candidate an identification number, which shall be the only identification used when the written and oral examination is graded. The identification numbers of all candidates for promotion shall be posted on a pass/fail basis only. A complete master list of the actual results of the written and oral examination shall be placed under seal and retained in the office of the Borough Administrator and shall not be revealed to the Mayor and Council until after the interview and record review of the applicants are complete.

3. Record Review and Interview by the Mayor and Council and the Police Chief.

Candidates that successfully achieve a minimum score of seventy percent (70%) on the written examination and a minimum score of seventy percent (70%) on the oral examination and receive a satisfactory psychological examination shall proceed to the next step in the promotional process, the review of service record and interview. The interview shall be conducted by the Mayor and Council and Police Chief. The record review shall be conducted by the Borough Administrator and the Police Chief.

(a) The interview with the Mayor and Council and the Police Chief shall focus on, but not be limited to, leadership and management skills, knowledge of the Borough of Matawan's form of government, knowledge of the Police Department ordinances, familiarity with the municipal budget process, the police department budget in particular, manpower allocations, Attorney General Guidelines and knowledge of N.J.S.A. 40A:14-118. The Mayor and Council and Police Chief shall grade each candidate on a thirty-five (35) point scale and shall ask each candidate the identical questions and the Borough Clerk will keep written records of each candidate's responses to same.

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(b) The Borough Administrator and Police Chief shall examine the personnel jacket of each candidate and give specific weight to each category and grade each candidate on a twenty (20) point scale. The weight of each category of the record review shall be the maximum of the following points in each of the enumerated categories as follows:

Specialized Training (e.g. FBI Academy) 0 to 3 points
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Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.

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Disciplinary Actions
Each major sustained discipline (more than 5 day) -2 points.
Each minor sustained discipline (5 day suspension or less including written reprimands) -1 point. All previous sustained disciplinary actions shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

4. The weight or percentage of each portion of the process shall be as follows:

Written examination	25%
Oral examination	20%
Record Review	20%
Mayor, Council and Chief Interview	35%

E. The candidate with the highest overall score shall be voted on by the Mayor and Council as the Sergeant subject to satisfactory psychological examination and certification by a Borough-selected physician stating that the candidate is able to perform the essential functions of the Lieutenant title.

F. Where two (2) or more candidates are ranked equally pursuant to the promotional procedure set forth herein, preference shall be given to the candidate with the most seniority in service pursuant to N.J.S.A. 40A:14-129, or a resident over a non-resident pursuant to N.J.S.A. 40A:14-122.6. Seniority shall prevail over residency in the case of candidates that are ranked equally.

§9-26(D) Acting Designation; No Office or Position Created

A. The Mayor and Council of the Borough of Matawan have the discretion and authority to assign the functions and duties of superior officer ranks, once the Mayor and Council of the Borough of Matawan have certified by resolution that the position of any superior officer rank is vacant. Until a superior officer rank is filled, the Mayor and Council may designate an officer who is qualified to perform the functions and duties of any superior officer rank in an acting capacity.

B. It is explicitly understood that no office or position of any kind is created by the assignment of functions and duties of a higher rank to an officer of a lower rank on an acting basis. Such designation shall also not be considered an appointment to a position, nor constitute a promotion. Such designation shall not entitle the officer to any additional compensation or other emoluments of office unless specifically provided for in a collective bargaining agreement or the Borough of Matawan Personnel Policies and Procedures Manual. The officer fulfilling

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such assignment is not and is not intended to constitute the holding of a de facto office or position within the meaning of N.J.S.A. 40A:9-6 or any other law. The officer designated in an acting capacity shall continue to fulfill the assignment at the pleasure of the Mayor and Council.

- 2) *Section 9-29 et seq. entitled, "Policy Concerning Initial Hiring of Police Officers," is repealed and replaced with the following:*

§ 9-29 POLICY CONCERNING INITIAL HIRING OF POLICE OFFICERS:

I. FIRST PHASE

A. *When a vacancy exists, the Chief of Police shall forward a request to the Matawan Borough Council to hire a Police Officer. The Chief, after receiving approval to hire a new officer, shall fill the vacancy as follows:*

1. *Accept applications from trained officers with New Jersey Police Training Commission Certificates.*

(a) *Sworn officers from other agencies.*

(b) *Alternate route officers from police academies.*

2. *Accept applications from any individual interested in serving as a Police Officer.*

3. *Advertise in the local newspaper.*

(a) *The advertisement shall be for a two-week period.*

(b) *The advertisement will indicate the filing deadline.*

B. *All applications shall be given out and collected at police headquarters.*

C. *When a candidate is given an application, the time, date and location of the written test will be attached.*

D. *When the desk officer provides a candidate with an application, he/she shall complete the information on the applicant list form.*

E. *When the application is returned, the desk officer on duty shall:*

1. *Place a check in front of the applicant's name on the applicant list.*

2. *Collect the application and attach a \$10.00 money order or a certified check that is made payable to the New Jersey State Association of Chiefs of Police.*

3. *Give the applicant a numbered test booklet after recording the booklet number next to the applicant's name.*

4. *The desk officer shall place the application, with the money order or certified check attached, in the Chief's office box.*

F. *When the applications are received by the Chief, he shall check to ensure that the appropriate fee has been rendered and attached to the application form.*

1. *He shall stamp the date that the application was received.*

2. *All original applications are to be forwarded to the Chief's office.*

3. *The Chief shall forward the checks or money orders to the appropriate Chief's Association.*

G. *The Chief, or his designee, shall arrange for the testing locations for the written, physical and oral testing phases.*

1. *The Chief, or his designee, will be responsible for making all the proper notifications to the applicants.*

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2. Applications will not be rejected because of omissions or deficiencies that can be corrected prior to the testing or interview process.

H. Eligibility

1. Must be a citizen of the United States.
2. Must possess a high school diploma, or equivalency.
3. Must be of good moral character.
4. Must be at least eighteen (18) years old.
5. Must not have been convicted of a crime.
6. Must possess a valid New Jersey driver's license.

II. SECOND PHASE – WRITTEN EXAMINATION

A. Applicants shall submit to a written examination.

1. In order for an applicant to move on to Phase III, the applicant must attain a minimum score of 70% on the written examination.

B. The written examination shall be administered by the New Jersey State Association of Chiefs of Police.

C. The applicant must be present at the testing location on the date and time specified. If the applicant does not report to the testing location as specified, he shall be ineligible for further consideration for the current vacancy.

1. The applicants may apply their written test scores and be eligible when another vacancy exists within the appropriate time frame.

D. Written test scores shall be submitted to the designated representative and forwarded to the Chief of Police for review.

E. All applicants who do not qualify to participate in the next phase shall be notified in writing and their written test score shall be included.

F. If an applicant has taken the New Jersey Chief of Police examination for another agency, he may apply his test score and be exempt from taking the test again. The test score must be current.

1. For the purposes of this section, "current" shall mean that the applicant took the written examination within one (1) year of the posted test date.

G. Applicants possessing a valid New Jersey Police Training Commission Certificate will be subject to the departmental interview process and not required to take a written examination.

III. DEPARTMENT ORAL INTERVIEW PHASE

A. The department interview shall be directed by the Chief of Police and/or an officer designated by the Chief of Police.

B. The Chief of Police shall appoint a department Oral Board committee. The Oral Board committee shall evaluate and rank the candidates. The committee shall consist of personnel representing different ranks within the organization.

C. The candidates will then be ranked and selected for the Background Investigation Phase.

IV. BACKGROUND INVESTIGATION

A. When a candidate has successfully passed Phases I, II, and III of this process, a background investigation is to be initiated.

B. The completed background investigation shall be evaluated by the Chief of Police and the Investigative Division Commander.

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V. MEDICAL EXAMINATION

- A. *The Matawan Borough Police Department shall pay for the applicant to be examined.*
 - 1. *The Chief of Police shall designate the physician and arrange for the appointment.*
- B. *The physician shall be provided with the department Medical Examination Form and instructed to complete the appropriate sections.*
- C. *Blood and urine analysis is to be conducted for every applicant examined.*
 - 1. *A screen for drugs in the applicant's system is to be conducted.*
- D. *The completed medical form is to be picked up from the physician by the officer assigned and reviewed by the Chief of Police.*
- E. *If a candidate's medical examination reflects that the applicant has traces of a controlled dangerous substance in their system, he is to be disqualified from the selection process.*
- F. *Any other medical problem, other than traces of controlled dangerous substances in the applicant's system, is to be thoroughly reviewed by the physician and a determination made as to the applicant's fitness for police work.*

VI. SUCCESSFUL CANDIDATE(S)

A. The successful candidate or candidates, if more than one position, will be presented to the Mayor and Council for final approval and appointment. The initial year of employment is a one-year probationary period during which time the candidate may be removed for any cause, and without notice. Termination during the probationary period is not grievable. The successful candidate shall be subject to satisfactory completion of a psychological evaluation to be presented to him at least three (3) days in advance of the actual appointment, and he or she will be notified of the time, location, name of consultation team and date. The psychological evaluation is designed to provide the department with dimensional information about a successful candidate that will assist in the selection process. The Chief of Police shall interpret the psychological evaluation report. If a successful candidate does not successfully pass the psychological examination, he or she is disqualified from appointment. All medical records are to be treated as confidential with access limited in accordance with the HIPAA requirements; the medical records must be kept in a separate file.

VII. EXEMPTIONS

- A. *A candidate for employment may be exempted from the selection process as set forth in Articles I through IV, herein above, if such a candidate has previously been certified by the New Jersey Police Training Commission as a law enforcement officer; and if that candidate is currently employed as a law enforcement officer with a bona fide law enforcement agency. Any such candidate will still be subject to the eligibility requirements set forth in Article I.*
- B. *A candidate for employment may only be granted exemption status by action of the Governing Body upon the advice and recommendation of the Chief of Police. The Chief of Police shall recruit and interview qualified candidates and may reject any and all candidates prior to submission to the Governing Body.*
- C. *Such candidate shall still be subject to the requirements of Article III, Department Oral Interview Phase, Article IV, Background Investigation, Article V, Psychological Evaluation, and Article VI, Medical Examination.*
- D. *Once the Police Chief interview, the psychological testing and medical examination have been completed, the Chief shall present the candidate to the Governing Body for its consideration. The Governing Body may, in its discretion, either accept or reject any candidate recommended by the Chief of Police.*
- E. *The Chief of Police may not interview any candidates under this Section until he has first received formal authorization from the Governing Body. When granting formal authorization to commence this process, the Governing Body shall set the salary range and benefits for any candidate to be hired under this Section.*

VIII. SUMMARY

- A. *All applicants shall be notified of the test date, time and place at least five (5) days prior to the test.*
- B. *All applicants that are rejected at any phase of this testing process shall be notified in writing by the Chief of Police within fifteen (15) days after the testing date.*

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C. All testing results will remain confidential and will not be released to any person or agency unless specifically authorized by the individual applicant or required by law.

3) **SEVERABILITY**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

4) **REPEALER**

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

5) **EFFECTIVE DATE**

This Ordinance shall take effect after final passage as provided by law and shall be applied to any promotion for Police Chief, Lieutenant and Sergeant after January 1, 2014.

Mayor Buccellato read by title Ordinance 13-22: Amending and Supplementing the Revised General Ordinances of the Borough of Matawan – Chapter VII – Traffic, Section 7-20 – Stop Intersections. Mayor Buccellato requested a motion to open the public hearing. Councilwoman Gould made the motion, seconded by Councilman Urbano. Council agreed. Motion passed. Mayor Buccellato requested comments. There were no comments. Mayor Buccellato requested a motion to close the public hearing. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Council agreed. Motion passed. Mayor Buccellato read by title on third and final reading Ordinance 13-22: Amending and Supplementing the Revised General Ordinances of the Borough of Matawan – Chapter VII – Traffic, Section 7-20 – Stop Intersections requesting a motion to adopt. Councilwoman Angelini made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**ORDINANCE 13-22
AMENDING AND SUPPLEMENTING THE
REVISED GENERAL ORDINANCES OF
THE BOROUGH OF MATAWAN
CHAPTER VII – TRAFFIC, SECTION 7-20 – STOP INTERSECTIONS**

WHEREAS, upon recommendation of the Police Commission it is necessary to install traffic control signals, such as stop and/or yield signs for the health, safety and well being of the residents and visitors of the Borough of Matawan to control traffic, and to reduce incidents of traffic accidents; and

WHEREAS, the Traffic Safety Unit of the Matawan Police Department has recommended the adoption of this within Ordinance and same has been reviewed by the Borough Engineer to certify its consistency with applicable traffic and vehicle law safety regulations in residential areas, and the appropriate notification has been forwarded to the New Jersey State Department of Transportation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Matawan that it herewith amends Chapter VII – Traffic Regulations, Section 7-20 – Stop Intersections, to include the intersections described are hereby designated as Stop Intersections. Stop signs shall be installed as provided therein.

Intersection
Church Street and Wyckoff Street
Wyckoff Street and Spring Street
Scenic Drive and Somerset Place

Stop Sign(s) On:
Church Street
Wyckoff Street
Scenic Drive

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***BE IT FURTHER ORDAINED** any Ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed.*

***BE IT FURTHER ORDAINED** if any provisions of this Ordinance, or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance, which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.*

***BE IT FURTHER ORDAINED** this ordinance shall take effect immediately upon following the passage, adoption and publication pursuant to law.*

Clerk's Report

Ms. Wynne reported at this time 2014 business licenses renewals are due, and animal licenses will be available as of January 6.

Mayor's Report

No report.

Administrator's Report

No report.

Attorney's Report

No report.

Engineer's Report

Mr. Keady gave an update on the road program; that for Contract 1, Daniel Drive is expected to be paved by the end of the week and sidewalk finished within 10 days. For Contract 2, on Ned Drive the water work should be completed by tomorrow; on William Street the contractor is continuing with water services until water line is operational; on Schenck Ave. area concrete is complete and the contract for Contract 2 is to shut down for winter. Mayor Buccellato inquired about the status of Schenck Ave. Mr. Keady stated they are expecting the gas company will pave by the end of the week and are still waiting for a status. For Contract 3, there was a preconstruction meeting on November 25 and are awaiting a schedule. Mr. Keady also reported met with ADA contractor and they agreed to work on interior during off hours (Monday-Thursday at night, Friday during the day, Saturdays and Sundays). Exterior portion will be done during the regular hours of the day.

Property Maintenance, Technology, Sanitation/Recycling

No report.

Finance, Education, Environmental

Councilman Fitzsimmons read the Treasurer's report for the month ending October 31.

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REPORT OF THE TREASURER				
TO THE MAYOR AND COUNCIL OF THE BOROUGH OF MATAWAN				
BANK BALANCES AS OF OCTOBER 31, 2013				
CURRENT ACCOUNT	TD BANK		\$2,227.84	\$4,758,742.32
	INVESTORS		\$4,756,514.48	
TAX COLLECTOR TRUST FUND	INVESTORS		\$0.00	\$0.00
WATER & SEWER ACCOUNT	TD BANK		\$12.66	\$1,197,678.66
	INVESTORS		\$1,197,666.00	
WATER & SEWER-Certificate of Deposit	TD BANK		\$500,000.00	\$500,000.00
BOROUGH CAPITAL ACCOUNT	INVESTORS		\$2,375,693.04	\$2,375,693.04
UTILITY CAPITAL ACCOUNT	INVESTORS		\$555,435.14	\$555,435.14
BOROUGH TRUST ACCOUNT	INVESTORS		\$577,317.21	\$577,317.21
BORO TRUST SUMMARY-TD BANK				
AS OF: OCTOBER 31, 2013		CASH BALANCES		
	FIRE SAFETY		\$28,035.46	
	FIRE PREVENTION/DEDICATED PENALTY		-\$250.74	
	ESCROW		\$108,493.79	
	TAX REDEMPTIONS		\$180,512.38	
	POAA		\$0.00	
	DONATION		\$2,742.49	
	PREMIUMS		\$207,225.00	
	OFF DUTY POLICE		\$42,785.67	
	PUBLIC DEFENDER		\$7,773.16	
	TOTAL		\$577,317.21	
DOG TAX TRUST ACCOUNT	INVESTORS		\$3,403.73	\$3,403.73
UNEMPLOYMENT INSURANCE ACCOUNT	INVESTORS		\$22,696.48	\$22,696.48
RECREATION SPECIAL ACCOUNT	INVESTORS		\$30,361.98	\$30,361.98
RECREATION TRUST SUMMARY-TD BANK				
AS OF: OCTOBER 31, 2013		CASH BALANCES		
	TURKEY TROT		\$10,168.21	
	SUMMER RECREATION		\$6,566.89	
	SUMMER RECREATION TRIPS		\$3,532.76	
	MATAWAN DAY		-\$762.30	
	BASKETBALL TOURNAMENT		-\$156.81	
	CANOE RENTALS		-\$1,220.10	
	MEN'S OVER 30 B'BALL		\$1,804.00	
	NNO VENDER		\$0.00	
	YOGA/KICKBOXING		\$709.00	
	FIREWORKS DONATIONS		\$0.00	
	CAPITAL IMPROVEMENTS		\$9,720.33	
	TOTAL		\$30,361.98	
ACCUTRACK DEVELOPERS ESCROW ACCT	TD BANK		\$28.38	\$209,435.47
	INVESTORS		\$209,407.09	
LAW ENFORCEMENT ACCOUNT	INVESTORS		\$7,305.36	\$7,305.36
RAILROAD PARKING LOT TRUST	INVESTORS		\$69,742.48	\$69,742.48
TOTAL			\$10,307,811.87	\$10,307,811.87
RESPECTFULLY,				
TREASURER				12/11/2013

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Personnel, Redevelopment, Construction, Community Development

Councilwoman Gould gave the Construction Department report for November 2013:

- | | |
|--|--------------------------------------|
| • <i>Permit income and certificates - \$6,182.00</i> | <i>Year to Date - \$125,712.00</i> |
| • <i>Business, CCO, Miscellaneous - \$225.00</i> | <i>Year to Date - \$2,550.00</i> |
| • <i>State Permit Surcharge Fees - \$206.00</i> | <i>Year to Date - \$5,879.00</i> |
| • <i>Paid to State Quarterly Fees - \$0</i> | |
| • <i>Value of Construction Work - \$187,557.00</i> | <i>Year to Date - \$3,989,154.00</i> |
| • <i>Permits Issued – 42</i> | <i>Year to Date - 572</i> |

Recreation, Historic Sites, Library

Councilwoman Clifton reported on the success of Turkey Trot with over 500 participants. Councilwoman Clifton thanked the First Aid for tree lighting.

Police, Fire, First Aid, Railroad Parking, ADA

Councilman Urbano requested Council approval for firefighter, Neil A. Roser. Council agreed.

Public Works, Water/Sewer, Planning/Zoning, Shade Tree

No report.

Consent Agenda

Mayor Buccellato read by title Resolution 13-12-18 through and including 13-12-20 requesting a motion to approve en masse. Councilwoman Clifton made the motion, seconded by Councilwoman Gould. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-12-18
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR CRESTAR CAPITAL, LLC
CERTIFICATE #12-00018**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #12-00018 which was sold to US Bank Cust for Crestar Capital, LLC, TLSC 2 Liberty Pl., 50 S. 16th St., Suite 1950, Philadelphia, PA 19102; and

WHEREAS, Certificate #12-00018 has been paid and fully redeemed for the property owner, Block 21, Lot 2, otherwise known as 32 Park Avenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$2,074.51 to the above for the redemption of Tax Sale Certificate #12-00018.

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

**RESOLUTION 13-12-19
APPROVAL OF RAFFLE LICENSE
OLD BRIDGE HIGH SCHOOL PSA
50/50 CASH
RL-639**

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***BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby approve the raffle license for Old Bridge High School PTSA Fundraiser.*

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

Date & Time
March 7, 2014
6:00 PM to 11:00 PM

**RESOLUTION 13-12-20
APPROVAL OF RAFFLE LICENSE
OLD BRIDGE HIGH SCHOOL PSA
GIFT AUCTION
RL-640**

***BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby approve the raffle license for Old Bridge High School PTSA Fundraiser.*

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

Date & Time
March 7, 2014
6:00 PM to 11:00 PM

New Business

Mayor Buccellato read by title Resolution 13-12-21: Qualified for Credit Under the LOSAP Program for the Year 2012 – Fire Department. Councilman Urbano made the motion, seconded by Councilwoman Clifton. Councilman Urbano rescinded the motion, Councilwoman Clifton seconded. Mayor Buccellato requested a motion to approve Resolution with the provision that James Archibald be verified to receive credit for First Aid LOSAP. Councilwoman Clifton made the motion, Councilman Urbano seconded. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-12-21
QUALIFIED FOR CREDIT UNDER THE
LOSAP PROGRAM FOR THE YEAR 2012
FIRE DEPARTMENT**

***WHEREAS** Ordinance #03-18 of the Borough of Matawan implemented the Length of Service Award Program (LOSAP) for the Matawan Fire Department and was passed by voters by a referendum on November 4, 2003; and*

***WHEREAS** pursuant to NJSA 40A:14-191, emergency service organizations participating in a Length of Service Award Program (LOSAP) shall annually certify to the sponsoring agency a list of all volunteer members who have qualified for credit under the LOSAP program for the previous year; and*

***WHEREAS** the Governing Body has received and reviewed such certified list from the Matawan Fire Department.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan as follows:*

- 1. Per the certified list received, the following Matawan Fire Department members are hereby approved to receive the 2012 LOSAP award:*

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*James Archibald
Raymond Bassford
Freddy Benjamin
Peter Berliner
Brian Bernath
Charles Bernath
Bradley Bland
Shawn Costello
James J. Duffy
James P. Duffy
Vincent Ferrante, Jr.
Patrick Fitzmaurice
Peter George, Sr.
Leslie Gillman
Jesse Hedlund*

*Brian Kopf
Christopher Lambros
Ed Lee
Martin LiPera
Donald Mason
Neil J. Matthaey
Jessica Michitsch
Richard Michitsch
Peter J. O'Connor
Peter Rivera
Shawn Solan
Daniel Wisniewski
Robert Ziegler
Harry I. Zober*

The amount each qualified member will receive for the 2012 LOSAP award is \$1,150.00:

*Raymond Bassford
Peter Berliner
Brian Bernath*

*Shawn Costello
Christopher Lambros
Richard Michitsch*

The amount each qualified member will receive for the 2012 LOSAP award is \$750.00:

*Bradley Bland
Jesse Hedlund
Brian Kopf
Martin LiPera*

*Donald A. Mason
Neil J. Matthaey
Peter J. O'Connor
Robert Zielger*

The amount each qualified Member will receive for the 2012 LOSAP award is \$500.00:

*Freddy Benjamin
Charles Bernath
James J. Duffy
James P. Duffy
Vincent J. Ferrante, Jr.
Patrick Fitzmaurice
Peter George, Sr.*

*Leslie Gillman
Ed Lee
Jessica Michitsch
Peter Rivera
Shawn Solan
Daniel Wisniewski
Harry I. Zober*

3. *The certified list of members shall be posted at the office of the Municipal Clerk of the Borough of Matawan and at the Matawan Fire Department for a period of 30 days to allow sufficient time for membership review.*
4. *Appeals shall be mailed to the Municipal Clerk of the Borough of Matawan, 201 Broad Street, Matawan, NJ 07747, and must be received within 30 days of the posting date of the approved certified list.*

Mayor Buccellato read by title Resolution 13-12-22: Authorizing the Clerk to Solicit Requests for Proposals for Real Property Data Collection and Verification Services. Councilman Fitzsimmons made the motion, seconded by Councilman Clifton. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

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**RESOLUTION 13-12-22
AUTHORIZING THE CLERK TO SOLICIT REQUEST FOR PROPOSALS FOR
REAL PROPERTY DATA COLLECTION AND VERIFICATION SERVICES**

WHEREAS, the Governing Body of the Borough of Matawan, County of Monmouth, is desirous of soliciting Request for Proposals for the annual performance of real property data collection and verification services to cover 20% of all properties annually with all parcels located within the Municipality completed over the five (5) year period between January 1, 2014 and December 31, 2018 awarded as a three (3) year contract with the option of two (2) one (1) year awards; and

WHEREAS, the statutory enactment of the Fair and Open Process is guided by the rules and regulations adopted by the State under NJSA 19:44-A20, et seq.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that the Clerk is authorized and empowered to advertise for Request for Proposals pursuant to the Fair and Open Process for the Borough of Matawan.

Mayor Buccellato read by title Resolution 13-12-23: 2013 Road Improvement Program Contract 1 – Authorizing Change Order No. 3. Councilwoman Angelini made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-12-23
2013 ROAD IMPROVEMENT PROGRAM CONTRACT 1
AUTHORIZING CHANGE ORDER NO. 3**

WHEREAS, T&M Associates has informed the Council that Items 25 and 39 have been increased to reflect as-built quantities to the 2013 Road Improvement Program Contract 1 for a total increase of One Thousand Seven Hundred Dollars and No Cents (\$1,700.00); and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, based upon the recommendations of Robert Keady, T&M Associates, hereby authorizes Change Order No. 3 for the 2013 Road Improvement Program Contract 1, for an increase not to exceed the amount of One Thousand Seven Hundred Dollars and No Cents (\$1,700.00).

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. 3 in an amount not to exceed One Thousand Seven Hundred Dollars and No Cents (\$1,700.00).

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: December 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. 3

DATE: December 6, 2013

PROJECT: 2013 Road Improvement Program - Contract 1

OWNER: Borough of Matawan

CONTRACTOR: Lucas Construction Group, Inc.

DESCRIPTION OF CHANGE:

REDUCTIONS:

EXTRA:

Items 25 and 39 are increased to reflect as-built quantities.

SUPPLEMENTARY:

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.	XXXXXXXXXX	\$0.00
B. TOTAL EXTRAS THIS C.O.	\$1,700.00	XXXXXXXXXX
C. TOTAL SUPPLEMENTARY THIS C.O.	\$0.00	XXXXXXXXXX
TOTALS THIS C.O.	\$1,700.00	\$0.00
NET CHANGE THIS CHANGE ORDER	\$1,700.00	
PREVIOUS CHANGE ORDERS	\$80,850.00	\$115,464.00
TOTAL CHANGE ORDERS TO DATE	\$82,550.00	\$115,464.00
NET CHANGE IN CONTRACT		\$32,914.00

ORIGINAL CONTRACT BID PRICE	\$1,585,721.10
CHANGE ORDERS TO DATE	-\$32,914.00
REVISED CONTRACT PRICE	\$1,552,807.10

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CHANGE ORDER NO. 3

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.

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

A. TOTAL REDUCTIONS \$0.00

EXTRA	25	HMA Driveway, 5" Thick	29.50 SY	\$40.00	\$1,180.00
	39	8" Ductile Iron Water Pipe, Class 52	8.00 LF	\$65.00	\$520.00

B. TOTAL EXTRA \$1,700.00

SUPPLEMENTARY					\$0.00
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C. TOTAL SUPPLEMENTARY \$0.00

Mayor Buccellato read by title Resolution 13-12-24: 2013 Road Improvement Program Contract 2 – Authorizing Change Order No. 1. Councilwoman Angelini 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

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Councilman Urbano
Councilwoman Angelini

Motion passed.

**RESOLUTION 13-12-24
2013 ROAD IMPROVEMENT PROGRAM CONTRACT 2
AUTHORIZING CHANGE ORDER NO. 1**

***WHEREAS**, T&M Associates has informed the Council that Item B28 has been reduced to reflect current quantities to the 2013 Road Improvement Program Contract 2 for a total reduction of Eight Thousand Two Hundred Sixty Dollars and No Cents (\$8,260.00); and*

***WHEREAS**, T&M Associates has informed the Council that Item A6 has been increased to reflect current quantities to the 2013 Road Improvement Program Contract 2 for a total increase of Eight Thousand One Hundred Thirty Four Dollars and Forty Six Cents (\$8,134.46).*

***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. 2 for the 2013 Road Improvement Program Contract 2 an overall reduction in the amount of One Hundred Twenty Five Dollars and Fifty Four Cents (\$125.54).*

***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 are available from C-04-55-913-200 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 Eight Thousand One Hundred Thirty Four Dollars and Forty Six Cents (\$8,134.46).

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: December 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-02782

CHANGE ORDER NO. 1

DATE: December 4, 2013

PROJECT: 2013 Road Improvement Program - Contract 2

OWNER: Borough of Matawan

CONTRACTOR: Esposito Construction, LLC

DESCRIPTION OF CHANGE:

REDUCTIONS:

Item B28 is reduced to reflect current quantity.

EXTRA:

Item A6 is increased to reflect current quantity.

SUPPLEMENTARY:

APPROVAL RECOMMENDED:

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

ACCEPTED:

CONTRACTOR:
Esposito Construction, LLC

OWNER'S APPROVALS:

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

SEE ATTACHED DETAIL	ADDITIONAL	REDUCTION
A. TOTAL REDUCTIONS THIS C.O.	XXXXXXXXXX	\$8,260.00
B. TOTAL EXTRAS THIS C.O.	\$8,134.46	XXXXXXXXXX
C. TOTAL SUPPLEMENTARY THIS C.O.	\$0.00	XXXXXXXXXX
TOTALS THIS C.O.	\$8,134.46	\$8,260.00
NET CHANGE THIS CHANGE ORDER		\$125.54
PREVIOUS CHANGE ORDERS	\$0.00	\$0.00
TOTAL CHANGE ORDERS TO DATE	\$8,134.46	\$8,260.00
NET CHANGE IN CONTRACT		\$125.54

ORIGINAL CONTRACT BID PRICE	\$1,724,273.10
CHANGE ORDERS TO DATE	-\$125.54
REVISED CONTRACT PRICE	\$1,724,147.56

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CHANGE ORDER NO. 1

SHEET NO. 2 OF 2

PROJECT NO. MATN-02782

PROJECT: 2013 Road Improvement Program - Contract 2

OWNER: Borough of Matawan

CONTRACTOR: Esposito Construction, LLC

ITEM NO.	DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
B28	8" Ductile Iron Water Pipe, Class 52	118.00 LF	\$70.00	\$8,260.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
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Mayor Buccellato read by title Resolution 13-12-25: Award of Bid to Rio Supply, Inc. for Neptune Water Meters and Registers or Equivalent. Councilwoman Angelini 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

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

Councilman Urbano
Councilwoman Angelini

Motion passed.

**RESOLUTION 13-12-25
AWARD OF BID FOR WATER METERS AND REGISTERS
RIO SUPPLY, INC.**

WHEREAS, the Borough of Matawan previously authorized the receipt of bids for Neptune Water Meters and Registers or Equivalent; and

WHEREAS, pursuant to law the Borough of Matawan solicited bids for said improvements Program; and

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

WHEREAS, Rio Supply, Inc. has submitted a bid of One Hundred Eighty Six Thousand One Hundred Dollars and No Cents (\$186,100.00).

WHEREAS, the Borough Administrator and the DPW Superintendent have reviewed, approved and recommended the bid of Rio Supply, Inc. for the aforesaid bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that the contract for Neptune Water Meters and Registers or Equivalent be and is hereby awarded to Rio Supply, Inc., 100 Allied Parkway, Sicklerville, New Jersey 08081 in an amount not to exceed as indicated above and in accordance with all bid specifications, contracts and documents.

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 3-09-55-501-205 Budget of the Borough of Matawan for the contract awarded to Rio Supply, Inc. for Neptune Water Meters and Registers or Equivalent in an amount not to exceed One Hundred Eighty Six Thousand One Hundred Dollars and No Cents (\$186,100.00).

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: December 17, 2013

Mayor Buccellato read by title Resolution 13-12-26: Authorizing the Purchase of a 2014 Ford Police Interceptor Utility Vehicle AWD for the Borough of Matawan’s Police Department. Councilman Urbano made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

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

**RESOLUTION 13-12-26
AUTHORIZING THE PURCHASE OF A
2014 FORD POLICE INTERCEPTOR UTILITY VEHICLE AWD FOR
THE BOROUGH OF MATAWAN’S POLICE DEPARTMENT**

WHEREAS, Chief Jason Gallo of the Police Department of the Borough of Matawan has advised the Mayor and Council of the need for a replacement vehicle due to the age and mileage of a current vehicle used by the Department; and

WHEREAS, the Mayor and Council of the Borough of Matawan, upon review of the attached quote and acting under the recommendation and opinion of Chief Gallo regarding the above, hereby authorize the purchase of a new 2014 Ford Police Interceptor Utility Vehicle AWD for the Borough of Matawan’s Police Department.

NOW, THEREFORE, BE IT RESOLVED that Chief Jason Gallo of the Police Department of the Borough of Matawan is hereby authorized by the Council of the Borough of Matawan to enter into a Contract for the purchase of a 2014 Ford Police Interceptor Utility Vehicle AWD as outlined in the attached quote for the Borough of Matawan’s Police Department through the New Jersey State Contract Program, Cranford Cooperative Pricing System (47-CPCPS), from Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, New Jersey 08034, in the amount of Twenty Five Thousand Seven Hundred Seventy One Dollars and No Cents (\$25,771.00), East Coast Emergency Lighting, Inc., 200 Meco Drive, Millstone Township, New Jersey 08535 in the amount of Seven Thousand Three Hundred Forty Two Dollars and Sixty Six Cents (\$7,342.66) and Northeast Signs & Lighting, 1225 River Avenue, Point Pleasant, New Jersey 08742 in the amount of Six Hundred Dollars and No Cents (\$600.00) for the total sum of Thirty Three Thousand Seven Hundred Thirteen Dollars and Sixty Six Cents (\$33,713.66).

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 Police Vehicle 3-01-25-240-272 Budget of the Borough of Matawan to the vendors listed above for the purchase of a fully equipment 2014 Ford Police Interceptor Utility Vehicle AWD for the Borough of Matawan’s Police Department in a total amount not to exceed Thirty Three Thousand Seven Hundred Thirteen Dollars and Sixty Six Cents (\$33,713.66).

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: December 17, 2013

**Borough of Matawan
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December 17, 2013**



**2014 Ford Police Interceptor Utility AWD
Cranford Police Cooperative Pricing System (47-CPCPS)**

Base vehicle (Pursuit Rated AWD, black & white) **24108.00**

Factory Options:

Hidden Door Lock plunger/rear doors inoperative	155.00
Delete power rear window	129.00
Headlamps pre-drilled	125.00
Red/Clear dome in cargo area	150.00
Rear view camera	245.00
SYNC (Voice activated Communication)	395.00
Keyed Alike	189.00
Reverse sensing system	275.00

COMPLETE COST OF VEHICLE: 25771.00

Borough of Matawan
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East Coast Emergency Lighting, Inc

200 Meco Drive
Millstone Twp, NJ 08535
732-940-2211

Quote

Date	Quote #
11/20/2013	3302

Name / Address
Borough of Matawan Police Department 150 Main Street Matawan, NJ 07747

Ship To
Borough of Matawan Police Department 150 Main Street Matawan, NJ 07747

			Rep	Project
			DB	
Item	Description	Qty	Cost	Total
SX8BBRR	Whelen Liberty 50" Light Bar Red/Blue	1	821.34	821.34
SLDBR	Whelen Additional Liberty Pods Red/Blue	5	178.20	891.00
SPALF1	Whelen Liberty Light Bar Alley Lights	1	67.50	67.50
SXTLS1	Whelen Liberty Light Bar Take Down	1	67.50	67.50
MKEZ83	Whelen Light Bar Mount	1	29.70	29.70
IONJ	Whelen Super LED Ion Split Red/Blue	2	92.88	185.76
VTX609C	Whelen Vertex Super LED White (2-Front Parking 2-Reverse)	4	69.66	278.64
VTX609R	Whelen Vertex Super LED Red (Rear Brake Lights)	2	69.66	139.32
295SLSA6	Whelen Siren/Control Center	1	348.30	348.30
SA315P	Whelen Siren Speaker	1	169.56	169.56
SAK1	Whelen Speaker Bracket	1	19.44	19.44
AVN1R	Whelen Single Avenger Red (Rear Hatch)	1	105.84	105.84
AVN1B	Whelen Single Avenger Blue (Rear Hatch)	1	105.84	105.84
DP6RRRBBB	Whelen Dominator Plus Red/Blue-MOUNTED ON PUSH BUMPER	1	484.92	484.92
DBKT4	Whelen "L" Angle Mounting Bracket Kit	1	12.42	12.42
PAR28DJ	Whelen 3.5" Fog Light Combination Interleaved White Super-LED Driving Light with Blue over Red Warning Light, Clear Outer Lens	2	130.14	260.28
P28FX11	Whelen Optional Fog Light Mounting Kit for 2011-2012 Ford Explorer and 2013 Utility Police Interceptor	2	4.32	8.64
M2J	Whelen M2 Series Split Red/Blue (Side Intersection)	4	92.34	369.36
M2FC	Whelen M2 Flange Chrome	4	8.37	33.48
CC-FDUV-18	Troy 18" Console for Police Interceptor Utility Vehicle	1	284.80	284.80
AC-INBHG	Troy 4" Internal Beverage Holder	1	35.20	35.20
AC-ARMMNT	Troy, Arm Rest Console Rear Mounted	1	78.30	78.30
PB47UINT13	PUSHBUMPER, PRO-GARD	1	230.25	230.25
JONGROM	Whelen Ion Grommet Mount Kit	2	3.78	7.56
IONJ	Whelen Super LED Ion Split Red/Blue-IN REAR LIFT GATE	2	92.88	185.76
Ford Police Interceptor Utility			Total	

Phone #	Fax #
732-940-2211	609-490-9801

Borough of Matawan
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December 17, 2013

East Coast Emergency Lighting, Inc
200 Meco Drive
Millstone Twp, NJ 08535
732-940-2211

Quote

Date	Quote #
11/20/2013	3302

Name / Address
Borough of Matawan Police Department 150 Main Street Matawan, NJ 07747

Ship To
Borough of Matawan Police Department 150 Main Street Matawan, NJ 07747

			Rep	Project
			DB	
Item	Description	Qty	Cost	Total
AC-MCLBKT	Troy Mic Clip and Brackets	2	9.60	19.20
P4704UINT13A	Progard Center Sliding Window	1	456.00	456.00
RP47UINT13	ProGard Recessed Panel	1	74.25	74.25
B4705UINT13	PRO-GARD Rear Barrier	1	322.50	322.50
Installation	Installation of Above Equipment including Customer Supplied Radios	1	1,250.00	1,250.00
New Jersey State Contract:				
Whelen A81336				
ProGard A81327				
Troy A81335				
Installation A81338				

Phone #	Fax #
732-940-2211	609-490-9801

Mayor Buccellato read by title Resolution 13-12-27: Authorizing the Transfer of Funds from Current and Utility Accounts in the 2013 Budget. 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
Councilwoman Angelini

Motion passed.

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

**RESOLUTION 13-12-27
AUTHORIZING THE TRANSFER OF FUNDS FROM
CURRENT AND UTILITY ACCOUNTS IN THE 2013 BUDGET**

WHEREAS, NJSA 40A:4-58 provides for the transfers within certain appropriations within the Municipal Budget during the last two months of the fiscal year: and

WHEREAS, the Chief Financial Officer has advised the Mayor and Council of the Borough of Matawan that the need for certain transfers within the 2013 Municipal Budget exists; and

WHEREAS, it is recommended that these budget transfers be made.

NOW, THEREFORE BE IT RESOLVED that the following budget transfers be made in the 2013 Municipal Budget:

<u>Transfer From:</u> Account Number	Amount of Transfer	<u>Transfer To:</u> Account Number	Amount of Transfer
3-01-26-315-100 Vehicle Repairs Salary & Wages	\$5,000.00	3-01-26-290-100 Streets & Roads Salary & Wages	\$5,000.00
3-01-20-110-100 Mayor & Council Salary & Wages	\$2,500.00	3-01-20-110-100 Tax Collector Salary & Wages	\$2,500.00
3-01-27-330-200 Board of Health Other Expenses	\$300.00	3-01-27-330-100 Board of Health Salary & Wages	\$300.00

BE IT FURTHER RESOLVED that a certified copy of this resolution be provided to the Chief Financial Officer of the Borough of Matawan for the permanent records.

Mayor Buccellato read by title Resolution 13-12-28: Payment of Bills. Councilman Fitzsimmons made the motion, seconded by Councilwoman Daly. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-12-28
PAYMENT OF BILLS**

BE IT RESOLVED by the Mayor and Council of the Borough of Matawan, New Jersey. That the following numbered vouchers be paid to the persons therein respectively and hereinafter named, for the amounts set opposite their respective names, and endorsed and approved on said vouchers and that warrants be issued therefore, directed to the Borough Collector signed by the Mayor and attested by the Borough Clerk as required by law.

Current	\$313,343.16
Water & Sewer	\$216,206.51
Borough Capital	\$573,613.13
Water Capital	\$64,876.00
Grant	\$589.50
Borough Trust	\$28,636.78
Developers Escrow Account	\$3,167.47
Railroad Parking Trust	\$728.02
Recreation Trust	\$26.65
Total	\$1,201,187.22

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

Mayor Buccellato read by title Resolution 13-12-29: A Resolution to Fix and Determine the 2013 Salaries and Wages of Officers, Management, Supervisory Personnel and General Employees Not Represented by an Organized Bargaining Unit and Employed by the Borough of Matawan, Monmouth County, New Jersey – Public Safety. 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
Councilwoman Angelini

Motion passed.

**RESOLUTION 13-12-29
A RESOLUTION TO FIX AND DETERMINE THE 2013 SALARIES AND WAGES OF
OFFICERS, MANAGEMENT, SUPERVISORY PERSONNEL AND GENERAL
EMPLOYEES NOT REPRESENTED BY AN ORGANIZED BARGAINING UNIT AND
EMPLOYED BY THE BOROUGH OF MATAWAN, MONMOUTH COUNTY, NEW JERSEY**

WHEREAS, the following resolution sets the individual salaries and wages for 2013 retroactive to January 1, 2013; and

WHEREAS, funds for this purposes are available in the 2013 Budget and the Chief Financial Officer as so certified in writing.

NOW, THEREFORE BE IT RESOLVED that the 2013 Salaries and Wage for the Borough of Matawan Employees not represented by an organized bargaining unit be and are hereby set as follows:

<u>TITLE</u>	<u>DEPARTMENT</u>	<u>EMPLOYEE</u>	<u>2013 SALARY</u>
<u>Public Safety</u>			
Emergency Management Chief		Thomas J. Falco	\$2,500.00
Emergency Management 1 st Deputy		Richard Michitsch	\$1,000.00
Emergency Management 2 nd Deputy		Timothy Clifton	\$1,000.00
Emergency Management Secretary		Tammy Michitsch	\$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 3-01-25-252-100 Budget of the Borough of Matawan.

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: December 17, 2013

Mayor Buccellato read by title Resolution 13-12-30: Middlesex Road Water Treatment Plant Improvements – Authorizing Change Order No. 5. Councilwoman Angelini made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

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

Motion passed.

**RESOLUTION 13-12-30
MIDDLESEX ROAD WATER TREATMENT PLANT IMPROVEMENTS
AUTHORIZING CHANGE ORDER NO. 5**

***WHEREAS,** T&M Associates has informed the Council of the need supplementary items for the Middlesex Rd Water Treatment Plant Improvements:*

- 1. Bid Items 4.105, 4.140, 4.185, 4.255, 4.380, 4.385, 4.40, 4.465, 4.470, 4.520 and 4.555 have been deleted from the contract and are being adjusted to reflect actual quantities installed. At a credit of Sixty Three Thousand One Hundred Dollars and No Cents (\$63,100.00).*
- 2. Supplementary item S-9, Credit Replacement Work, includes all labor, material and equipment to complete additional work found to be necessary during execution of the original contract improvements. At an additional cost of Sixty Three Thousand One Hundred Dollars and No Cents (\$63,100.00).*

***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 the attached contract modification proposal, Change Order No. 5, for the Middlesex Road Water Treatment Plant Improvement, in the amount of No Dollars and No Cents (\$0.00).*

***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 W-06-55-500-201 Budget of the Borough of Matawan to MBE Mark III Electric, Inc. for the Middlesex Road Water Treatment Plant Improvements Change Order No. 5 at a credit of Sixty Three Thousand One Hundred Dollars and No Cents (\$63,100.00), and at an additional cost of Sixty Three Thousand One Hundred Dollars and No Cents (\$63,100.00) for a total net of Zero Dollars and Zero Cents (\$0.00).

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: December 17, 2013

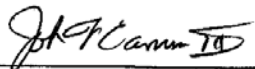
Borough of Matawan
Public Session
December 17, 2013

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

1. ISSUING OFFICE BOROUGH OF MATAWAN	2. PROJECT NO. 1329001-001 & 002	3. CONTRACT NO. MATN-01342	4. MODIFICATION NO. CM-05	
5. TO (CONTRACTOR) MBE MARK III ELECTRIC, INC. 213 MAIN STREET MADISON, NJ 07940		6. PROJECT LOCATION AND DESCRIPTION MIDDLESEX RD WATER TREATMENT PLANT IMPROVEMENTS BOROUGH OF MATAWAN, MONMOUTH COUNTY		
7. A proposal is required for making the hereinafter described change in accordance with specification and drawing revisions cited herein or listed in attachment hereto. Submit your proposal in space indicated on page 2, attach detailed breakdown of prime and sub-contract costs (See clause of this contract entitled, "Changes". DO NOT start work under this proposed change until you received a copy signed by the Contracting Officer or a directive to proceed).				
Date		PAUL BUCCELLATO, MAYOR Type Name and Title		
		Signature		
8. DESCRIPTION OF CHANGE: Pursuant to the clause of this contract covering changes, the contractor shall furnish all labor and material, and all work necessary to accomplish the following described work: CONTRACT MODIFICATION NO. 5 (CM-05) INCLUDES VARIOUS CREDITS TO THE OVERALL CONTRACT FOR WORK NOT REQUIRED. OVERALL CREDIT ACCRUED WAS SWAPPED WITH ADDITIONAL WORK APPROVED NOT TO EXCEED THE COST OF THE AVAILABLE CREDIT. ALL COSTS OUTLINED INCLUDE ALL ADDITIONAL LABOR, MATERIALS AND EQUIPMENT REQUIRED TO COMPLETE THE WORK NOTED BELOW. As a result of the above, the contract price is revised as follows:				
ITEM NO.	ITEM DESCRIPTION	UNIT PRICE	ESTIMATED QUANTITY	TOTAL COST
4.105	Decant Pump - F&I Insulation	\$2,800.00	-1	(\$2,800.00)
4.140	High Service Pumps - F&I Insulation	\$5,200.00	-1	(\$5,200.00)
4.185	Sludge Decant Blower - F&I Insulation	\$1,800.00	-1	(\$1,800.00)
4.255	Aluminum Draft Aerators - F&I Insulation	\$6,200.00	-1	(\$6,200.00)
4.380	Furnish - Fall Protection Hoist	\$14,700.00	-1	(\$14,700.00)
4.385	Install - Hoist & Foundation - Material and Labor	\$9,000.00	-1	(\$9,000.00)
4.460	Furnish - Security System	\$11,600.00	-1	(\$11,600.00)
4.465	Install Security System	\$3,400.00	-1	(\$3,400.00)
4.470	Startup, Testing & Training of Security System	\$800.00	-1	(\$800.00)
4.520	Overhead Door - Misc. & Labor	\$1,100.00	-1	(\$1,100.00)
4.555	F&I - Overhead Door - Material & Labor	\$6,500.00	-1	(\$6,500.00)
S-9a	High Service Enclosure - New Fan Installation	\$6,794.15	1	\$6,794.15
S-9b	Sound Attenuating Enclosure Upgrade	\$2,665.95	1	\$2,665.95
S-9c	Additional Gas Piping Installation	\$6,901.33	1	\$6,901.33
S-9d	Adt'l Instrumentation & Controls Programming/Install	\$35,385.90	1	\$35,385.90
S-9e	Lime Flushing Valve Backflow Preventer	\$1,331.00	1	\$1,331.00
S-9f	Drain Down Piping Modifications	\$8,876.65	1	\$8,876.65
S-9g	Ryers Lane Antenna and Cable Installation	\$1,145.02	1	\$1,145.02
TOTAL COST OF THIS MODIFICATION <u>\$0.00</u>				
The contract time is hereby: increase _____ decrease _____ or remains the same <u>X</u> by <u>0</u> calendar days as a result of this modification.				
The foregoing modification is hereby accepted:				
 CONTRACTOR		OWNER		(NJPE SEAL) ENGINEER
BY: MBE MARK III DATE: 12-6-13		BY: BOROUGH OF MATAWAN DATE:		BY: T&M ASSOCIATES DATE: 12/12/13
APPROVAL:				
STATE OF NEW JERSEY			DATE	

Borough of Matawan
Public Session
December 17, 2013

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

9. ISSUING OFFICE	10. PROJECT NO.	11. CONTRACT NO.	12. MODIFICATION NO.																																																																																																				
BOROUGH OF MATAWAN	1329001-001 & 002	MATN-01342	CM-05																																																																																																				
13. CONTRACTOR'S PROPOSAL - CHANGE IN CONTRACT PRICE (Detailed breakdown, attach additional sheets as necessary)																																																																																																							
(Proposed)																																																																																																							
<p>Bid items 4.105 (Decant Pump F&I Insulation), 4.140 (HSP F&I Insulation), 4.185 (Sludge Decant Blower F&I Insulation), 4.255 (Aerators F&I Insulation), 4.380 (Furnish Fall Protection Hoist), 4.385 (Install Hoist & Foundation), 4.460 (Furnish Security System), 4.465 (Install Security System), 4.470 (Startup, Testing and Training - Security System), 4.520 (Overhead Door Misc. & Labor) and 4.555 (F&I Overhead Door) have been deleted from the contract and are being adjusted to reflect actual quantities installed.</p> <p>Supplementary item S-9, Credit Replacement Work, includes all labor, material and equipment to complete additional work found to be necessary during execution of the original contract improvements. These include installation of a new fan in the high service pump enclosure unit for additional ventilation, provision of a sound attenuating enclosure for the generator to minimize equipment noise, additional gas piping installation to connect to the gas meter installed by the utility company, additional instrumentation and control programming and equipment installation for the new process units and plant equipment, installation of a backflow preventer for the lime flushing valve, modifications to the drain down piping and connection and installation of the Ryers Lane antenna and cable onto the new roof facade.</p>																																																																																																							
<table><thead><tr><th>ITEM</th><th>QTY.</th><th>UNIT COST</th><th>DESCRIPTION</th><th>TOTAL COST</th></tr></thead><tbody><tr><td>4.105</td><td>-1</td><td>\$2,800.00</td><td>Decant Pump - F&I Insulation</td><td>(\$2,800.00)</td></tr><tr><td>4.140</td><td>-1</td><td>\$5,200.00</td><td>High Service Pumps - F&I Insulation</td><td>(\$5,200.00)</td></tr><tr><td>4.185</td><td>-1</td><td>\$1,800.00</td><td>Sludge Decant Blower - F&I Insulation</td><td>(\$1,800.00)</td></tr><tr><td>4.255</td><td>-1</td><td>\$6,200.00</td><td>Aluminum Draft Aerators - F&I Insulation</td><td>(\$6,200.00)</td></tr><tr><td>4.380</td><td>-1</td><td>\$14,700.00</td><td>Furnish - Fall Protection Hoist</td><td>(\$14,700.00)</td></tr><tr><td>4.385</td><td>-1</td><td>\$9,000.00</td><td>Install - Hoist & Foundation - Material and Labor</td><td>(\$9,000.00)</td></tr><tr><td>4.460</td><td>-1</td><td>\$11,600.00</td><td>Furnish - Security System</td><td>(\$11,600.00)</td></tr><tr><td>4.465</td><td>-1</td><td>\$3,400.00</td><td>Install Security System</td><td>(\$3,400.00)</td></tr><tr><td>4.470</td><td>-1</td><td>\$800.00</td><td>Startup, Testing & Training of Security System</td><td>(\$800.00)</td></tr><tr><td>4.520</td><td>-1</td><td>\$1,100.00</td><td>Overhead Door - Misc. & Labor</td><td>(\$1,100.00)</td></tr><tr><td>4.555</td><td>-1</td><td>\$6,500.00</td><td>F&I - Overhead Door - Material & Labor</td><td>(\$6,500.00)</td></tr><tr><td>S-9a</td><td>1</td><td>\$6,794.15</td><td>High Service Enclosure - New Fan Installation</td><td>\$6,794.15</td></tr><tr><td>S-9b</td><td>1</td><td>\$2,665.95</td><td>Sound Attenuating Enclosure Upgrade</td><td>\$2,665.95</td></tr><tr><td>S-9c</td><td>1</td><td>\$6,901.33</td><td>Additional Gas Piping Installation</td><td>\$6,901.33</td></tr><tr><td></td><td></td><td></td><td>Additional Instrumentation and Controls</td><td></td></tr><tr><td>S-9d</td><td>1</td><td>\$35,385.90</td><td>Programming/Installation</td><td>\$35,385.90</td></tr><tr><td>S-9e</td><td>1</td><td>\$1,331.00</td><td>Lime Flushing Valve Backflow Preventer</td><td>\$1,331.00</td></tr><tr><td>S-9f</td><td>1</td><td>\$8,876.65</td><td>Drain Down Piping Modifications</td><td>\$8,876.65</td></tr><tr><td>S-9g</td><td>1</td><td>\$1,145.02</td><td>Ryers Lane Antenna and Cable Installation</td><td>\$1,145.02</td></tr></tbody></table>				ITEM	QTY.	UNIT COST	DESCRIPTION	TOTAL COST	4.105	-1	\$2,800.00	Decant Pump - F&I Insulation	(\$2,800.00)	4.140	-1	\$5,200.00	High Service Pumps - F&I Insulation	(\$5,200.00)	4.185	-1	\$1,800.00	Sludge Decant Blower - F&I Insulation	(\$1,800.00)	4.255	-1	\$6,200.00	Aluminum Draft Aerators - F&I Insulation	(\$6,200.00)	4.380	-1	\$14,700.00	Furnish - Fall Protection Hoist	(\$14,700.00)	4.385	-1	\$9,000.00	Install - Hoist & Foundation - Material and Labor	(\$9,000.00)	4.460	-1	\$11,600.00	Furnish - Security System	(\$11,600.00)	4.465	-1	\$3,400.00	Install Security System	(\$3,400.00)	4.470	-1	\$800.00	Startup, Testing & Training of Security System	(\$800.00)	4.520	-1	\$1,100.00	Overhead Door - Misc. & Labor	(\$1,100.00)	4.555	-1	\$6,500.00	F&I - Overhead Door - Material & Labor	(\$6,500.00)	S-9a	1	\$6,794.15	High Service Enclosure - New Fan Installation	\$6,794.15	S-9b	1	\$2,665.95	Sound Attenuating Enclosure Upgrade	\$2,665.95	S-9c	1	\$6,901.33	Additional Gas Piping Installation	\$6,901.33				Additional Instrumentation and Controls		S-9d	1	\$35,385.90	Programming/Installation	\$35,385.90	S-9e	1	\$1,331.00	Lime Flushing Valve Backflow Preventer	\$1,331.00	S-9f	1	\$8,876.65	Drain Down Piping Modifications	\$8,876.65	S-9g	1	\$1,145.02	Ryers Lane Antenna and Cable Installation	\$1,145.02
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Borough of Matawan
Public Session
December 17, 2013

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

14. ISSUING OFFICE & PROJECT NO. BOROUGH OF MATAWAN 1329001-001 & 002		15. CONTRACT NO. MATN-01342	16. MODIFICATION NO. CM-05
17. ORIGINAL CONTRACT BID PRICE		\$	4,444,000.00
TOTAL OF PREVIOUS CHANGE ORDERS		\$	208,265.11
TOTAL CONTRACT COST INCLUDING CHANGE ORDERS		\$	4,674,746.63
18. NECESSITY FOR CHANGE AND REASON FOR OMISSION FROM PLANS AND SPECIFICATIONS: During the course of construction of the proposed improvements several work items were deleted or modified to facilitate overall construction of the new work. To offset these credits additional work necessary to complement the installation of the new process units either for easier access, improved maintenance, as well as, additional work necessary to address field changes were performed.			
19. OTHER IMPACTS RESULTANT OF THIS CHANGE: None			
20. RESUME OF NEGOTIATIONS OR RECOMMENDATIONS (Loanee's Representative): The Engineer has reviewed the request for the additional effort and cost associated with the proposed work and after negotiation found both the requests and final costs reasonable and acceptable for the work proposed.			
DATE:	TYPE NAME AND TITLE OF LOANEE'S REPRESENTATIVE: MAYOR PAUL BUCCELLATO BOROUGH OF MATAWAN		SIGNATURE:

**Borough of Matawan
Public Session
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Privilege of the Floor

Mayor Buccellato opened the Privilege of the Floor.

Miriam Hagel, 5 Edgewater Drive, Matawan, asked about status of the fence being put up at MJ's. Mayor Buccellato stated he met with the owners for site inspection and is waiting for status update. Ms. Hagel stated that parking issue still remains. Mayor Buccellato stated he will email Borough administrator.

James Markey, JCP&L area manager, reported on JCP&L enhancements of electronics and IBEW partnership of over 700 local people for future events. Mr. Markey reported on transmission improvements. Councilwoman Gould asked if they will alert residents when tree trimming. Mayor Buccellato stated communication has been elevated substantially between residents and municipality.

Mayor Buccellato closed the Privilege of the Floor.

Adjournment

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

Meeting adjourned at 7:40 PM.

Karen Wynne, RMC
Municipal Clerk