

**Borough of Matawan
Public Session
December 18, 2014**

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 October 21, 2014. 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 December 12, 2014, by sending notice to *The Independent*, and by posting. Mayor Buccellato requested a roll call.

On roll call the following members responded present:

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

Absent: Councilwoman Daly
Councilwoman Angelini

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

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

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

Mayor Buccellato informed he was moving Resolutions 14-12-15, 14-12-16, 14-12-18, 14-12-19, 14-12-21 from New Business to the Consent Agenda.

Privilege of the Floor – Agenda Items Only

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

There were no comments.

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

Old Business

Mayor Buccellato read by title Ordinance 14-15: An Ordinance to Repeal Section 2-24 et seq. of the Code of the Borough of Matawan and Ordinance 11-07; Abolishing the Joint Municipal Court of the Borough of Matawan, Township of Hazlet, and Borough of Keyport; and Establishing a Joint Municipal Court for the Township of Hazlet and Borough of Matawan; and Approving an Agreement Concerning the Joint Municipal Court. Mayor Buccellato requested a motion to open the public hearing. Councilman Urbano made the motion, seconded by Councilwoman Gould. Council agreed. Motion passed. Mayor Buccellato requested comments. There were no comments. Mayor Buccellato requested a motion to close the public hearing. Councilman Urbano made the motion, seconded by Councilman Fitzsimmons. Council agreed. Motion passed. Mayor Buccellato read by title on third and final reading Ordinance 14-15: An Ordinance to Repeal Section 2-24 et seq. of the Code of the Borough of Matawan and Ordinance 11-07; Abolishing the Joint Municipal Court of the Borough of Matawan, Township of Hazlet, and Borough of Keyport; and Establishing a Joint Municipal Court for the Township of Hazlet and Borough of Matawan; and Approving an Agreement Concerning the Joint Municipal Court requesting a motion to adopt. Councilman Fitzsimmons made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Urbano
Councilwoman Gould

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Councilman Fitzsimmons
Councilwoman Clifton

Motion passed.

**ORDINANCE 14-15
AMENDING AND SUPPLEMENTING CHAPTER II – ADMINISTRATION,
SECTION 2-15 FIRE DEPARTMENT OF THE
REVISED GENERAL ORDINANCES OF THE BOROUGH OF MATAWAN,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

Chapter II Administration

2-15 FIRE DEPARTMENT

2-15.1 Membership in Recognized Fire Companies

The volunteer Fire Department shall consist of engine, hook and ladder, hose and pumper companies, fire police and shall consist of the companies recognized and accepted by the Mayor and Borough Council as follows:

*Washington Engine Company, No. 1.
Hook and Ladder Company, No. 1.
M.E. Haley Hose Company, No. 1.
Freneau Volunteer Fire Company, No. 1.
Midway Hose Company, No. 2.
Fire Police.
(1971 Code § 15-1.1)*

2-15.2 Composition of Each Company

Each company shall consist of not less than ten (10) and not more than twenty-five (25) active members with a minimum age of eighteen (18) years at the time of their election to membership. Each Fire Company may also have up to ten (10) active reserve members. These reservists must come from the active list and will be entitled to be placed on the reserve list at the request of the active members of the Fire Company. The power to remove a Firefighter from active duty because of physical impairment or disability is vested in the Board of Fire Officers. The number of members of each additional Fire Company shall be specified by the Borough Council at the time of acceptance. (1971 Code § 15-1.2)

2-15.3 Qualifications

Each proposed member at the time of his election shall be a legal resident of the United States and shall be a resident of the Borough of Matawan or an adjacent municipality for a period of six (6) months prior to his election. The Fire Department Physician, licensed in the state of New Jersey, will certify that the applicant is certified and physically fit to become a Firefighter. The certificate shall include the results of a chest x-ray. Additionally, the application of each proposed member shall be screened by the Police Department. Each Fire Company shall have the right to accept into membership, nonresidents who reside within a reasonable distance, not exceeding one (1) mile from the boundaries of the Borough of Matawan. The application of a nonresident shall be reviewed and approved by the Board of Fire Officers of the Borough of Matawan prior to the Matawan Police Department screening. In no event shall out-of-town membership exceed twenty-five (25%) percent of the active membership of any company. There shall be no Member-at-Large in the Matawan Borough Fire Department. All applicants must first be a member of a company specified in 2-15.1 before applying for membership in the Matawan Borough Fire Department. The exception to all of the above will be Junior Firefighters who will be required to provide a School Physical or a note from their personal physician, licensed in the state of New Jersey, stating that the junior applicant is certified and physically fit to become a junior firefighter.

Members of the MBFD are considered employees of the borough during activities on behalf or representing the MBFD, either when call is received or during official sanctioned activities and therefore are subject to governance in the Personnel Policies and Procedures Manual of the Borough of Matawan. Every employee or proposed employee of a recognized Fire Company or of the Fire Department or Fire Police who shall operate municipally-owned vehicles and/or municipally-owned equipment which is on wheels and powered by a compulsion system other than manpower shall have a valid New Jersey Driver's license and shall authorize the Matawan Borough Police Department to periodically confirm through the Motor Vehicle Commission that the license is not suspended or revoked. No employee of the Borough of Matawan shall operate a municipally owned vehicle or equipment with wheel powered by compulsion other than man power unless he holds a valid New Jersey Driver's license. Fire Department members who operator water borne vessels shall be trained and hold an approved boaters training certificate. (1971 Code § 15-1.3; Ord. No. 95-04 § 1)

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2-15.4 Disclosure of Information Required for Applicants for Membership in the Volunteer Fire Department

a. This subsection is enacted pursuant to N.J.S.A. 40:42-1 et seq., The Home Rule Act.

b. Membership in a Volunteer Fire Department means any membership in a Volunteer Fire Department organized pursuant to Title 15 and Title 15A of the New Jersey Statutes. Membership in a Volunteer Fire Department or similar organization constituted in a Fire District pursuant to N.J.S.A. 40A:14-70.1, membership in any Junior Firefighters' Auxiliary established pursuant to N.J.S.A. 40A:14-95, or non-paid membership in a partial paid Fire Department or force established pursuant to Chapter 14 of Title 40A of the New Jersey Statutes.

c. Any person desiring membership in a Volunteer Fire Department shall complete in duplicate and submit to the Volunteer Fire Department an application, the form of which may be determined by the Volunteer Fire Department and approved by the Board of Fire Officers, but which shall contain the following information regarding the applicant:

1. Full name, including any maiden or other name by which the individual may have in the past been known;
2. Home address, including all previous addresses within the last three (3) years;
3. Date of birth;
4. Social security number;
5. Driver's license number, and a statement of driving record within the last three (3) years;
6. A conviction for crimes or disorderly persons offenses in New Jersey or in any other State, including the State of such conviction, the date of conviction, nature of the offense, and the sentence imposed;
7. Any pending violation for crimes or disorderly persons offenses; and
8. Such other information as the Volunteer Fire Department shall require, provided none of such information shall be prohibited by law.

d. Upon the filing of an application to the Volunteer Fire Department, the applicant will have fingerprints taken by an external service provider. The provider will submit the applicant's fingerprints to the Division of State Police and/or State Bureau of Identification who shall conduct an investigation so as to ascertain the truth of the statements of the application, including but not limited to the applicant's criminal record and the applicant's driving record. If as a result of the investigation the applicant is found to have been convicted of a violation enumerated in N.J.S.A. 15:8-1.1, or a disorderly persons offense, or is otherwise found to have made false statements on the application, or any other information is found which would indicate that the applicant may be a threat to the health, safety and welfare of the community, the Volunteer Fire Department shall determine if the applicant will be a member of the Department.

e. Reserved.

f. This subsection is intended to make the Volunteer Fire Department an Authorized Agency as defined by N.J.A.C. 13:59-1.1.

g. Reserved.

(Ord. No. 00-04 §§ 1-7; Ord. No. 11-06)

2-15.5 Acceptance by Mayor and Council

The names of all proposed members elected to active membership in the individual Companies shall be presented to the Borough Council in application form signed by a Chief of the fire department, Borough Clerk and Secretary to the Board of Fire Officers for confirmation. Upon the applicant's acceptance by the Council, all members will be subject to a 1 year probation during which they must begin to attend Firefighter I course(s) at any accredited Fire Academy. This course must be completed with a passing grade in order to leave the status of Probationary Firefighter in the Borough Fire Department. Leaving the status of probationary firefighter shall be the latter of either one year from the date of acceptance to membership or passing Firefighter I course. (1971 Code § 15-1.4)

Pursuant to N.J.S.A. 40A: 14-98 ; the MBFD can accept application from individuals 16 and 17 years of age for service to the MBFD following the Junior Firefighter Auxiliary By-Law Supplement. While a Junior Firefighter the 1 year probation is waved until the members becomes 18 years of age, after which, they will be required to re-apply and meet the fore mentioned requirements.

2-15.6 Membership Certificate

The Borough Clerk shall keep an accurate muster roll of the active members of the Department and shall issue upon confirmation a certificate of membership in the Volunteer Fire Department to each member elected and confirmed. This list, together with the insurance list, shall be reviewed and certified to its accuracy by the individual fire companies and the Board of Fire Officers by January 15 for each preceeding year. Failure to certify can be cause for the Borough to drop those individuals from the rolls for both membership and insurance. (1971 Code § 15-1.5)

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2-15.7 Resignations, Transfers and Deaths

All resignations, expulsions, transfers or deaths of active members from the Department shall be promptly reported to the Secretary of the Board of Fire Officers and to the Borough Clerk. (1971 Code § 15-1.6)

2-15.8 Active Duty

All active members in the Department shall be required to perform not less than fifty (50%) percent active duty at all alarms of fire and drills called per year. Upon failure to do so for two (2) consecutive years, their names shall be removed from the active list. The individual companies shall be responsible for the maintenance of the active service records and shall annually file same with the Secretary of the Borough Fire Department no later than January 15th of every year for the service activity of the preceding year. (1971 Code § 15-1.7; New)

2-15.9 Active Reserve

- a. *The active reserve shall consist of no more than ten (10) members per Fire Company.*
- b. *An active reserve member is one who has reached the age of fifty (50) and has served the Borough for seven (7) years at fifty (50%) percent or better fire duty. He shall do twenty-five (25%) percent fire duty to keep this rank. Fire duty shall be defined as attending fires, drills, fire schools and meetings. Social activities shall not count as fire duty.*
- c. *A qualified member, as outlined in paragraph b. above, may at his request be transferred from active duty to the active reserve.*
- d. *A Company may, at their discretion and with two-thirds (2/3) vote of active company members, place an active member on the role of the active reserve. The member in question shall be notified by certified mail within ten (10) days of his Company's decision.*
- e. *The action of any Company as outlined in paragraph d. above may be predicated on inactivity (consistently failing to make fifty (50%) percent, but making at least twenty-five (25%) percent, or partial disability which prevents an active firefighter from attaining fifty (50%) percent fire duty.*
- f. *Any active Firefighter placed on active reserve against his wishes may appeal within thirty (30) days of the within decision by his Company to the Board of Fire Officers. Appeal shall be made in writing to the Department Chief and the member's Company President and Secretary at least fifteen (15) days prior to the next regularly scheduled Board of Fire Officers meeting. After review by the Chief, Board of Fire Officers and Company, a hearing date will be scheduled and the firefighter will be notified of this date in writing.*
- g. *The aggrieved Firefighter need not appear at the hearing until or unless he is summoned by Board of Fire Officers.*
- h. *A decision in writing that is sustained against the Firefighter by the Department may be appealed in writing within thirty (30) days of the filing of the decision to the Fire Committee as the final board for disposition of the appeal by letter from the Firefighter. The decision of the Fire Committee must be rendered in writing within fifteen (15) days of the hearing and signed by all members of the Committee. If dissatisfied, the grievant may request, by written notification to the Borough Administrator and the Mayor and Council, a review of the record by Borough Council, which shall be accorded to the grievant. The decision of the Council will be the final administrative review of the matter. (1971 Code § 15-1.8; New)*

2-15.10 Volunteer Firefighters' Insurance Coverage

- a. *Age 18-65 — \$10,000.00 — Line of duty death.*
 - b. *Age 65 and over — \$5,000 — Line of duty death.*
- (1971 Code § 15-1.9; New)*

2-15.11 Residency Requirements

The residency requirements as more particularly described in subsection 2-15.3 shall not apply to individuals who have been members of a Matawan Borough Volunteer Fire Company since a date prior to January 1, 1966. (1971 Code § 15-1.10)

2-15.12 Election of Officers, Terms of Office

- a. *The Administrative officers of the Fire Department (a/k/a/ the Board of Fire Officers) shall consist of a President, Vice President, Secretary-Treasurer, Assistant Secretary-Treasurer, The President, Vice President, Secretary-Treasurer, and the Assistant Secretary-Treasurer shall be members in good standing in the Matawan Borough Fire Department and shall serve for a period of two (2) years commencing on January 1 of each year preceding the nomination and election. Candidates for the office of the President, Vice President, Secretary-*

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Treasurer, and the Assistant Secretary-Treasurer shall be nominated by the members of the Department present at the November meeting of the Board of Fire Officers and the election held at the December meeting.

The qualifications for the office of President and Vice-President are as follows: they must be a member in good standing, must qualify to hold the rank of Second Deputy Chief; and must have a minimum of 10 years of active service in the MBFD. They shall preside over all department administrative functions including but not limited to the Board of Fire Officer's meetings and shall adhere to the rules of Robert's Rules of Order. The Office of President is in an ex-officio capacity and the President and only the President shall have the authority to cast a vote to break a tie. The president shall attend a minimum of 9 BFO meetings and shall notify the Vice President if they shall not be able to attend. The President shall hold no other office as part of the administration of the MBFD including the BFO, and cannot be an active Chief at that time. The president can be removed from office with good cause and a 2/3 vote of the BFO

The Qualifications for the office of Secretary/Treasurer and Assistant Secretary/Treasurer for a term of 2 years, any member in good standing with a minimum of 5 years active service in the MBFD, shall be qualified for the nomination to the office of Secretary. The Secretary shall attend a minimum of 9 BFO meetings

If the President, Vice President, Secretary-Treasurer, and Assistant Secretary-Treasurer are unable to fulfill his or their term(s) for any reason, nominations will be solicited and a election held, within a reasonable time after the vacancy, to fill the remaining portion of the unexpired term.

b. The Firematic Officers Chief, First Deputy Chief, Second Deputy Chief, All officers shall be residents of the Borough, except Chiefs, who may reside in an adjacent municipality within a reasonable distance from the Borough boundary line, not to exceed one (1) mile, or a Chief may be a non-Borough resident provided he is a full-time employee of the Borough of Matawan.

To be eligible for election as Second Deputy Chief, a candidate shall be a member of the Department in good standing in his/her company and department for at least eight (8) years prior to the date his/her term commences. The member has not been charged with any Department or Company Firematic violations for two (2) years. The candidate shall be required to have served at least one (1) year in each of the following officer ranks: Engineer, First Lieutenant and Captain. They shall be required to have completed and provide certificates for all pre-requisite training courses as outlined in Section 54 of the MBFD Bylaws in order to be eligible for consideration as the Second Deputy Fire Chief. In addition the candidate must be certified as Incident Management Level 3 by the New Jersey Division of Fire Safety and have completed the National Fire Academies Incident Safety Officers Course. The Department Chief will be no consecutive terms, but unlimited to the amount of times a member can be chief.

c. Each year the Second Deputy Chief who has served for one (1) year as such shall be installed as First Deputy Chief; the First Deputy Chief, who has served for one (1) year as such, shall be installed as Chief.

d. The Chief, First Deputy Chief and Second Deputy Chief shall retain their membership in their own Companies during their terms of office and shall be ex officio members of all other Companies.

e. The Second Deputy Chief shall be open to any qualified member of the department (as per section 53 and 54 of the department bylaws); all qualifications and forms shall be submitted by the October BFO Meeting. The nominees will then be presented before the Board of Fire Officers in November and elected by the majority of voting members of the BFO in December of each year. They shall hold office from January 1 following the election to the next December 31 after being sworn into office. (1971 Code § 15-2.1; Ord. No. 10-20)

2-15.13 Vacancies

Once elected to Second Deputy Fire Chief and appointed by the Mayor and confirmed by the Council, no Chief Officer shall be removed from office except for cause, according to the rules or bylaws of the Board of Fire Officers.

In the event of a vacancy occurring in the office of Chief, First Deputy Chief, Second Deputy Chief by reason of the death, resignation or removal of any of these officers, the following order of succession shall prevail:

a. Office of Chief. The First Deputy Chief shall become Acting Chief for the unexpired term of the office, and shall automatically become Chief for the next ensuing year.

b. Offices of First Deputy Chief. The Second Deputy Chief shall assume acting status pending the election within fifteen (15) days of an active ex-chief to such office from the department.

c. Office of Second Deputy Chief. Within fifteen (15) days of the vacancy an eligible person will be voted into the position.

In the event that the Company whose member vacated any of the foregoing offices is unable to certify the election of an eligible member, the Chairman of the Fire Committee shall appoint the most qualified member of the Company to fill the office, subject to the approval of the Board of Fire Officers and the Mayor and Council. (1971 Code § 15-2.2)

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2-15.14 Duties of Department

a. *Duties of Executive Officers.* The President of the Board of Fire Officers shall preside at all Department meetings. He shall have the power to call a special meeting at any time he deems it necessary. The Vice President shall preside at Department meetings in the absence of the President. The Secretary-Treasurer shall keep correct written records of the proceedings of the Department and Board of Fire Offices and a general roll of the active and exempt members with the names and addresses of active and exempt members who are residents of the Borough. The Secretary-Treasurer shall have custody of the funds of the Department and shall report monthly on the account.

b. *Duties of the Chief.*

1. *Duties during a Fire.* In all alarms, the Chief, or in his absence the Deputy Chief(s), shall have full power, absolute control and command, and shall cause all apparatus and equipment to be worked in the most advantageous manner.

In the absence of the Chief and Deputy Chief(s), the member having charge of the apparatus shall be the senior member first arriving at the fire. He shall assume the duties and responsibilities of the Chief until the arrival of a Superior Officer.

The Chief and Deputy Chief(s), or member in command at any alarm, are hereby given full authority to call upon the head of any municipal department for any aid or assistance as the circumstances may require and warrant.

The Chief and Deputy Chief(s), or member in command at any alarm must complete and submit a National Fire Incident Reporting System (NFIRS) Report to the LOSAP Coordinator within 48 hours of an incident.

The Chief and Deputy Chief(s), in an emergency, when immediate repairs are necessary, is empowered to authorize such repairs and report his action immediately to the Borough Administrator.

The Chief must be a resident of the Borough, or an adjacent municipality within a reasonable distance of the Borough, or an adjacent municipality within a reasonable distance of the Borough boundary line, not to exceed one (1) mile, or a Chief may be a nonresident provided he is a full-time employee of the Borough of Matawan.

2. *General Duties.* The Chief shall call out for practice drill one (1) or more Companies of the Department whenever he deems it necessary. He shall see that Company Officers have all hose on apparatus rearranged at least twice each year if not used and have water run through it at least two (2) times per year. The Chief shall have all hose, ladders, and pumps subjected to a test to meet the national testing standards. The Chief shall arrange with the Captains of the several Companies for drills and instructions, including the proper and efficient use of all apparatus and equipment, the quick handling of hose, the efficient handling of streams, ladder work, salvaging, first aid and life saving, and all other modern methods of fire fighting.

c. *Fire Companies.* In the absence of contrary bylaws enacted by the individual Company, each of the Companies of the Department shall choose from their own members a Captain, First Lieutenant, Second Lieutenant, Engineer, First Assistant Engineer and Second Assistant Engineer.

1. *Duties of the Captain.* The Captain of each Company shall keep a permanent record of the alarms of fire and drill attendance of each member of his Company, a copy of which shall be submitted to the LOSAP Coordinator within 48 hours of an incident, drill, or special assignment.

He shall drill and instruct his Company at least once a month.

With the aid of the Company secretary, he shall submit such reports as shall be required by the rules or bylaws adopted by the Board of Fire Officers.

The Captains of each of the Companies and the Captain of the Fire Police shall be responsible for the condition and maintenance of his or their apparatus and equipment.

2. *Duties of Apparatus Operators.* Qualified Apparatus Operators shall complete Pump Operations and have been Qualified by the Department Training Division on Pump and Aerial Apparatus Operations. The authorized apparatus operators shall maintain their apparatus in good condition and ready for immediate service.

No one shall be permitted, except authorized apparatus operators to tamper with, fix, or repair any of the apparatus, unless directed to do so by the Chief or Deputy Chief(s).

No one shall drive, in an emergency response, the automobile apparatus except the regularly authorized apparatus operators, who shall be required to have a valid driver's license for the State of New Jersey.

3. *Duties of Fire Police.* The Fire Police shall elect from their membership a Captain, First Lieutenant, Second Lieutenant and Engineer, and any other officer they deem necessary, and these officers shall have the same duties as Company Officers. Any duties other than fire duty must be with the consent of the Department.

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(1971 Code §§ 15-3.1; 15-3.2)

2-15.15 Board of Fire Officers

a. *Composition. The BFO is made up from the all of the active companies in the Department, which shall be represented by 3 members of each company, which shall be: Captain; 1st Lieutenant and a company representative. These 3 members shall be those who are eligible to vote on subjects that come before the BFO. These voting members are the only members who are therefore able to cast votes at BFO meetings. (The executive committee shall not have voting privileges except in the case of a tie where the President shall cast the tie breaking vote, see President.). When a member representative of a company shall also hold a position on the Executive Committee, their company must nominate an eligible substitute to represent one of the 3 company voting position. The Duties of the Board of Fire Officers shall be to administer the business and affairs of the Department.*

b. *Bylaws, Rules of Procedure. The Board shall adopt a code of rules or bylaws, subject to the approval of the Department. They shall meet monthly, or more frequently if necessary, to transact business of the Department. The Board shall make rules or bylaws concerning the resignation, transfer, suspension or expulsion of members of the Department.*

All active members shall operate under the State Uniform Fire Safety Code.

c. *Powers and Duties. The Board of Fire Officers shall be required to keep permanent records of all alarms of fire, fire losses, methods of extinguishment, drills, hose, apparatus, minor equipment, and condition of hydrants.*

The Board of Fire Officers shall prescribe such uniforms and designating devices which are required.

The Board shall recommend to the Mayor and Council the necessary replacement or purchase of new and additional apparatus and equipment, and requisition necessary supplies and repairs prior to the time actually needed insofar as practicable.

(1971 Code §§ 15-4.1–15-4.3)

d. *Department Fire Committee. This Committee shall be a standing committee. The Fire Committee shall consist of five members. The fire commissioner, another councilperson and three elected active firefighters by the BFO for a term of one for three years, one for two years, and one for one year. Nominations shall take place at the November Monthly meeting prior to the next term of office. Elections shall take place at the following December meeting. Replacements shall be nominated from the floor of the BFO at the meeting following the resignation of a committee member, and election will be at the next monthly meeting, this will be for the unexpired term. The member must be in good standing and must have held the position of Lieutenant with 5 years of fire service. The members of the committee will be the only liaison as a committee of the BFO, to the Mayor and Council. The committee, at the request of the BFO President, shall recommend resolutions to any problems that are encountered and cannot be resolved. This committee shall not have the power to override the BFO. It shall be utilized when the BFO is not able to find resolution to any issue. The resulting decision of the Committee shall be in recommendation form and presented to the BFO at the next monthly meeting when possible.*

2-15.16 Fire Apparatus and Equipment

a. *Procurement; Ownership. The procurement and ownership of all material shall be vested in the Council.*

b. *Emergencies in Other Communities. No apparatus shall be let out for hire, or let in any case, except upon the consent of the Chairman of the Fire Committee, or the Chief of the Department, and then only in case of an emergency in a neighboring community.*

However, the Department shall immediately respond to a call from the County without any approval by reason of the Department's membership in the County cover-up system.

c. *Housing Fire Apparatus. The procurement by lease purchase or construction of adequate housing facilities for Borough-owned fire apparatus and equipment is vested with the Council. The rental to be paid by the Borough for the housing of such equipment shall be fixed annually by the Mayor and Council after consultation with the Fire Department. The Council shall have full jurisdiction and control of all fire houses or portions of leased fire houses or other buildings wherein Borough-owned fire apparatus and equipment is stored. The Council in addition shall be responsible for the heating and lighting of fire houses.*

d. *Maintenance Men. If and when it may be deemed necessary, the Council is empowered to hire full-time or part-time maintenance men, who shall be selected from a list of active and exempt members of the Department, the number and compensation to be determined as the situation warrants, to care for and maintain the Borough fire apparatus, equipment and places of housing.*

e. *Additional Payment by Borough. Annually the Council shall also make such provisions for the payment of other expenses on behalf of the Fire Department as Council shall deem appropriate. All expenditures made by the Fire Department from funds allocated to it under this provision shall be evidenced by voucher and other documentation which shall be approved for sufficiency by the Borough Auditor.*

(1971 Code § 15-5)

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2-15.17 Discipline

Any officer or other member while on fire duty, who shall refuse or voluntarily neglect to obey or execute any orders from the Officer in Charge of the fire, shall be subject to suspension or expulsion from the Department.. Any disciplinary action shall be communicated in writing and the officer or member may follow the appeals procedure outlined in subsection 2-15.9h. (1971 Code § 15-6; New)

2-15.18 Amendment of Rules or Bylaws

The members of the Department by the vote of a majority the Members that comprise the BFO, as stated in 2-15.15.a, that are present at the BFO meeting, shall adopt and amend from time to time the rules or bylaws for the control, management and government of the Department, which code of rules and bylaws and all amendments thereto shall not become operative until presented to the Council. (1971 Code § 15-7)

2-15.19 Retention of Members After Moving

No present active member of any of the Fire Companies shall lose his right to membership because they have moved, or shall in the near future move to another municipality. This section shall not be construed to relieve such active member from attending sixty (60%) percent of all fire alarms. Any over-age member of the Freneau Volunteer Fire Company No. 1 and nonresident members of the Company shall remain active members of the Company upon its becoming a member and part of the Matawan Borough Volunteer Fire Department. (1971 Code § 15-9)

Mayor Buccellato read by title Ordinance 14-16: An Ordinance to Repeal Section 2-24 et seq. of the Code of the Borough of Matawan and Ordinance 11-07; Abolishing the Joint Municipal Court of the Borough of Matawan, Township of Hazlet and Borough of Keyport; and Establishing a Joint Municipal Court for the Township of Hazlet and Borough of Matawan; and Approving an Agreement Concerning the Joint Municipal Court. Mayor Buccellato requested a motion to open the public hearing. Councilman Fitzsimmons made the motion, seconded by Councilwoman Gould. Council agreed. Motion passed. Mayor Buccellato requested comments. There were no comments. Mayor Buccellato requested a motion to close the public hearing. Councilman Fitzsimmons made the motion, seconded by Councilwoman Gould. Council agreed. Motion passed. Mayor Buccellato read by title on third and final reading Ordinance 14-15: An Ordinance to Repeal Section 2-24 et seq. of the Code of the Borough of Matawan and Ordinance 11-07; Abolishing the Joint Municipal Court of the Borough of Matawan, Township of Hazlet, and Borough of Keyport; and Establishing a Joint Municipal Court for the Township of Hazlet and Borough of Matawan; and Approving an Agreement Concerning the Joint Municipal Court requesting a motion to adopt. Councilman Urbano made the motion, seconded by Councilman Fitzsimmons. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Urbano
Councilwoman Gould
Councilman Fitzsimmons
Councilwoman Clifton

Motion passed.

ORDINANCE 14-16

AN ORDINANCE TO REPEAL SECTION 2-24 ET SEQ. OF THE CODE OF THE BOROUGH OF MATAWAN AND ORDINANCE 11-07; ABOLISHING THE JOINT MUNICIPAL COURT OF THE BOROUGH OF MATAWAN, TOWNSHIP OF HAZLET AND BOROUGH OF KEYPORT; AND ESTABLISHING A JOINT MUNICIPAL COURT FOR THE TOWNSHIP OF HAZLET AND BOROUGH OF MATAWAN; AND APPROVING AN AGREEMENT CONCERNING THE JOINT MUNICIPAL COURT

WHEREAS, the Township of Hazlet and Borough of Matawan (hereinafter referred to as the “Participating Municipalities”) wish to establish a joint municipal court pursuant to N.J.S.A. 2B:12-1 et seq.; and

WHEREAS, the Participating Municipalities find that it is in their best interest to establish a joint municipal court upon the terms and conditions established by and memorialized in the mutual written agreement approved by this Ordinance and incorporated herein by reference; and

WHEREAS, on October 18, 2011, the Mayor and Council adopted Ordinance 11-07 that terminated the Municipal Court of the Borough of Matawan and established the Joint Municipal Court of the Township of Hazlet, Borough of Matawan and Borough of Keyport; and

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WHEREAS, the Mayor and Council of the Borough of Keyport withdraw from the Joint Court effective December 31, 2014, which renders the “Joint Court of the Township of Hazlet, Borough of Matawan and Borough of Keyport” a legal non-entity; and

WHEREAS, it is the desire of the Governing Bodies of the Township of Hazlet and Borough of Matawan to continue in a joint court to be known as the Joint Court of the Township of Hazlet and Borough of Matawan;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Governing Body of the Borough of Matawan, Monmouth County, New Jersey as follows:

Section 1.

Effective January 1, 2015, the Joint Municipal Court of the Township of Hazlet, Borough of Matawan and Borough of Keyport is hereby abolished and Sections 2-24 through and including 2-26.1 of the Code of the Borough of Matawan are hereby amended in their entirety.

Section 2.

The Joint Municipal Court of the Township of Hazlet, Borough of Matawan and Borough of Keyport shall be abolished and this ordinance shall be effective January 1, 2015 at 12:00 am and after due notice is given as set forth in Section 3. All summonses and other appropriate matters issuing or arising from the Township of Hazlet or the Borough of Matawan shall be processed in the Joint Municipal Court of the Township of Hazlet and Borough of Matawan on and after January 1, 2015, including those matters arising prior to January 1, 2015 which remain pending.

Section 3.

Notice of repeal and abolishment of the Joint Municipal Court of the Township of Hazlet, Borough of Matawan and Borough of Keyport and establishment of the Joint Municipal Court of the Township of Hazlet and Borough of Matawan shall be given in writing to the Administrative Offices of the Courts and the Assignment Judge of the Monmouth Vicinage in writing and posted in the municipal buildings of the Participating Municipalities in a location where public notices are normally posted.

Section 4.

The Mayor and Governing Bodies of the Participating Municipalities of the Township of Hazlet and Borough of Matawan desire to establish a single Joint Municipal Court to be located in the Township of Hazlet.

Section 5.

The Borough of Matawan shall enter into an agreement pursuant to the terms of the “Shared Services Agreement For The Establishment Of A Joint Municipal Court Between The Township Of Hazlet and the Borough Of Matawan”.

Section 6.

Pursuant to the provisions of N.J.S.A. 2B:12-1 et seq., the Joint Municipal Court of the Township of Hazlet and Borough of Matawan is hereby established.

Section 7.

The Joint Municipal Court of the Township of Hazlet and Borough of Matawan shall have an official seal which shall bear the impress of the name of the court.

Section 8.

Municipal Judge, Appointment and Jurisdiction

In accordance with N.J.S.A. 2B:12-4, the Judge of the Joint Municipal Court of the Township of Hazlet and the Borough of Matawan shall be appointed by the Governor with the advice and consent of the Senate and shall have the qualifications required by law and shall serve for a term of three years from the date of his/her appointment and until his/her successor has been appointed and has qualified. The compensation of the judge shall be an annual salary as is now or hereinafter may be provided by ordinance and in accordance with the terms of the Shared Services Agreement for the Establishment of a Joint Municipal Court between the Township of Hazlet and the Borough of Matawan.

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Section 9.

The territorial jurisdiction of the Joint Municipal Court of the Township of Hazlet and Borough of Matawan shall be coextensive with the territory of the Township of Hazlet and the Borough of Matawan.

Section 10.

Municipal Court Administrator

There shall be a Municipal Court Administrator who shall be appointed as provided by this ordinance and in accordance with the terms of the Shared Services Agreement for the Establishment of a Joint Municipal Court between the Township of Hazlet and the Borough of Matawan.

Section 11.

Support Staff

Joint Municipal Court support staff shall be appointed in the manner provided by this ordinance and in accordance with the terms of the Shared Services Agreement for the Establishment of a Joint Municipal Court between the Township of Hazlet and the Borough of Matawan.

Section 12.

Municipal Prosecutor

The Joint Municipal Court Prosecutor shall be appointed in the manner provided by this ordinance and in accordance with the terms of the Shared Services Agreement for the Establishment of a Joint Municipal Court between the Township of Hazlet and the Borough of Matawan. The Municipal Prosecutor shall have the jurisdiction, powers and duties prescribed by N.J.S.A. 2B:25-1 et seq.

Section 13.

Municipal Public Defender

a. Appointment. The Joint Municipal Court public defender shall be appointed in the manner provided by this ordinance and in accordance with the terms of the Shared Services Agreement for the Establishment of a Joint Municipal Court between the Township of Hazlet and the Borough of Matawan.

b. Representation. Any person applying to the Joint Municipal Court for representation by a Municipal Public Defender shall, in accordance with the provisions of P.L.1997, c.256, pay an application fee of not more than \$200, but only in an amount determined by the Municipal Court judge, necessary to pay the costs of municipal public defender services. The Municipal Court may waive said application fee in whole or in part if the court determines, in its discretion, that the application fee represents an unreasonable burden on the person seeking representation. Said determination shall be made in accordance with the applicable provisions under law.

Section 14.

Repealer

All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 15.

Severability

If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

Section 16.

Effective Date

This ordinance shall take effect as provided by law and only upon adoption of substantially similar ordinances by the Township of Hazlet.

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Clerk's Report

Ms. Wynne reported on the accomplishments of the Clerk's Office in 2014. With the assistance of all departments, they processed over 112 OPRA requests with special thanks to the Construction office. Also, there were 96 resident requests. All contracts for the years 2013 – 2014, as well as all ordinances and resolutions, dating back from 1993 and 1989, respectively, were indexed and documented. With the help of Nancy Palermo from the Finance office, the Clerk's Office also documented all deeds, easements, and foreclosures, and is currently in process of documenting all current Borough vehicle titles.

Mayor's Report

Mayor Buccellato extended his best wishes to all for a healthy and happy holiday season. He also acknowledged Councilman Fitzsimmons' six years of service on Council wishing him him good luck in his future endeavors.

Administrator's Report

Mr. Ferrara previously distributed his Report to Council, and also wished everyone a happy holiday season.

Attorney's Report

Mr. Menna stated the Ordinance 14-16 codifies recent discussions.

Engineer's Report

Mr. Keady reported on the status of the following projects:

1. Storm Damage Contract – the bulk of the work on Ned Drive is complete, but there is still going to be some restoration involved. The contractor has moved on to Sutton Drive.
2. Energy Audit – has been completed. Meeting with Mr. Ferrara next week, to review moving forward.
3. NJNG request – they have requested a road opening permit on William Street, which Mr. Keady denied. What they are doing is installing a gas main on Poet Drive. It's crossing Route 79 and connecting into Williams Street. We just paved William Street, which is why he denied it. NJNG requests Council to provide relief to allow them to tie into William Street. NJNG has yet to receive State approval. Council elected to wait until said approval is received.

Police, Fire, Railroad Parking, ADA

Councilman Urbano extended his best wishes for a Merry Christmas and Happy Chanukah echoing the words of the Mayor to Councilman Fitzsimmons.

Personnel, Development, Construction & Planning/Zoning Board

Councilwoman Gould had no report but commented on the success of the Santa Runs. She, too, thanked Councilman Fitzsimmons for his service to the community.

Finance and Environmental

Councilman Fitzsimmons requested the September and October 2014 Treasurer's Reports be read into the record. He informed the budget is in great shape and the Borough will finish the year with a surplus. He thanked Monica Antista and all the department heads for their

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cooperation. Councilman Fitzsimmons gave a farewell speech as Councilman and thanked everyone.

Recreation and Main Street

Councilwoman Clifton wished everyone a very happy holiday extended her best to Councilman Fitzsimmons.

Property Maintenance, First Aid, Historic Sites, Sanitation/Recycling

No report.

Public Works, Water/Sewer, Shade Tree

No report.

Consent Agenda

Mayor Buccellato read by title Resolutions 14-12-10 through and including 14-12-16; Resolutions 14-12-18 through and including 14-12-19; and Resolution 14-12-21, requesting a motion to approve en masse. Councilman Fitzsimmons made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

Yes: Councilman Urbano
Councilwoman Gould
Councilman Fitzsimmons
Councilwoman Clifton

Motion passed.

**RESOLUTION 14-12-10
REFUND OF TAX OVERPAYMENT DUE TO TAX APPEAL
BLOCK 95, LOT 1.02**

WHEREAS, a State Tax Board Judgment has been favorably awarded to Gregory and Gloria Nazarian, Block 95, Lot 1.02, for the fiscal year 2013; and

WHEREAS, such judgment has resulted in an overpayment of property taxes in the amounts of \$1,767.17.

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan hereby authorizes the Borough Treasurer to issue a check in the amount of \$1,767.17 for said overpayment of property taxes to the property owner's representative.

BE IT FURTHER RESOLVED that a certified true copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Tax Collector, Treasurer as well as the Property Owner.

**RESOLUTION 14-12-11
REFUND OF TAX OVERPAYMENT DUE TO TAX APPEAL
BLOCK 97, LOT 5**

WHEREAS, a State Tax Board Judgment has been favorably awarded to Christine 263-9, LLC, Block 97, Lot 5, for the fiscal year 2013; and

WHEREAS, such judgment has resulted in an overpayment of property taxes in the amounts of \$1,430.21.

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan hereby authorizes the Borough Treasurer to issue a check in the amount of \$1,430.21 for said overpayment of property taxes to the property owner's representative.

BE IT FURTHER RESOLVED that a certified true copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Tax Collector, Treasurer as well as the Property Owner.

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**RESOLUTION 14-12-12
REFUND OF TAX OVERPAYMENT DUE TO TAX APPEAL
BLOCK 119, LOT 44**

***WHEREAS**, a State Tax Board Judgment has been favorably awarded to Louis J. Aiese, Block 119, Lot 44, for the fiscal years 2012, 2013 and 2014; and*

***WHEREAS**, such judgment has resulted in an overpayment of property taxes in the amounts of \$8,638.00, \$8,736.00 and \$9,537.50, respectively.*

***NOW, THEREFORE, BE IT RESOLVED** the Council of the Borough of Matawan hereby authorizes the Borough Treasurer to issue a check in the amount of \$26,911.50 for said overpayment of property taxes to the property owner's representative, Zipp and Tannenbaum, LLC.*

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

**RESOLUTION 14-12-13
REFUND OF TAX OVERPAYMENT DUE TO TAX APPEAL
BLOCK 123, LOT 62**

***WHEREAS**, a State Tax Board Judgment has been favorably awarded to James and Andrea Fumarola, Block 123, Lot 62, for the fiscal year 2013; and*

***WHEREAS**, such judgment has resulted in an overpayment of property taxes in the amounts of \$881.09.*

***NOW, THEREFORE, BE IT RESOLVED** the Council of the Borough of Matawan hereby authorizes the Borough Treasurer to issue a check in the amount of \$881.09 for said overpayment of property taxes to the property owner's representative.*

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

**RESOLUTION 14-12-14
RELEASE OF ESCROW FUNDS
WASHINGTON PHILLIPS, LLC
13-1/2 NEW BRUNSWICK AVENUE
BLOCK 47.02, LOT 24**

***WHEREAS**, Washington Phillips, LLC has requested the release of the balance on their escrow account, Block 47.02, Lot 24, also known as 13-1/2 New Brunswick Avenue, Matawan, New Jersey; and*

***WHEREAS**, Washington Phillips, LLC has posted the required Performance Bond and both the Planning/Zoning Board Attorney and Engineer have certified any and all outstanding billing has been satisfied; and*

***WHEREAS**, as certified by the Treasurer/CFO the remaining escrow balance as of December 18, 2014 is Three Thousand Five Hundred Eighty One Dollars and No Cents (\$3,581.00).*

***NOW, THEREFORE, BE IT RESOLVED** the Council of the Borough of Matawan hereby approves the release of the balance of the escrow funds in the amount of Three Thousand Five Hundred Eighty One Dollars and No Cents (\$3,581.00) to Washington Phillips, LLC, PO Box 106, Old Bridge, New Jersey 08857 for Block 47.02, Lot 24, also known as 13-1/2 New Brunswick Avenue, Matawan, New Jersey.*

***BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Finance as well as Washington Phillips, LLC and Salvatore Alfieri, Esq.*

**RESOLUTION 14-12-15
AUTHORIZATION TO CONNECT TO THE
BOROUGH OF MATAWAN SANITARY SEWER AND WATER SYSTEM
WASHINGTON PHILLIPS, LLC
13-1/2 NEW BRUNSWICK AVENUE – BLOCK 47.02, LOT 24**

***WHEREAS**, Washington Phillips, LLC for the property located at 13-1/2 New Brunswick Avenue, Matawan, New Jersey, also known as Block 47.02, Lot 24, is requesting to connect the property to the Borough of Matawan's sanitary sewer and water system; and*

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***WHEREAS**, Robert R. Keady, Jr. of T&M Associates, Borough Engineer, has reviewed the water and sewer requirements for the proposed Application; and*

***WHEREAS**, the John Applegate, Superintendent for the Department of Public Works has reviewed the Application and has no objection to the connection.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that it hereby grants permission for Washington Phillips, LLC, 13-1/2 New Brunswick Avenue, Matawan, New Jersey, also known as Block 47.02, Lot 24, to connect into the Borough's sanitary sewer and water system.*

***BE IT FURTHER RESOLVED** that prior to connection to the Borough's sanitary sewer system, Washington Phillips, LLC, Block 47.02, Lot 24, must comply with all the terms and conditions outlined in the Borough Engineer letter dated September 9, 2014 which is attached to and made part of this resolution.*

***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.*

***BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Finance, Clerk, Public Works, Construction as well as the Borough Engineer and Washington Phillips, LLC.*

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MATN-G1405

September 9, 2014

Karen Wynne, RMC, Borough Clerk
Borough of Matawan
201 Broad Street
Matawan, New Jersey 07747

(via Email and Regular Mail)

**Re: Sanitary Sewer and Water Services - Revised
11 New Brunswick Avenue
Block 47.02, Lot 24**

Dear Ms. Wynne:

As requested, we have reviewed the water and sewer requirements for the proposed application. The following is required for the applicant to connect to the Borough sanitary sewer and water systems:

1. Fees

a. The following initial fees will be required by the Borough of Matawan:

- | | | |
|------|---|------------|
| i. | Sanitary Sewer Assessment Fee (Section 23-3.1)
Residential Lot | \$1,000.00 |
| ii. | Water Service Fee (Section 22-1.1) | \$ 750.00 |
| iii. | Escrow Fee for review of plans | \$ 500.00 |
| iv. | Please be advised that if additional escrow is required a request will be made. | |

b. The following quarterly fees will be required by the Borough of Matawan:

- | | | |
|-----|--|----------------|
| i. | Sewer User Fee Noncommercial unit (Section 23-6.1.b) | \$143.00 |
| ii. | Water Services User Fee (Section 22-2.2.a) | \$ 30.00 (min) |

2. Once fees are paid, the Borough would consider passing a resolution authorizing the connection into their sanitary sewer system. This is required by BSRA to obtain their approval.
3. Bayshore Regional Sewerage Authority (BSRA) approval would be required.
4. A utility/road opening permit is required. Please note, New Brunswick Avenue, also known as County Road 516, is within county jurisdiction; therefore, a county road opening permit will be required.

Upon receipt of the above information, we will continue our review of the proposed application.

Very truly yours,

T&M ASSOCIATES

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

cc: Louis Ferrara, Administrator
Jake Applegate, Superintendent of Water & Sewer

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**RESOLUTION 14-12-16
APPROVAL OF MATAWAN FIRST AID & RESCUE SQUAD
FLEA MARKET AT THE MATAWAN TRAIN STATION PARKING LOT
YEAR 2015**

***WHEREAS**, the Matawan First Aid & Rescue Squad has requested they be allowed to conduct a flea market at the Matawan Train Station parking lot on Saturdays and Sundays between January and December of 2015; and*

***WHEREAS**, the Matawan First Aid & Rescue Squad uses revenue generated from the flea market to provide the Matawan First Aid & Rescue Squad with many items that enable the department to enhance their service the community; and*

***WHEREAS**, the Governing Body of the Borough of Matawan has reviewed the submitted request attached hereto.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby approve the request of the Matawan First Aid & Rescue Squad for their flea market at the Matawan Train Station parking lot on Saturdays and Sundays between January and December of 2015.*

***BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Public Works, Police, Fire as well as the First Aid.*

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The Matawan First Aid & Rescue Squad

Post Office Box 28
Matawan, New Jersey 07747

October 22, 2014

Mayor and Council
Matawan Borough
201 Broad Street
Matawan, NJ 07747

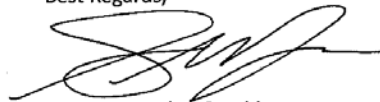
RE: Flea Market at the Train Station

Dear Mayor and Council,

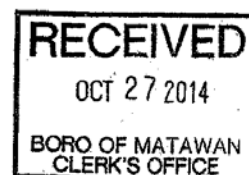
The Matawan First Aid & Rescue Squad would like to have your permission to use the train station parking lot on weekends to continue our Flea Market into 2014. The flea market will be held year round, weather permitting.

We have contacted New Jersey Transit and are in the process of getting them the information they require to obtain an Access Permit for 2015. For your records, I have attached our "Letter of Intent" which has been submitted to NJ Transit.

Best Regards,



Steven J. Morley, President
Matawan First Aid & Rescue Squad



**Matawan First Aid & Rescue Squad
(732) 566 - 0005
MATAWANFARS.ORG**

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The Matawan First Aid & Rescue Squad

Post Office Box 28
Matawan, New Jersey 07747

October 22, 2014

NJ TRANSIT HEADQUARTERS
One Penn Plaza East
Newark, NJ 07105-2246

RE: Flea Market at the Matawan-Aberdeen Train Station parking lot.

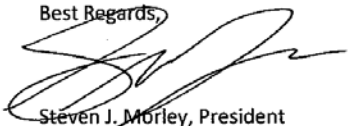
Good Afternoon Mr. Allen Kratz,

Please accept this letter as our Letter of Intent to obtain an Access Permit for the use of the Matawan-Aberdeen Train Station Parking Lot Number One. Our first aid squad applied for and was granted a permit for use in 2014. We would like to reapply for this same permit for usage in 2015.

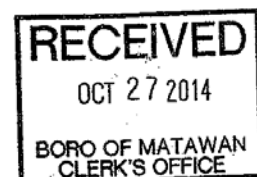
From what I have learned I understand our first aid squad also needs approval from our borough to use this parking lot. I have just submitted a written request to our Mayor and Council, which I assume will be passed at their next council meeting. For your records, I have attached the letter of request which I have submitted to the Borough Council.

I am beginning this process now for 2015 because I have several vendors who wish year round, weather permitting, which will also continue to bring in valuable funds to support our organization. I have provided my contact information below. Please feel free to contact me if you have any questions. Thank you.

Best Regards,



Steven J. Morley, President
Matawan First Aid & Rescue Squad
Cell: (908) 907-8913
Fax: (732) 441-1350
Email: stevenjames516@aol.com



CC: Karen Wayne, Matawan Borough Clerk

Matawan First Aid & Rescue Squad
(732) 566 - 0005
MATAWANFARS.ORG

RESOLUTION 14-12-18

IN SUPPORT OF AN APPLICATION TO THE NEW JERSEY CHAPTER OF THE AMERICAN PLANNING ASSOCIATION (NJ APA) FOR TECHNICAL PLANNING ASSISTANCE FROM THE NJ APA'S COMMUNITY PLANNING ASSISTANCE PROGRAM (CPAP)

WHEREAS, the New Jersey Chapter of the American Planning Association has a program that provides technical planning assistance to communities that can identify a sound planning need and subsequent project proposal; and

WHEREAS, the CPAP Program is a competitive one requiring the submission of a formal application, a \$1,500.00 stipend to cover incidental costs associated with the professional planning services; and access to the in-house support needed to advance the proposed program; and

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WHEREAS, the Borough is committed to assembling a Steering Committee that will help to guide the CPAP process should Matawan be awarded its proposal for technical assistance.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MATAWAN, NEW JERSEY as follows:

1. *That the Borough authorizes the submission of an application through the office of the Borough Administrator to the New Jersey Chapter of the American Planning Association for technical planning assistance through the Community Planning Assistance Program, (CPAP); and*
2. *That the Borough commits \$1,500 and access to Borough departments and key staff for in-kind support should the CPAP application be accepted pending receipt of written Certification as to Available Funding from the Chief Financial Officer; and*
3. *That the Borough will assemble a Steering Committee comprised of public officials and local residents and business people to help guide the CPAP effort, if the application to the NJ APA is approved; and*
4. *That the Borough commits to making a reasonable effort to implement the recommendations stemming from the CPAP Report; and*
5. *That the Borough authorizes Administrator Louis Ferrara to execute any necessary paperwork needed to facilitate the approval of the application.*

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Finance, as well as the New Jersey Chapter of the American Planning Association.

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 4-01-21-180-200 Budget of the Borough of Matawan to New Jersey Chapter of the American Planning Association 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: December 18, 2014

**RESOLUTION 14-12-19
AUTHORIZING THE BOROUGH ADMINISTRATOR TO ADVERTISE
FOR A FULL-TIME DEPUTY BOROUGH CLERK**

WHEREAS, *there is a need for a Full-Time Deputy Borough Clerk for the Borough of Matawan.*

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that the Borough Administrator of the Borough of Matawan, is hereby authorized to advertise (in print or electronic media), interview, and make recommendations for the position of Full-Time Deputy Borough Clerk to the Mayor and Council, for authorization by Mayor and Council and subject to a Certification as to Available Funding from the Chief Financial Officer.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration as well as the Clerk.

**RESOLUTION 14-12-21
AUTHORIZING THE TRANSFER OF FUNDS FROM
CURRENT AND UTILITY ACCOUNTS IN THE 2014 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*

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***WHEREAS**, the Chief Financial Officer has advised the Mayor and Council of the Borough of Matawan that the need for certain transfers within the 2014 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 2014 Municipal Budget:*

<u>Transfer From:</u> Account Number	Amount of Transfer	<u>Transfer To:</u> Account Number	Amount of Transfer
4-01-21-180-100 Planning/Zoning Salary & Wages	\$ 600.00	4-01-21-180-100 Planning/Zoning Other Expenses	\$ 600.00
4-01-31-430-200 Utilities Other Expenses	\$ 14,000.00	4-01-26-310-200 Public Buildings Other Expenses	\$ 14,000.00
4-01-27-330-200 Board of Health Other Expenses	\$ 5,000.00	4-01-23-220-200 Group Insurance Other Expenses	\$ 5,000.00
4-01-26-305-200 Garbage Other Expenses	\$ 5,000.00	4-01-23-220-200 Group Insurance Other Expenses	\$ 5,000.00

***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.*

New Business

Mayor Buccellato read by title Resolution 14-12-17: Special Emergency Resolution - Replacement of the Heating Ventilation and Air Conditioning System (HVAC) Unit for the Administrative Offices at the Matawan Municipal Community Center. Mayor Buccellato requested a motion. Councilman Urbano made the motion, seconded by Councilwoman Gould. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Urbano
Councilwoman Gould
Councilman Fitzsimmons
Councilwoman Clifton

Motion passed.

**RESOLUTION 14-12-17
SPECIAL EMERGENCY RESOLUTION
REPLACEMENT OF THE HEATING VENTILATION AND
AIR CONDITIONING SYSTEM (HVAC) UNIT FOR THE ADMINISTRATIVE OFFICES AT THE
MATAWAN MUNICIPAL COMMUNITY CENTER**

***WHEREAS**, pursuant to NJSA 40A:4-46, defines a situation affecting the public health, safety and welfare requiring the immediate delivery of supplies, and goods and/or performance of work or services; and*

***WHEREAS**, the Local Public Contracts Law NJSA 40A:11-6 also permits for the emergency provision of goods and services; and*

***WHEREAS**, it has been found necessary to make an emergency purchase for the replacement of the Heating Ventilation and Air Conditioning System (HVAC) due to its age, current condition and lack of providing necessary heating for the Administrative Offices at the Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey; and*

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WHEREAS, the Borough Administrator has advised the Governing Body that an emergency exists which requires authorization to approve the purchase of the HVAC Unit in an amount not to exceed Fourteen Thousand Dollars and No Cents (\$14,000.00).

NOW, THEREFORE BE IT RESOLVED by the Council of the Borough of Matawan that it hereby authorizes its agents to purchase a replacement of the Heating Ventilation and Air Conditioning System (HVAC) in an amount not to exceed Fourteen Thousand Dollars and No Cents (\$14,000.00) for the Administrative Offices at the Matawan Municipal Community Center to ensure the efficient operation of the Borough of Matawan pending receipt of written Certification as to Available Funding from the Chief Financial Officer.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Finance and Public Works.

CERTIFICATION AS TO AVAILABLE FUNDING

I, Monica Antista, Chief Financial Officer of the Borough of Matawan do hereby certify that as of the date of this certification funds are available from the 4-01-26-310-200 Budget of the Borough of Matawan for the purchase of a replacement to Heating Ventilation and Air Conditioning System (HVAC) for the Administrative Offices at the Matawan Municipal Community Center to ensure the efficient operation of the Borough of Matawan in an amount not to exceed Fourteen Thousand Dollars and No Cents (\$14,000.00).

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: December 18, 2014

Mayor Buccellato read by title Resolution 14-12-20: A Resolution to Fix and Determine the 2014 Stipends for the Borough of Matawan Office of Emergency Management Personnel – Public Safety. Mayor Buccellato requested a motion. Councilman Urbano made the motion, seconded by Councilwoman Gould. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Urbano
Councilwoman Gould
Councilman Fitzsimmons
Councilwoman Clifton

Motion passed.

RESOLUTION 14-12-20

**A RESOLUTION TO FIX AND DETERMINE THE 2014 STIPENDS FOR THE BOROUGH
OF MATAWAN OFFICE OF EMERGENCY MANAGEMENT PERSONNEL
PUBLIC SAFETY**

*WHEREAS, the following resolution sets the individual stipends for 2014 retroactive to January 1, 2014;
and*

WHEREAS, funds for this purposes are available in the 2014 Budget pending receipt of written Certification as to Available Funding from the Chief Financial Officer.

NOW, THEREFORE BE IT RESOLVED that the 2014 Stipends for the Borough of Matawan Office of Emergency Management personnel are hereby set as follows:

<u>TITLE</u>	<u>DEPARTMENT</u>	<u>EMPLOYEE</u>	<u>2014 SALARY</u>
<u>Public Safety</u>			
Emergency Management Coordinator		Thomas J. Falco	\$2,500.00
Emergency Management 1 st Deputy Coordinator		Richard Michitsch	\$1,750.00

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<i>Emergency Management 2nd Deputy Coordinator</i>	<i>Timothy Clifton</i>	<i>\$1,500.00</i>
<i>Emergency Management Secretary</i>	<i>Tammy Michitsch</i>	<i>\$500.00</i>
<i>OEM CERT Coordinator</i>	<i>Herbert Caravella</i>	<i>\$500.00</i>

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Finance, Payroll Officer and Thomas J. Falco.

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 4-01-25-252-100 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 18, 2014

Mayor Buccellato requested a motion to hold Resolution 14-12-16: Approval of Matawan First Aid & Rescue Squad Flea Market at the Matawan Train Station Parking Lot – Year 2015. Councilman Fitzsimmons made the motion, seconded by Councilman Urbano. Council agreed. Motion passed.

Mayor Buccellato read by title Resolution 14-12-22: Payment of Bills. Mayor Buccellato requested a motion. Councilman Fitzsimmons made the motion, seconded by Councilwoman Gould. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Urbano
Councilwoman Gould
Councilman Fitzsimmons
Councilwoman Clifton

Motion passed.

**RESOLUTION 14-12-22
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.

<i>Current</i>	<i>\$524,000.41</i>
<i>Water & Sewer</i>	<i>\$150,838.45</i>
<i>Borough Capital</i>	<i>\$17,542.90</i>
<i>Water Capital</i>	<i>\$758.29</i>
<i>Grant</i>	<i>\$3,238.60</i>
<i>Borough Trust</i>	<i>\$4,417.99</i>
<i>Dog Tax Trust</i>	<i>\$3,180.00</i>
<i>Railroad Parking Trust</i>	<i>\$11,500.00</i>
<i>Recreation Trust</i>	<i>\$8,284.56</i>
<i>Total</i>	<i>\$723,761.20</i>

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

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Privilege of the Floor

Mayor Buccellato opened the Privilege of the Floor.

Robert Anfuso, 260 Main Street, Matawan. Mr. Anfuso informed the Hudson Trail was in need of maintenance specifically, the trenches and storm drains needed to be cleared. Water is being diverted to Stillwell Street is causing a pond to develop presenting photographs of the situation. It is his belief this began when the road was repaired. Mr. Keady stated the purpose for the improvement on Stillwell was for drainage. As water used to sit on Stillwell a drainage system was installed to take the water from the roadway and put it into the ditch, on the downstream side. The water that builds on the upstream side of the ditch did so before the road project. The project did not address that issue because that is a county issue. Mr. Anfuso believes it to be a joint responsibility. Mayor Buccellato informed there were meetings this past summer between the County and the Borough. Mr. Keady and Mayor Buccellato will contact the County. Mayor Buccellato requested that Mr. Anfuso email the photographs to his attention. Mayor Buccellato will then forward same to the Borough Attorney.

Mayor Buccellato offered Mr. Fitzsimmons his nameplate and Mr. Fitzsimmons said he would claim it at the January 1st meeting in 2015.

Mayor Buccellato closed the Privilege of the Floor.

Adjournment

Mayor Buccellato requested a motion to recess this meeting and reconvene it on January 1st, 2015. Councilman Fitzsimmons made the motion, seconded by Councilwoman Gould. Council agreed. Motion passed.

Meeting adjourned at 7:35 PM.

Karen Wynne, RMC
Municipal Clerk