

**Borough of Matawan  
Public Session  
January 28, 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 January 28, 2014. The meeting was called to order at 7:10 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 17, 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  
                  Councilwoman Daly  
                  Councilwoman Angelini

Also, present were 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.

**Approval of Minutes**

Mayor Buccellato requested a motion to approve the minutes of August 7, 2013. Councilwoman Angelini made the motion, seconded by Councilwoman Clifton. Council agreed. Motion passed.

Mayor Buccellato requested a motion to approve the minutes of September 17, 2013. Councilwoman Angelini made the motion, seconded by Councilwoman Clifton. Council agreed. Motion passed.

**Privilege of the Floor – Agenda Items Only**

Mayor Buccellato opened the Privilege of the Floor.

There were no comments.

Mayor Buccellato closed the Privilege of the Floor.

**Old Business**

Mayor Buccellato read by title Ordinance 14:01 Ordinance Supplementing the Code of the Borough of Matawan Chapter II – Administration, Article IV – Administrative Organization of the Departments of Local Government, Section 2-14.01 – Police Department Composition. Mayor Buccellato requested a motion to open the public hearing. Councilwoman Clifton 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. Councilwoman Daly made the motion, seconded by Councilwoman Angelini. Council agreed. Motion passed. Mayor Buccellato read by title on third and final reading Ordinance 14:01 requesting a motion to adopt. Councilwoman Clifton made a motion to table the vote and adoption of Ordinance until February 4, 2015 at 7:00 PM, seconded by Councilwoman Daly. Mayor Buccellato requested a roll call. A roll call vote was taken.

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Yes: Councilman Urbano  
Councilwoman Gould  
Councilwoman Clifton  
Councilwoman Daly

No: Councilman Fitzsimmons  
Councilwoman Angelini

Motion passed.

**Clerk's Report**

No report.

**Mayor's Report**

Mayor Buccellato reported he attended Fire Department ice and water training this past Sunday with Councilwoman Gould and Councilman Urbano.

**Administrator's Report**

Mr. Ferrara reported he had a quote from shared services agreement with the County to pave the downtown parking lot. The quote came in at \$12,206.00 plus material, striping and ADA spots. Mr. Ferrara will work with owners of two properties to share in cost and will advise Council. Mr. Ferrara reported he awaits cost on spring pothole cleanup.

**Attorney's Report**

No report.

**Engineer's Report**

Mr. Keady reported Park Avenue Sewer contractor is scheduled to commence on February 10. For 2013 Road Program, the contractors for Contract 1 and Contract 2 are not expected to return until spring, and Contract 3 is expected to mobilize in the next few weeks dependent on weather. They are in process of submitting shop drawings.

**Property Maintenance, First Aid, Sanitation/Recycling**

No report.

**Finance and Environmental**

No report.

**Personnel, Redevelopment, Construction, Planning/Zoning Board**

Councilwoman Gould echoed the Mayor's sentiments about the ice and water training.

**Recreation and Main Street**

Mayor Buccellato reported the County has instituted a program where they jointly come into municipality and hold a meeting with all of the businesses to get feedback for improvements. On February 25 there will be a meeting at La Rivera on Main Street at 7:00 PM; all businesses are invited to attend. Mr. Menna informed that all Council can be present and no formal action will be taken.

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**Police, Fire, Railroad Parking, ADA**

Councilman Urbano thanked Rich Michitsch of Fire Department for providing instruction at water rescue class. Councilman Urbano recognized DPW for their hard work during the storms. Councilman Urbano made a motion to recommend two firefighters for approval: Wayne E. Powers for Washington Engine Company, and Jarrett Jirak for ME Haley Hose, seconded by Councilwoman Angelini. Council agreed. Motion passed. Councilman Urbano reported Washington Engine Company is holding its 4<sup>th</sup> annual St. Patrick's Day parade (the shortest parade) on March 14 at 6pm.

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

No report.

Mayor Buccellato nominated and appointed Susan Quinn as Representative to the Library Board for a five year term, said term to expire December 31, 2014. Mayor Buccellato requested a motion. Councilwoman Angelini made the motion, seconded by Councilwoman Clifton. Council agreed. Motion passed.

**Consent Agenda**

Mayor Buccellato read by title Resolutions 14-01-39 through and including 14-01-54 requesting a motion to approve en masse. Councilwoman Daly made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 14-01-39  
REDEMPTION OF TAX SALE CERTIFICATE  
US BANK CUST FOR PRO CAP II, LLC  
CERTIFICATE #13-00020**

**WHEREAS**, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #13-00020 which was sold to US Bank Cust for Pro Cap II, LLC, US Bank TLSC, 50 S 16<sup>th</sup> St., Suite 1950, Philadelphia, PA 19102; and

**WHEREAS**, Certificate #13-00020 has been paid and fully redeemed for the property owner, Block 27, Lot 1.11 otherwise known as 158 Main Street.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,312.90 and a Premium of \$2,000.00 to the above for the redemption of Tax Sale Certificate #13-00020.

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

**RESOLUTION 14-01-40  
REDEMPTION OF TAX SALE CERTIFICATE  
US BANK CUST FOR PRO CAP II, LLC  
CERTIFICATE #13-00033**

**WHEREAS**, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #13-00033 which was sold to US Bank Cust for Pro Cap II, LLC, US Bank TLSC, 50 S 16<sup>th</sup> St., Suite 1950, Philadelphia, PA 19102; and

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**WHEREAS**, Certificate #13-00033 has been paid and fully redeemed for the property owner, Block 35, Lot 25 otherwise known as 160 Broad Street.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$355.79 and a Premium of \$1,000.00 to the above for the redemption of Tax Sale Certificate #13-00033.

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

**RESOLUTION 14-01-41  
APPROVAL OF NEW TAXI DRIVER LICENSE  
FRANKIE NORMIL**

**WHEREAS, Frankie Normil**, has passed the required Police Department background checks; and

**WHEREAS, Frankie Normil**, has filed the proper documentation with the Borough Clerk's office.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby approve the following New Taxi Driver License:

Applicant: Frankie Normil  
99 Green Grove Avenue  
Keyport, New Jersey 07735

**BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following: Police, Clerk and Frankie Normil.

**RESOLUTION 14-01-42  
APPROVAL OF TAXI DRIVER LICENSE RENEWAL  
CARLOS OLIVER**

**WHEREAS, Carlos Oliver**, has passed the required Police Department background checks; and

**WHEREAS, Carlos Oliver**, has filed the proper documentation with the Borough Clerk's office.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby approve the following Taxi Driver License Renewal:

Applicant: Carlos Oliver  
115 Vermont Court  
Matawan, New Jersey 07747

**BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following: Police, Clerk and Carlos Oliver.

**RESOLUTION 14-01-43  
APPROVAL OF TAXI DRIVER LICENSE RENEWAL  
EDGAR RIBON**

**WHEREAS, Edgar Ribon**, has passed the required Police Department background checks; and

**WHEREAS, Edgar Ribon**, has filed the proper documentation with the Borough Clerk's office.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby approve the following Taxi Driver License Renewal:

Applicant: Edgar Ribon  
97 Morningside Ave.  
Keansburg, New Jersey 07734

**BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following: Police, Clerk and Edgar Ribon.

**RESOLUTION 14-01-44  
APPROVAL OF TAXI DRIVER LICENSE RENEWAL  
PAUL RODRIGUEZ**

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*WHEREAS, Paul Rodriguez, has passed the required Police Department background checks; and*

*WHEREAS, Paul Rodriguez, has filed the proper documentation with the Borough Clerk's office.*

*NOW, THEREFORE, BE IT RESOLVED* by the Council of the Borough of Matawan that they hereby approve the following Taxi Driver License Renewal:

Applicant: Paul Rodriguez  
484 East 74 St., GFE  
New York, New York 10021

*BE IT FURTHER RESOLVED* that a true certified copy of this Resolution shall be forwarded to the following: Police, Clerk and Paul Rodriguez.

**RESOLUTION 14-01-45  
APPROVAL OF RAFFLE LICENSE  
PTA ST. ROSE OF LIMA SCHOOL  
50/50 CASH  
RL-641**

*BE IT RESOLVED* by the Council of the Borough of Matawan that they hereby approve the raffle license for PTA St. Rose of Lima School Fundraiser.

<u>Name &amp; Location of Organization's Event</u>	<u>Date &amp; Time</u>
PTA St. Rose of Lima School	February 28, 2014
51 Lincoln Place	6:00 PM to 12:00 AM
Freehold, New Jersey 07728	

*BE IT FURTHER RESOLVED* that a true certified copy of this Resolution shall be forwarded to the following: Police, Clerk, PTA St. Rose of Lima School and NJS Legalized Games of Chance Control Commission.

**RESOLUTION 14-01-46  
APPROVAL OF RAFFLE LICENSE  
PTA ST. ROSE OF LIMA SCHOOL  
CASINO NIGHT  
RL-642**

*BE IT RESOLVED* by the Council of the Borough of Matawan that they hereby approve the raffle license for PTA St. Rose of Lima School Fundraiser.

<u>Name &amp; Location of Organization's Event</u>	<u>Date &amp; Time</u>
PTA St. Rose of Lima School	February 28, 2014
51 Lincoln Place	6:00 PM to 12:00 AM
Freehold, New Jersey 07728	

*BE IT FURTHER RESOLVED* that a true certified copy of this Resolution shall be forwarded to the following: Police, Clerk, PTA St. Rose of Lima School and NJS Legalized Games of Chance Control Commission.

**RESOLUTION 14-01-47  
APPROVAL OF RAFFLE LICENSE  
PTA ST. ROSE OF LIMA SCHOOL  
GIFT AUCTION (Generator)  
RL-643**

*BE IT RESOLVED* by the Council of the Borough of Matawan that they hereby approve the raffle license for PTA St. Rose of Lima School Fundraiser.

<u>Name &amp; Location of Organization's Event</u>	<u>Date &amp; Time</u>
PTA St. Rose of Lima School	February 28, 2014
51 Lincoln Place	6:00 PM to 12:00 AM
Freehold, New Jersey 07728	

*BE IT FURTHER RESOLVED* that a true certified copy of this Resolution shall be forwarded to the following: Police, Clerk, PTA St. Rose of Lima School and NJS Legalized Games of Chance Control Commission.

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**RESOLUTION 14-01-48  
APPROVAL OF RAFFLE LICENSE  
PTA ST. ROSE OF LIMA SCHOOL  
GIFT AUCTION (Tuition)  
RL-644**

**BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby approve the raffle license for PTA St. Rose of Lima School Fundraiser.

Name & Location of Organization's Event  
PTA St. Rose of Lima School  
51 Lincoln Place  
Freehold, New Jersey 07728

Date & Time  
February 28, 2014  
6:00 PM to 12:00 AM

**BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following: Police, Clerk, PTA St. Rose of Lima School and NJS Legalized Games of Chance Control Commission.

**RESOLUTION 14-01-49  
APPROVAL OF RAFFLE LICENSE  
PTA ST. ROSE OF LIMA SCHOOL  
50/50 CASH (Birthday Board)  
RL-645**

**BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby approve the raffle license for PTA St. Rose of Lima School Fundraiser.

Name & Location of Organization's Event  
PTA St. Rose of Lima School  
51 Lincoln Place  
Freehold, New Jersey 07728

Date & Time  
February 28, 2014  
6:00 PM to 12:00 AM

**BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following: Police, Clerk, PTA St. Rose of Lima School and NJS Legalized Games of Chance Control Commission.

**RESOLUTION 14-01-50  
AMENDING  
RESOLUTION 14-01-04  
AUTHORIZING THE PROMOTION OF CLASS TWO SPECIAL TO PATROLMAN (Academy Step)  
MATAWAN POLICE DEPARTMENT  
CHARLES HENRY, III**

**WHEREAS**, the Mayor and Council of the Borough of Matawan has been advised that there is a need for an additional patrolman within the Borough of Matawan's Police Department; and

**WHEREAS**, Chief of Police Jason Gallo has recommended the promotion of Class Two Special Charles Henry, III to Patrolman (Academy Step); and

**WHEREAS**, Charles Henry, III has agreed to pay any tuition fees associated with the Monmouth County or Ocean County Police Academy if the Police Training Commission dictates such training is necessary; and

**WHEREAS**, Chief of Police Jason Gallo has recommended that this Officer be hired as Patrolman while attending classes, if any.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Matawan authorizes the promotion of Charles Henry, III from Class Two Special to Patrolman (Academy Step), at a rate of compensation per annum of Thirty One Thousand Four Hundred Fifty Five Dollars and Ninety Nine Cents (\$31,455.99) effective January 1, 2014, in accordance with the current collective bargaining contract between the Matawan Policeman's Benevolent Association #179 and 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, Police, Payroll, Clerk, as well as Charles Henry, III.

**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 4-01-25-240-180 Budget of the Borough of Matawan to Charles

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*Henry, III from Class Two Special to Patrolman (Academy Step), at a rate of compensation per annum of Thirty One Thousand Four Hundred Fifty Five Dollars and Ninety Nine Cents (\$31,455.99) effective January 1, 2014, in accordance with the current collective bargaining contract between the Matawan Policeman's Benevolent Association #179 and 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)

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Monica Antista, CMFO

Dated: January 28, 2014

**RESOLUTION 14-01-51  
AMENDING  
RESOLUTION 14-01-05  
AUTHORIZING THE PROMOTION OF CLASS TWO SPECIAL TO PATROLMAN (Academy Step)  
MATAWAN POLICE DEPARTMENT  
JAMIL BROOKS**

**WHEREAS**, the Mayor and Council of the Borough of Matawan has been advised that there is a need for an additional patrolman within the Borough of Matawan's Police Department; and

**WHEREAS**, Chief of Police Jason Gallo has recommended the promotion of Class Two Special Jamil Brooks to Patrolman (Academy Step); and

**WHEREAS**, Jamil Brooks has agreed to pay any tuition fees associated with the Monmouth County or Ocean County Police Academy if the Police Training Commission dictates such training is necessary; and

**WHEREAS**, Chief of Police Jason Gallo has recommended that this Officer be hired as Patrolman while attending classes, if any.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Matawan authorizes the promotion of Jamil Brooks from Class Two Special to Patrolman (Academy Step), at a rate of compensation per annum of Thirty One Thousand Four Hundred Fifty Five Dollars and Ninety Nine Cents (\$31,455.99) effective January 1, 2014, in accordance with the current collective bargaining contract between the Matawan Policeman's Benevolent Association #179 and 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, Police, Payroll, Clerk, as well as Jamil Brooks.

**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 4-01-25-240-180 Budget of the Borough of Matawan to Jamil Brooks from Class Two Special to Patrolman (Academy Step), at a rate of compensation per annum of Thirty One Thousand Four Hundred Fifty Five Dollars and Ninety Nine Cents (\$31,455.99) effective January 1, 2014, in accordance with the current collective bargaining contract between the Matawan Policeman's Benevolent Association #179 and 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)

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Monica Antista, CMFO

Dated: January 28, 2014

**RESOLUTION 14-01-52  
AUTHORIZING REIMBURSEMENT OF PERMIT FEES  
CONSTRUCTION OFFICE  
DEFENDER SECURITY COMPANY**

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**WHEREAS**, on December 9, 2013 the Construction Department issued a Fire Protection Permit at a cost of Seventy Six Dollars and No Cents (\$75.00 Municipal Fee, \$1.00 DCA State Permit Fee) for the installation of three smoke detectors to Defender Security Company on behalf of Victoria Pirher, 73 Main Street, Matawan, NJ 07747, Block 8, Lot 7; and

**WHEREAS**, both Ms. Pirher and Defender Security notified the Construction Department the three (3) smoke detectors were not installed, and Defender Security has asked for a refund of the permit fees; and

**WHEREAS**, the Council is desirous to refund said amount.

**NOW, THEREFORE, BE IT RESOLVED**, the Council of the Borough of Matawan hereby authorizes the Construction Official to refund a Fire Protection Permit with accompanying DCA State Permit Fees to Defender Security, 27 Horseneck Road, Suite 2, Fairfield, New Jersey 07004 in the amount of Seventy Six Dollars and No Cents (\$76.00).

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the following Borough of Matawan Departments: Construction, Treasurer as well as Defender Security Company.

**RESOLUTION 14-01-53  
APPROVAL OF MATAWAN FIRE DEPARTMENT  
2014 “COIN TOSS”**

**WHEREAS**, the Matawan Fire Department has requested they be allowed to conduct a “coin toss” as follows for the 2014 year:

Saturday, May 17, 2014	9:00 AM to 1:00 PM
Sunday, May 18, 2014	9:00 AM to 1:00 PM

and

Saturday, October 11, 2014	9:00 AM to 1:00 PM
Sunday, October 12, 2014	9:00 AM to 1:00 PM

Locations:       Route 34 and Broad Street  
                      Route 79 and Mill Road; and

**WHEREAS**, the Matawan Fire Department uses revenue generated from the “coin toss” to provide the Matawan Fire Department with many items that enable the department to enhance their service the community.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby approve the request of the Matawan Fire Department for their “coin toss” and acknowledge the 2014 Matawan Fire Department Fund Drive between June 1, 2014 and July 30, 2014.

**BE IT FURTHER RESOLVED**, the Council of the Borough of Matawan directs the Borough Clerk to forward a copy of this resolution to County of Monmouth Counsel, Andrea I. Bazer, Esq., Hall of Records, Room 236, One East Main Street, Freehold, New Jersey 07728 for the approval of the Board of Chosen Freeholders.

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

**RESOLUTION 14-01-54  
RESOLUTION OF SUPPORT (CONCURRENCE)  
NEW JERSEY DEPARTMENT OF TRANSPORTATION  
ROUTE NJ 34 NO PASSING ZONE**

**WHEREAS**, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on Route NJ 34 in the Borough of Matawan; and

**WHEREAS**, NJDOT recommends a no change to the existing centerline “No Passing Zone” markings on Route NJ 34 in the Borough of Matawan which are in compliance with current design standards for safety reasons; and

**WHEREAS**, this project will create safer driving conditions in this area of Route NJ 34.

**NOW, THEREFORE, BE IT RESOLVED**, the Council of the Borough of Matawan, County of Monmouth in the State of New Jersey, that it supports (concurs) the use of a “No Passing Zone” on Route NJ 34 in the Borough of Matawan as recommended by NJDOT.



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**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded to the NJDOT as requested.

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

**New Business**

Mayor Buccellato read by title Resolution 14-01-55: Authorizing the Borough of Matawan to Enter into a Lease Agreement with Ricoh USA, Inc. for Construction Officer Copier. Mayor Buccellato requested a motion. Councilwoman Angelini made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 14-01-55  
AUTHORIZING THE BOROUGH OF MATAWAN  
TO ENTER INTO A LEASE AGREEMENT  
WITH RICOH USA, INC. FOR CONSTRUCTION OFFICE COPIER**

**WHEREAS**, the Borough of Matawan Construction Office has advised the Borough Administrator, Louis C. Ferrara, of the need for a replacement copy machine due to the age and condition of the current copy machine used by the Department; and

**NOW, THEREFORE, BE IT RESOLVED** the Council of the Borough of Matawan, upon review of the attached Lease Agreement, and acting under the recommendation and opinion of Mr. Ferrara regarding the above, hereby authorize Louis C. Ferrara, Borough Administrator of the Borough of Matawan, to enter into a Lease Agreement for a Ricoh USA, Inc. copier for the Borough of Matawan's Construction Office through the New Jersey State Contract Program, Ricoh USA, Inc., 485 Route 1 South, Building D, Suite 200, Iselin, New Jersey 08830, under the terms and conditions of the attached Lease Agreement.

**BE IT FURTHER RESOLVED** by the Council of the Borough of Matawan and the County of Monmouth, State of New Jersey that Louis C. Ferrara, Borough Administrator of the Borough of Matawan be and the same is hereby authorized to execute said Lease Agreement.

**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, and Construction.

**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 4-01-22-195-200 and 4-01-26-265-300 Budget of the Borough of Matawan to Ricoh USA, Inc. for the Borough of Matawan in an amount of \$950.00 per year per line item for a two year period not to exceed One Thousand Nine Hundred Dollars and No Cents (\$1,900.00) per year.

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)

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Monica Antista, CMFO  
Dated: January 28, 2014

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RICOH

Ricoh USA, Inc.  
70 Valley Stream Parkway  
Malvern, PA 19355

Product Schedule Number: \_\_\_\_\_  
Master Lease Agreement Number: \_\_\_\_\_

This Product Schedule (this "Schedule") is between Ricoh USA, Inc. ("we" or "us") and BOROUGH OF MATATWAN, as customer or lessee ("Customer" or "you"). This Schedule constitutes a "Schedule," "Product Schedule," or "Order Agreement," as applicable, under the \_\_\_\_\_, together with any amendments, attachments and addenda thereto, the "Lease Agreement" identified above, between you and \_\_\_\_\_. All terms and conditions of the Lease Agreement are incorporated into this Schedule and made a part hereof. If we are not the lessor under the Lease Agreement, then, solely for purposes of this Schedule, we shall be deemed to be the lessor under the Lease Agreement. It is the intent of the parties that this Schedule be separately enforceable as a complete and independent agreement, independent of all other Schedules to the Lease Agreement.

CUSTOMER INFORMATION			
BOROUGH OF MATATWAN			
Customer (Bill To)		Louis C Ferrara	
201 BROAD ST		Billing Contact Name	
Product Location Address		201 BROAD ST	
MATAWAN NJ 07747-3226		Billing Address (if different from location address)	
City	County	City	County
Billing Contact Telephone Number		Billing Contact Facsimile Number	
(732) 566-3898		(732) 566-5061	
Billing Contact E-Mail Address		Billing Contact E-Mail Address	
louis.ferrara@matawanborough.com		louis.ferrara@matawanborough.com	

PRODUCT/EQUIPMENT DESCRIPTION ("Product")	
Qty	Product Description: Make & Model
1	RICOH EMBEDDED HOTSPOT TYPE S
1	[XXXX]RICOH MP2852SP

PAYMENT SCHEDULE	
Minimum Term (months)	Minimum Payment (Without Tax)
48	\$ 158.31
Minimum Payment Billing Frequency	
<input checked="" type="checkbox"/> Monthly	
<input type="checkbox"/> Quarterly	
<input type="checkbox"/> Other: _____	
Advance Payment	
<input type="checkbox"/> 1 <sup>st</sup> Payment	
<input type="checkbox"/> 1 <sup>st</sup> & Last Payment	
<input checked="" type="checkbox"/> Other: NONE	
Guaranteed Minimum Images <sup>a</sup>	
Black/White	Color
3,500	N/A
Cost of Additional Images <sup>b</sup>	
Black/White	Color
\$0.0120	N/A
Meter Reading/Billing Frequency	
<input type="checkbox"/> Monthly	
<input checked="" type="checkbox"/> Quarterly	
<input type="checkbox"/> Other: _____	

<sup>a</sup> Based upon Minimum Payment Billing Frequency  
<sup>b</sup> Based upon standard 8 1/2" x 11" paper size. Paper sizes greater than 8 1/2" x 11" may count as more than one image.

Sales Tax Exempt: ☒ YES (Attach Exemption Certificate)  
Addendum(s) attached: ☐ YES (check if yes and indicate total number of pages: \_\_\_\_\_) Customer Billing Reference Number (P.O. #, etc.) \_\_\_\_\_

TERMS AND CONDITIONS  
1. The first Payment will be due on the Effective Date. If the Lease Agreement uses the terms "Lease Payment" and "Commencement Date" rather than "Payment" and "Effective Date," then, for purposes of this Schedule, the term "Payment" shall have the same meaning as "Lease Payment," and the term "Effective Date" shall have the same meaning as "Commencement Date."

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2. You, the undersigned Customer, have applied to us to use the above-described Product for lawful commercial (non-consumer) purposes. **THIS IS AN UNCONDITIONAL, NON-CANCELABLE AGREEMENT FOR THE MINIMUM TERM INDICATED ABOVE**, except as otherwise provided in any non-appropriation provision of the Lease Agreement, if applicable. If we accept this Schedule, you agree to use the above Product on all the terms hereof, including the terms and conditions on the Lease Agreement. **THIS WILL ACKNOWLEDGE THAT YOU HAVE READ AND UNDERSTAND THIS SCHEDULE AND THE LEASE AGREEMENT AND HAVE RECEIVED A COPY OF THIS SCHEDULE AND THE LEASE AGREEMENT.** You acknowledge and agree that the Ricoh service commitments included on the "Image Management Plus Commitments" page attached to this Schedule (collectively, the "Commitments") are separate and independent obligations of Ricoh USA, Inc. ("Ricoh") governed solely by the terms set forth on such page. If we assign this Schedule in accordance with the Lease Agreement, the Commitments do not represent obligations of any assignee and are not incorporated herein by reference. You agree that Ricoh alone is the party to provide all such services and is directly responsible to you for all of the Commitments. We are or, if we assign this Schedule in accordance with the Lease Agreement, our assignee will be, the party responsible for financing and billing this Schedule, including, but not limited to, the portion of your payments under this Schedule that reflects consideration owing to Ricoh in respect of its performance of the Commitments. Accordingly, you expressly agree that Ricoh is an intended party beneficiary of your payment obligations hereunder, even if this Schedule is assigned by us in accordance with the Lease Agreement.

3. Image Charges/Meters: In return for the Minimum Payment, you are entitled to use the number of Guaranteed Minimum Images as specified in the Payment Schedule of this Schedule. The Meter Reading/Billing Frequency is the period of time (monthly, quarterly, etc.) for which the number of images used will be reconciled. If you use more than the Guaranteed Minimum Images during the selected Meter Reading/Billing Frequency period, you will pay additional charges at the applicable Cost of Additional Images as specified in the Payment Schedule of this Schedule for images, black and white and/or color, which exceed the Guaranteed Minimum Images ("Additional Images"). The charge for Additional Images is calculated by multiplying the number of Additional Images by the applicable Cost of Additional Images. The Meter Reading/Billing Frequency may be different than the Minimum Payment Billing Frequency as specified in the Payment Schedule of this Schedule. You will provide us or our designee with the actual meter reading(s) by submitting meter reads electronically via an automated meter read program, or in any other reasonable manner requested by us or our designee from time to time. If such meter reading is not received within seven (7) days of either the end of the Meter Reading/Billing Frequency period or at our request, we may estimate the number of images used. Adjustments for estimated charges for Additional Images will be made upon receipt of actual meter reading(s). Notwithstanding any adjustment, you will never pay less than the Minimum Payment.

4. Additional Provisions (if any) are: \_\_\_\_\_

THE PERSON SIGNING THIS SCHEDULE ON BEHALF OF THE CUSTOMER REPRESENTS THAT HE/SHE HAS THE AUTHORITY TO DO SO.

<div>CUSTOMER</div> <div>By: <input checked="" type="checkbox"/> _____ Authorized Signer Signature</div> <div>Printed Name: _____</div> <div>Title: _____ Date: _____</div>	<div>Accepted by: RICOH USA, INC.</div> <div>By: _____ Authorized Signer Signature</div> <div>Printed Name: _____</div> <div>Title: _____ Date: _____</div>
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Borough of Matawan  
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RICOH

RICOH USA, INC.  
IMAGE MANAGEMENT PLUS COMMITMENTS

Ricoh USA, Inc.  
70 Valley Stream Parkway  
Malvern, PA 19355

The below service commitments (collectively, the "Service Commitments") are brought to you by Ricoh USA, Inc., an Ohio corporation having its principal place of business at 70 Valley Stream Parkway, Malvern, PA 19355 ("Rico"). The words "you" and "your" refer to you, our customer. You agree that Ricoh alone is the party to provide all of the services set forth below and is fully responsible to you, the customer, for all of the Service Commitments. Ricoh or, if Ricoh assigns the Product Schedule to which this page is attached in accordance with the Lease Agreement (as defined in such Product Schedule), Ricoh's assignee, is the party responsible for financing and billing the Image Management Plus Product Schedule. The Service Commitments are only applicable to the equipment ("Product") described in the Image Management Plus Product Schedule to which these Service Commitments are attached, including facsimile machines, single function and wide-format printers and production units. The Service Commitments are effective on the date the Product is accepted by you and apply during Ricoh's normal business hours, excluding weekends and Ricoh recognized holidays. They remain in effect for the Minimum Term so long as no ongoing default exists on your part.

TERM PRICE PROTECTION

The Image Management Minimum Payment and the Cost of Additional Images, as described on the Image Management Plus Product Schedule, will not increase in price during the Minimum Term of the Image Management Plus Product Schedule, unless agreed to in writing and signed by both parties.

PRODUCT SERVICE AND SUPPLIES

Ricoh will provide full coverage maintenance services, including replacement parts, drums, labor and all service calls, during Normal Business Hours. "Normal Business Hours" are between 8:00 a.m. and 5:00 p.m., Monday to Friday excluding public holidays. Ricoh will also provide the supplies required to produce images on the Product covered under the Image Management Plus Product Schedule (other than non-metered Product and soft-metered Product). The supplies will be provided according to manufacturer's specifications. Optional supply items such as paper, staples and transparencies are not included.

**STAPLES INCLUDED**

RESPONSE TIME COMMITMENT

Ricoh will provide a quarterly average response time of 2 to 6 business hours for all service calls located within a 30-mile radius of any Ricoh office, and 4 to 6 business hours for service calls located within a 31-60 mile radius for the term of the Image Management Plus Product Schedule. Response time is measured in aggregate for all Product covered by the Image Management Plus Product Schedule.

UPTIME PERFORMANCE COMMITMENT

Ricoh will service the Product to be Operational with a quarterly uptime average of 98% during Normal Business Hours, excluding preventative and interim maintenance time. Downtime will begin at the time you place a service call to Ricoh and will end when the Product is again Operational. You agree to make the Product available to Ricoh for scheduled preventative and interim maintenance. You further agree to give Ricoh advance notice of any critical and specific uptime needs you may have so that Ricoh can schedule with you interim and preventive maintenance in advance of such needs. As used in these Service Commitments, "Operational" means substantial compliance with the manufacturer's specifications and/or performance standards and excludes customary end-user corrective actions.

IMAGE VOLUME FLEXIBILITY AND PRODUCT ADDITIONS

At any time after the expiration of the initial ninety day period of the original term of the Image Management Plus Product Schedule to which these Service Commitments relate, Ricoh will, upon your request, review your image volume. If the image volume has moved upward or downward in an amount sufficient for you to consider an alternative plan, Ricoh will present pricing options to conform to a new image volume. If you agree that additional product is required to satisfy your increased image volume requirements, Ricoh will include the product in the pricing options. The addition of product and/or increases/decreases to the Guaranteed Minimum Images requires an amendment ("Amendment") to the Image Management Plus Product Schedule that must be agreed to and signed by both parties to the Schedule. The term of the Amendment may not be less than the remaining term of the existing Image Management Plus Product Schedule but may extend the remaining term of the existing Image Management Plus Product Schedule for up to an additional 60 months. Adjustments to the Guaranteed Minimum Images commitment and/or the addition of product may result in a higher or lower minimum payment. Images decreases are limited to 25% of the Guaranteed Minimum Images in effect at the time of Amendment.

PRODUCT AND PROFESSIONAL SERVICES UPGRADE OPTION

At any time after the expiration of one-half of the original term of the Image Management Plus Product Schedule to which these Service Commitments relate, you may reconfigure the Product by adding, exchanging, or upgrading to an item of Product with additional features or enhanced technology. A new Image Management Plus Product Schedule or Amendment must be agreed to and signed by the parties to the Schedule, for a term not less than the remaining term of the existing Image Management Plus Product Schedule but may, in the case of an Amendment, extend the remaining term of the existing Image Management Plus Product Schedule for up to an additional 60 months. The Cost of Additional Images and the Minimum Payment of the new Image Management Plus Product Schedule will be based on any obligations remaining on the Product, the added product and new image volume commitment. Your Ricoh Account Executive will be pleased to work with you on a Technology Refresh prior to the end of your Image Management Plus Product Schedule or Amendment.

PERFORMANCE COMMITMENT

Ricoh is committed to performing these Service Commitments and agrees to perform its services in a manner consistent with the applicable manufacturer's specifications. If Ricoh fails to meet any Service Commitments and in the unlikely event that Ricoh is not able to repair the Product in your office, Ricoh, at Ricoh's election, will provide to you either the delivery of a temporary loaner, for use while the Product is being repaired at Ricoh's service center, or Ricoh will replace such Product with comparable Product of equal or greater capability at no additional charge. These are the exclusive remedies available to you under the Service Commitments. Customer's exclusive remedy shall be for Ricoh to re-perform any Services not in compliance with this warranty and brought to Ricoh's attention in writing within a reasonable time, but in no event more than 30 days after such Services are performed. If you are dissatisfied with Ricoh's performance, you must send a registered letter outlining your concerns to the address specified below in the "Quality Assurance" section. Please allow 30 days for resolution.

ACCOUNT MANAGEMENT

Your Ricoh sales professional will, upon your request, be pleased to review your product performance metrics on a quarterly basis and at a mutually convenient date and time. Ricoh will follow up within 8 business hours of a call or e-mail to one of Ricoh's account management team members requesting a metrics review. Ricoh will, upon your request, be pleased to annually review your business environment and discuss ways in which Ricoh may improve efficiencies and reduce costs relating to your document management processes.

QUALITY ASSURANCE

Please send all correspondence relating to the Service Commitments via registered letter to the Quality Assurance Department located at: 3920 Ankrwright Road, Macon, GA 31210, Attn: Quality Assurance. The Quality Assurance Department will coordinate resolution of any performance issues concerning the above Service Commitments with your local Ricoh office. If either of the Response Time or Uptime Performance Commitments is not met, a one-time credit equal to 3% of your Minimum Payment Invoice total will be made available upon your request. Credit requests must be made in writing via registered letter to the address above. Ricoh is committed to responding to any questions regarding invoiced amounts for the use of the Product relating to the Image Management Plus Product Schedule within a 2 day timeframe. To ensure the most timely response please call 1-888-275-4568.

MISCELLANEOUS

These Service Commitments do not cover repairs resulting from misuse (including without limitation improper voltage or environment or the use of supplies that do not conform to the manufacturer's specifications), subjective matters (such as color reproduction accuracy) or any other factor beyond the reasonable control of Ricoh. Ricoh and you each acknowledge that these Service Commitments represent the entire understanding of the parties with respect to the subject matter hereof and that your sole remedy for any Service Commitments not performed in accordance with the foregoing is as set forth under the section hereof entitled "Performance Commitment". The Service Commitments made herein are service and/or maintenance warranties and are not product warranties. Except as expressly set forth herein, Ricoh makes no warranties, express or implied, including any implied warranties of merchantability, fitness for use, or fitness for a particular purpose. Neither party hereto shall be liable to the other for any consequential, indirect, punitive or special damages. Customer expressly acknowledges and agrees that, in connection with the security or accessibility of information stored in or recoverable from any Product provided or serviced by Ricoh, Customer is solely responsible for ensuring its own compliance with legal requirements or obligations to third parties pertaining to data security, retention and protection. To the extent allowed by law Customer shall indemnify and hold harmless Ricoh and its subsidiaries, directors, officers, employees and agents from and against any and all costs, expenses, liabilities, claims, damages, losses, judgments or fees (including reasonable attorneys' fees) arising from its failure to comply with any such legal requirements or obligations. These Service Commitments shall be governed according to the laws of the Commonwealth of Pennsylvania without regard to its conflict of law principles. These Service Commitments are not assignable by the Customer. Unless otherwise stated in your Implementation Schedule, your Product will ONLY be serviced by a "Rico Certified Technician". You acknowledge and agree that, in connection with its performance of its obligations under these Service Commitments, Ricoh may place automated meter reading units on imaging devices, including but not limited to the Product, at your location in order to facilitate the timely and efficient collection of accurate meter read data on a monthly, quarterly or annual basis. Ricoh agrees that such units will be used by Ricoh solely for such purpose. Once transmitted, all meter read data shall become the sole property of Ricoh and will be utilized for billing purposes.

IN WITNESS WHEREOF, each party has caused its duly authorized officer to execute these Service Commitments as of _____, 20____.	
CUSTOMER	RICOH USA, INC.
By: _____	By: _____
Name: _____	Name: _____
Title: _____	Title: _____
Date: _____	Date: _____

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Mayor Buccellato read by title Resolution 14-01-56: Resolution of the Borough of Matawan Directing Application be Made to the Local Finance Board Pursuant to NJSA 58:11B-9(a) and 40A:2-26(e). 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  
Councilwoman Daly

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Councilwoman Angelini

Motion passed.

**RESOLUTION 14-01-56  
RESOLUTION OF THE BOROUGH OF MATAWAN  
DIRECTING APPLICATION BE MADE TO THE  
LOCAL FINANCE BOARD PURSUANT TO  
NJSA 58:11B-9(a) AND 40A:2-26(e)**

***WHEREAS,** the Borough of Matawan (the "Borough") desires to make application to the Local Finance Board for its review of a proposed project financing in connection with a loan through the New Jersey Environmental Infrastructure Trust and approval to use a non-conforming maturity schedule; and*

***WHEREAS,** the Borough of Matawan believes that:*

- (a) it is in the public interest to accomplish such purposes,*
- (b) said purposes or improvements are for the health, welfare, convenience or betterment of the inhabitants of the local unit or units,*
- (c) the amounts to be expended for said purposes or improvements are not unreasonable or exorbitant,*
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and such purposes or improvements will not cause any undue financial burden to be placed upon the local unit or units,*

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

*Section 1. Application to the Local Finance Board for consideration by said Board of the Borough's proposed project financing and waiver for a non-conforming maturity schedule is hereby approved and the Borough's Bond Counsel, along with the other representatives of the Borough, are hereby authorized to prepare such application and to represent the Borough in the matters pertaining thereto.*

*Section 2. The Clerk of the Borough is hereby directed to cause a copy of this resolution to be filed with the Local Finance Board as a part of such application.*

***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, as well as the Borough Bond Attorney.*

**RECORDED VOTE:**

**AYE** Councilman Urbano  
Councilwoman Gould  
Councilman Fitzsimmons  
Councilwoman Clifton  
Councilwoman Daly  
Councilwoman Angelini

Mayor Buccellato read by title Resolution 14-01-57: Emergency Temporary Appropriation. Mayor Buccellato requested a motion. Councilman Fitzsimmons made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

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RESOLUTION 14-01-57  
EMERGENCY TEMPORARY APPROPRIATION

WHEREAS, emergent conditions have arisen with respect to the payment of bills in a number of accounts and no adequate provision has been made in a 2014 temporary budget for the aforesaid purposes; and

WHEREAS, NJSA 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2014 pursuant to the provisions of Chapter 96, PL 1951 (NJSA 40A:4-20) including this resolution total \$1,260,436.45.

NOW, THEREFORE, BE IT RESOLVED (not less than two thirds of all member of the Council of the Borough of Matawan, New Jersey affirmatively concurring) that in accordance with the provisions of NJSA 40A:4-20:

- 1. An emergency temporary appropriation be and the same is hereby made for the purposes stipulated in the attached list.
- 2. That said emergency temporary appropriations will be provided for in the 2014 budget under the appropriate titles.
- 3. That one certified copy of this resolution be filed with the Director of Local Government Services.

BE IT FURTHER RESOLVED, that the amount required by Statue for the payment of 2014 County, and Local School District Taxes, which are not included in this temporary budget, shall be paid as and when due.

2014 Temporary Budget-for January 21, 2014 Meeting

	Salary & Wages	Other Expenses
MAYOR & COUNCIL		
MUNI CLERK		
GENERAL ADMIN		
AUDIT		
FINANCE ADMIN		
TAX ASSES ADMIN		
TAX COLLECTOR		
LEGAL SERVICES		
ENGINEERING		
BLDG & GROUNDS		
PLAN/ZONING BD		
SHADE TREE COMM		
ENVIRON HEALTH		
SOLID WASTE COLL		
INSURANCE-GROUP HEALTH		
INSURANCE-LIABILITY		3,000.00
INSURANCE-WORKERS COMP		
FIRE		
FIRE-AID TO DEPARTMENT		
FIRE PREVENTION		
POLICE		
STREETS & ROADS		
STREET LIGHTING		
BD OF HEALTH		
RECREATION		
HISTORICAL SITES		
VOL 1ST AID SQUAD		
OEM		

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PROP MAINT		
RR PARKING		
DOWNTOWN REDEV		
UTILITIES		
VEHICLE MAINT		
CONSTR OFFICIAL		
ACCUM SICK LEAVE		
OASI/SOCIAL SECURITY		
PERS/PFRS		
CONTINGENT		
MUNICIPAL COURT		
PUBLIC DEFENDER		
FREE PUBLIC LIBRARY		
EMERGENCY 911		
GREEN TRUST LOAN		
INTEREST ON BONDS		
INTEREST ON NOTES		
PAYMENT OF BANS		
MCIA LEASE INTEREST		
 SUBTOTAL	-	3,000.00
 TOTAL TEMPORARY EMERGENCY APPROPRIATIONS		3,000.00 2,340,213.53
 WATER SEWER UTILITY		
 OPERATING		
BULK WATER PURCHASE/ACQUISITION OF WATER		
BAYSHORE REGIONAL SEWERAGE AUTHORITY		22,000.00
PAYMENT ON BOND PRINCIPAL		
BANS		
INTEREST ON BONDS		
INTEREST ON NOTES		
WATER-SEWER REHAB LOAN		
WASTEWATER LOAN		
SOCIAL SECURITY		
 SUBTOTAL	-	22,000.00
 TOTAL WATER SEWER UTILITY TEMPORARY EMERGENCY APPROPRIATIONS		22,000.00 1,257,436.45

***BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Finance, Clerk as well as the Borough Auditor and the Director of the Division of Local Government Services.*

Mayor Buccellato read by title Resolution 14-01-58: Authorizing the Transfer of Unexpended Balances in Certain 2013 Appropriation Reserve Accounts. Mayor Buccellato requested a motion. Councilman Fitzsimmons made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

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Councilwoman Angelini

Motion passed.

**RESOLUTION 14-01-58  
AUTHORIZING THE TRANSFER OF UNEXPENDED BALANCES IN CERTAIN  
2013 APPROPRIATION RESERVE ACCOUNTS**

**WHEREAS**, NJSA 40A:4-59 provides for the transfers within certain appropriations within the Municipal Budget during the first three months of the following year: and

**WHEREAS**, there are unexpended balances in certain 2013 appropriation reserve accounts; and

**WHEREAS**, additional funds are required in certain other 2013 appropriation reserve accounts.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that the following transfers are authorized from and to the following accounts:

<i>Transfer From</i>	<i>Amount of Transfer</i>	<i>Transfer To</i>	<i>Amount of Transfer</i>
<i>Account Number</i>		<i>Account Number</i>	
3-01-26-315-100 Vehicle Repairs Salary & Wages	\$ 9,000.00	3-01-26-290-100 Streets & Roads Salary & Wages	\$9,000.00
3-01-25-265-400 Fire Aid to Fire Department	\$ 2,391.00	3-01-25-265-200 Fire Other Expenses	\$ 2,391.00
3-01-25-265-100 Fire Prevention Salary & Wages	\$ 40.00	3-01-25-265-300 Fire Prevention Other Expenses	\$ 40.00
3-01-26-300-100 Shade Tree Salary & Wages	\$ 200.00	3-01-26-300-200 Shade Tree Other Expenses	\$ 200.00
3-01-20-175-100 Historic Sites Salary & Wages	\$ 200.00	3-01-26-300-200 Shade Tree Other Expenses	\$ 200.00
3-01-25-240-200 Police Other Expenses	\$4,500.00	3-01-26-315-200 Vehicle Repairs Other Expenses	\$4,500.00
3-01-26-291-100 Railroad Parking Salary & Wages	\$ 2,500.00	3-01-26-291-200 Railroad Parking Other Expenses	\$ 2,500.00
3-01-20-155-200 Legal Other Expenses	\$ 1,800.00	3-01-20-130-100 Finance Salary & Wages	\$ 1,800.00
3-01-20-155-200 Legal Other Expenses	\$ 900.00	3-01-20-145-100 Tax Collector Salary & Wages	\$ 900.00
3-01-20-155-200 Legal Other Expenses	\$ 400.00	3-01-26-265-100 Fire Prevention Salary & Wages	\$ 400.00
3-09-55-509-200 BRSA Other Expenses	\$30,000.00	3-09-55-508-200 Bulk Water Purchase Salary & Wages	\$30,000.00



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

Mayor Buccellato read by title Resolution 14-01-59: Payment of Bills (For January 21, 2014 Meeting to Close Out Year). Mayor Buccellato requested a motion. Councilman Fitzsimmons made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 14-01-59  
PAYMENT OF BILLS  
(For January 21, 2014 Meeting to Close Out Year)**

***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	\$153,514.45
Water & Sewer	\$33,146.81
Borough Trust	\$4,896.38
<b>Total</b>	<b>\$191,557.64</b>

***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.*

Mayor Buccellato read by title Resolution 14-01-60: Payment of Bills. Mayor Buccellato requested a motion. Councilman Fitzsimmons made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 14-01-60  
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.*

*Prepaid Bill List – January 2, 2014 Debt Service and Tax Sale Refunds*

Current	\$329,177.16
Water & Sewer	\$227,548.26

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<i><b>Total</b></i>	<b>\$556,725.42</b>
<i>Current</i>	\$2,082,364.17
<i>Water &amp; Sewer</i>	\$834,908.00
<i>Borough Capital</i>	\$79,159.20
<i>Water Capital</i>	\$8,401.31
<i>Borough Trust</i>	\$248,717.25
<i>Railroad Parking Trust</i>	\$11,764.00
<i>Recreation Trust</i>	\$6,168.80
 <i><b>Total</b></i>	 <b>\$3,271,482.73</b>

***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.*

Mayor Buccellato read by title Resolution 14-01-61:Amending Resolution 14-01-07: Designated Depository of 2014 Funds – Borough of Matawan. Mayor Buccellato requested a motion. Councilman Fitzsimmons made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 14-01-61  
AMENDING  
RESOLUTION 14-01-07  
DESIGNATED DEPOSITORY OF 2014 FUNDS  
BOROUGH OF MATAWAN**

***BE IT RESOLVED** by the Council of the Borough of Matawan that the following Banks and Trust Companies be the official depositories wherein all of the accounts for the Borough of Matawan be kept:*

*Amboy National Bank  
Bank of America  
Capital One Bank  
Chase  
Columbia Bank  
Hudson City Savings  
Investors Savings Bank  
Kearny Federal Saving Bank  
MBIA  
New Jersey Cash Management  
Penn Federal Savings  
PNC Bank  
Provident Bank  
Santander Bank  
Sun National Bank  
Synergy Bank  
TD Commerce Bank  
Wachovia  
Wells Fargo*

***BE IT FURTHER RESOLVED** that disbursements of the following accounts be made by checks signed by Mayor Paul Buccellato and the Borough CFO/Treasurer Monica Antista:*

<i>Borough Capital Account</i>	<i>Recreation Trust</i>
<i>Borough Trust</i>	<i>Tax Collector’s Trust Fund</i>
<i>Current Fund</i>	<i>Water Capital Account</i>
<i>Developers Escrow Account</i>	<i>Water-Sewer Operating</i>
<i>Matawan Law Enforcement Trust</i>	<i>Unemployment</i>
<i>Dog Tax Trust</i>	<i>Payroll Account</i>
<i>Railroad Parking Trust</i>	

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***BE IT FURTHER RESOLVED*** that disbursements of the following accounts be made by checks signed by the Building Inspector, John Quinn and Technical Assistant, Lynn Kramer.

*Building Inspector's Account*

Mayor Buccellato read by title Resolution 14-01-62: Award of Bid for Matawan Municipal Community Center ADA Improvements – Shorelands Construction, Inc. Mayor Buccellato requested a motion. 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  
Councilwoman Daly  
Councilwoman Angelini

Motion passed.

***RESOLUTION 14-01-62  
AWARD OF BID FOR  
MATAWAN MUNICIPAL COMMUNITY CENTER  
ADA IMPROVEMENTS  
SHORELANDS CONSTRUCTION, INC.***

***WHEREAS***, the Borough of Matawan previously authorized the receipt of bids for the Matawan Municipal Community Center (MMCC) ADA Improvements; 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***, Shorelands Construction, Inc. has submitted a bid of two Proposals: Proposal A which restricts the contractor's work hours to outside the hours of operation for the Community Center of 7:30 AM to 5:00 PM, Monday through Thursday, while Proposal B has no such restrictions; and

***WHEREAS***, the Borough Engineer, Robert Keady of T&M Associates, has reviewed, approved and recommended the bid of Shorelands Construction, Inc. for the aforesaid bid subject to Council's approval of Proposal A or B; and

***WHEREAS***, the Council looks to restrict disruption of services, construction debris and noise to its employees and residents, and as such authorizes approval of Proposal A with Alternate 1A wherein the interior work will be performed during off hours, Monday through Thursday nights after 5:00 PM as well as Fridays, Saturdays and Sundays with the exterior work to be performed during the day in an amount not to exceed One Hundred Fifty Five Thousand Twenty Five Dollars and Eighty Cents (\$155,025.80).

***NOW, THEREFORE, BE IT RESOLVED*** by the Council of the Borough of Matawan that the contract for the Matawan Municipal Community Center ADA Improvements be and is hereby awarded to Shorelands Construction, Inc., 7 Columbus Drive, Monmouth Beach, New Jersey 07750 for the amount as indicated above and in accordance with all bid specifications, contracts and documents, commencing twenty (20) days after publication, and subject to certification by the Chief Financial Officer that funds are available, review and approval of bid documents by the Borough Attorney and approval of the Monmouth County Community Development, the New Jersey Department of Labor, Division of Wage and Hour Compliance, approval of the New Jersey Department of Transportation and the Mayor is hereby authorized to execute any necessary documents to implement the aforesaid award of contract, commencing twenty (20) days after publication.

***CERTIFICATION AS TO AVAILABLE FUNDING***

I, Monica Antista, Chief Financial Officer of the Borough of Matawan do hereby certify that as of the date of this certification funds are available from the C-04-55-900-528 Budget of the Borough of Matawan for the contract awarded to Shorelands Construction, Inc. for the Matawan Municipal Community Center ADA Improvement Project in an amount not to exceed One Hundred Fifty Five Thousand Twenty Five Dollars and Eighty Cents (\$155,025.80).

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

*Chief Financial Officer*

*(Signature on File)*

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*Monica Antista*

*Dated: January 28, 2014*

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



MATN-02850

November 15, 2013

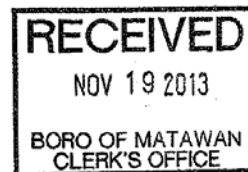
Via email:

(Louis.Ferrara@MatawanBorough.com)

(Karen.Wynne@MatawanBorough.com)

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

**Re: Municipal Community Center ADA Improvements  
Borough of Matawan  
Recommendation of Award**



Dear Mr. Ferrara:

On Wednesday November 13, 2013, bids were received for the above-referenced project. The bid result for the one (1) bidder is summarized below.

Company	Bid Price	Engineer's Estimate
Shorelands Construction, Inc.:		
Proposal A Base Bid – Restricted Work Hours	\$159,064.80 *	-
Proposal A Alternate 1A - Restricted Work Hours	\$155,025.80 *	-
Proposal B Base Bid – No Restricted Work Hours	\$148,721.80 *	\$144,725.80
Proposal B Alternate 1A – No Restricted Work Hours	\$144,682.80 *	\$143,725.80

\* Bid Price adjusted due to mathematical error.

The difference between Proposal A and Proposal B is that Proposal A restricts the contractor's work hours to outside of the hours of operation for the Community Center/Town Hall which are 7:30 AM to 5:00 PM, Monday through Thursday, while Proposal B has no such restrictions.

Alternate 1A eliminates the rubber floor tile on the ramps and adjacent flat surfaces and adds a slip retardant vinyl compensation tile.

The only bid for the project was provided by Shorelands Construction, Inc. 7 Columbus Drive, Monmouth Beach, New Jersey 07750. Shoreland's Price Bid is only a few percent higher than the Engineer's Estimate.

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MATN-02850  
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Page 2

**Le: Louis Ferrara, Borough Administrator  
Borough of Matawan**

**Re: Municipal Community Center  
Borough of Matawan  
Recommendation of Award**

The bid documentation, as provided by Shorelands Construction, Inc. is in order and acceptable from an engineering standpoint. We recommend award to the sole bidder, Shorelands Construction, Inc., in the amount of between \$144,682.80 to \$159,064.80 depending on the proposal and alternate selected by the Borough.

Award of the project should be made subject to the review and approval by Monmouth County Community Development, the Borough Attorney and subject to certification of the availability of funds.

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

Very truly yours,

T&M ASSOCIATES

---

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

RRK:WSC:lkc  
Enclosure

cc: Paul Buccellato, Mayor (via email)  
Karen Wynne, Borough Clerk (w/original bids)  
Pasquale Menna, Borough Attorney (via email)  
Debra Dovedytis, Monmouth County Community Development

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<b>BOROUGH OF MATAWAN MUNICIPAL COMMUNITY CENTER ADA IMPROVEMENTS MATN-02850 NOVEMBER 13, 2013</b>	<b>Shorelands Construction Inc.</b> 7 Columbus Drive Monmouth Beach, NJ 07750-1003 Phone: 732-229-4064 Fax: 732-272-1720 Fax: 732-727-2288
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<b>TOTAL AMOUNT - PROPOSAL A BASE BID</b>	<b>\$159,064.80</b>
<b><u>PROPOSAL A ALTERNATE A1</u></b>	
REDUCTIONS	<b>\$18,846.00</b>
ADDITIONS	<b>\$14,807.00</b>
<b>TOTAL AMOUNT - PROPOSAL A BASE BID W/ ALT A1</b>	<b>\$155,025.80</b>

<b>TOTAL AMOUNT - PROPOSAL B BASE BID</b>	<b>\$148,721.80</b>
<b><u>PROPOSAL B ALTERNATE A1</u></b>	
REDUCTIONS	<b>\$15,705.00</b>
ADDITIONS	<b>\$11,666.00</b>
<b>TOTAL AMOUNT - PROPOSAL B BASE BID W/ ALT A1</b>	<b>\$144,682.80</b>

NOVEMBER 13, 2013  
DENNIS J. MANTLICK, P.E. GE28600      DATE

Mayor Buccellato read by title Resolution 14-01-63: Resolution Calling on the Legislature to Make Permanent the 2% Cap on Interest Arbitration Awards. 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  
                 Councilwoman Daly  
                 Councilwoman Angelini

Motion passed.

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**RESOLUTION 14-01-63  
RESOLUTION CALLING ON THE LEGISLATURE TO MAKE PERMANENT THE 2% CAP ON INTEREST  
ARBITRATION AWARDS**

***WHEREAS**, on December 21, 2010, Governor Christie signed into law reforms to the Arbitration process that took effect January 1, 2011; and*

***WHEREAS**, the reforms capped arbitration awards on economic factors to no more than 2%, provided for random selection of arbitrators, expedited the determination of awards, required the arbitrator to provide a written report detailing the weight accorded to each of the required considerations and expedited the appeal process; and*

***WHEREAS**, these reforms marked a dramatic change to the arbitration process and have helped municipalities to control the never-ending rise in public safety personnel costs; and*

***WHEREAS**, a key element of the reforms, capping arbitration awards on economic factors to no more than 2% of the property tax levy will expire on April 1, 2014; and*

***WHEREAS**, while municipalities are statutorily limited to raise their property tax levy by no more than 2%, with very limited exceptions, failure to extend the 2% cap on interest arbitration awards will force municipalities throughout the State to further reduce or even eliminate crucial services, personnel, and long-overdue infrastructure improvement projects in order to fund an arbitration award; and*

***WHEREAS**, the 2% Interest Arbitration cap has controlled one of the largest municipal expense, public safety salaries, not only through arbitration awards but through contract negotiations; and*

***WHEREAS**, absent further action by the Legislature, any contract that expires on or after April 1, 2014, will be subject to all new procedures and requirements, EXCEPT the 2% awards cap; and*

***WHEREAS**, without those limits, arbitrators will be able to impose awards that do not account for the 2% limit on the property tax levy, which would immediately threaten funding for all other municipal services; and*

***WHEREAS**, without the 2% cap on Interest Arbitration Awards but with the 2% cap on property tax levy local budget makers could be forced to reduce other essential municipal services to fund an arbitration award;*

***NOW, THEREFORE, BE IT RESOLVED**, that the governing body of the Borough of Matawan strongly urges the Legislature to permanently extend the 2% cap on interest arbitration awards prior to the April 1, 2014 sunset; and*

***BE IT FURTHER RESOLVED**, that a that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Assembly Speaker Vincent Prieto, the legislators of the Borough of Matawan's State Legislative representatives, Governor Chris Christie, and the New Jersey State League of Municipalities.*

***Distribution List***

*Governor Chris Christie  
Office of the Governor  
PO Box 001  
Trenton, New Jersey 08625-0001*

*Stephen Sweeney  
Senate President  
Kingsway Commons  
935 Kings Highway  
Suite 400  
West Deptford, New Jersey 08086*

*Vincent Prieto  
Assembly Speaker  
1249 Paterson Plank Road  
Secaucus, New Jersey 07094*

*New Jersey League of Municipalities  
222 West State Street  
Trenton, New Jersey 08608*



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**Privilege of the Floor**

Mayor Buccellato opened the Privilege of the Floor.

Michael Panella, 11 Edgewater Drive, Matawan. Mr. Panella asked about parking on Edgewater Drive as it relates to MJ's restaurant. Mayor Buccellato reported that Police installed temporary No Parking signs on road and will look into reinstalling signs. Mr. Panella stated that valet service there was using street for parking. Mr. Ferrara asked if permit parking would be an issue for residents.

Mr. Ferrara stepped off dais at 7:45pm

Grace Hintenach, 8 Edgewater Drive, Matawan. Ms. Hintenach stated she had difficulty not being able to park on the street. She stated she did not have a problem with the permit, but suggested it be the whole area. The valet parking is a real issue. Ms. Hintenach also asked about a fence being put up between her property and MJ's restaurant. Mayor Buccellato stated he spoke to General Manager concerning the issue. Ms. Hintenach stated lighting for MJ's parking lot is too bright. Mayor Buccellato stated that Borough Engineer will look at lighting. Ms. Hintenach also stated that she has found undergarments on her lawn, which she attributes to patrons of MJ's and she mentioned the garbage pick-up at MJ's is very early. Mr. Ferrara will address the issue.

Sean Powers, 7 Edgewater Drive, Matawan. Mr. Powers stated MJ's dumps bottles in the garbage every night and they make a lot of noise. Also the lights from parking lot shine in his living room.

Councilwoman Angelini left meeting at 7:45 PM.

Jeremiah E. Hourihan, 13 Edgewater Drive, Matawan. Mr. Hourihan stated he agreed with other residents. He brought up the bright lights and dumping of garbage adding certain female items are left at the curb after they close. Mr. Hourihan was also concerned that with all the parking happening on both sides of the street, on Edgewater, that an ambulance couldn't reach him or any of his elderly neighbors, who may be in need of medical care. Mr. Hourihan also stated that the shortest St. Patrick's Day Parade took place in Matawan 30 years ago. He said that he led that parade and had quite a crowd on Main Street. He encouraged everyone to come out and support the Fire Department on St. Patrick's Day.

Mariam Hegel, 5 Edgewater Drive, Matawan. Ms. Hegel said that in addition to all stated on the issues on Edgewater, that she had a new item that was of concern to her; it wasn't just beer bottles and stuff like that, but also all the large boxes from the restaurant are blowing into her yard. She felt that this was happening because maybe the owners weren't closing the dumpsters.

Councilwoman Gould requested that some of the residents take some photos of the issues they were experiencing. Mayor Buccellato also requested that the residents present leave their names, addresses, and their phone numbers so he could be in touch with them and schedule a meeting.

Craig Gately, 257 Harding Boulevard, Matawan. Mr. Gately stated that he recently moved to Matawan in the summer of 2013 expressing concern over taxes. There are a large amount of police officers for the number of residents in the community. He questioned outsourcing or consolidation of the Police. Mayor Buccellato informed Mr. Gately the Police Department does not cover any other towns, although they will respond if they called upon by another municipality to assist. He also explained that there are a certain number of officers that needed to be sergeants, so they could supervise the shifts. There is usually one sergeant with two patrolmen per shift and two officers in the detective bureau. Mayor Buccellato stated the Department also consists of one chief, two lieutenants, and 20 patrolmen. Mr. Gately questioned Council's goal to lower taxes and cut costs. Mayor Buccellato replied the Council was very

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cognizant how to save money with every purchase order scrutinized and reviewed. He suggested that Mr. Gately attend a school board meeting and see the real waste that occurs.

Mayor Buccellato closed the Privilege of the Floor.

**Recess**

Mayor Buccellato requested a motion to recess and reconvene into Executive Session announcing no formal action will be taken. Councilwoman Angelini made the motion, seconded by Councilwoman Gould with Councilwoman Daly stating will be unable to attend due to work restrictions. Mr. Menna suggested that they hold off with this meeting until Tuesday, since they were going to meet on that day for something else. Council agreed to add a half hour to the already-existing meeting.

**Adjournment**

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

Meeting adjourned at 8:00 PM.

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Karen Wynne, RMC  
Municipal Clerk