

**Borough of Matawan
Public Session
May 20, 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 April 22, 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 Fitzsimmons
 Councilwoman Clifton
 Councilwoman Daly
 Councilwoman Angelini

Councilwoman Gould and Councilman Urbano were not present.

Also present were Louis Ferraro, Borough Administrator, and Robert J. Keady, Jr., Borough Engineer.

Mayor Buccellato asked everyone to stand for a moment of silence asking to remember Mr. Menna's uncle, John Menna.

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

Privilege of the Floor – Agenda Items Only

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

Andy Lopez, 51 Union Street, Matawan. Mr. Lopez requested clarification on October 14-07. Mayor Buccellato explained when the Borough goes under the 2% CAP, it allows us to bank the unused portion in the event of needed funds in the future.

Jeremiah E. Hourihan, Jr., 13 Edgemere Drive, Matawan. Mr. Hourihan requested background of the business stated in Resolution 14-05-28: Approval of Business Relocation – Apache Taxi. Ms. Wynne explained Apache Taxi recently opened at 1070 Route 34. The owner had a better opportunity to move to the downtown area to 67 Main Street. Mr. Hourihan asked if whether Apache Taxi was going to use the parking lot at Little and Broad Streets. Mayor Buccellato replied this is to be addressed at a later time. The County will be resurfacing the parking lot, with re-striping. Upon completion the Borough intends to introduce an Ordinance with regard to parking availability at this lot.

Mayor Buccellato closed the Privilege of the Floor.

Old Business

Mayor Buccellato read by title Ordinance 14-04: Amending and Supplementing Chapter XXIII – Sewer of the Revised General Ordinances of the Borough of Matawan, County of Monmouth, State of New Jersey. Mayor Buccellato requested a motion to open the public hearing. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Council agreed. Motion passed. Mayor Buccellato requested comments. There were no comments. Mayor Buccellato requested a motion to close the public hearing. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Council agreed. Motion passed. Mayor Buccellato read by title on third and final reading Ordinance 14-04: Amending and Supplementing Chapter XXIII – Sewer of the Revised General Ordinances of the Borough of Matawan, County of Monmouth, State of New Jersey requesting a motion to adopt. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Mayor

**Borough of Matawan
Public Session
May 20, 2014**

Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Fitzsimmons
Councilwoman Clifton
Councilwoman Daly
Councilwoman Angelini

Motion passed.

**ORDINANCE 14-04
AMENDING ORDINANCE 09-22
AMENDING AND SUPPLEMENTING CHAPTER XXIII – SEWER
OF THE REVISED GENERAL ORDINANCES OF
THE BOROUGH OF MATAWAN,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

BE IT ORDAINED by the Borough Council of the Borough of Matawan, in the County of Monmouth, as follows:

Chapter XXIII - Sewer is hereby amended and supplemented to read as follows:

23-6.1 User Fees

The Owner of any premises upon connection of each unit thereof with the sewer system of the Borough shall pay to the Borough for the use of such sewer services a quarterly fee as follows:

- a. *Premises located within the Borough of Matawan:*
 - 1. *Each non-commercial unit is \$143.00.*
 - 2. *Each non-commercial unit of a multi-unit building or structure \$140.00.*
 - 3. *Each Classroom of a public or private school is \$143.00.*
 - 4. *Commercial and industrial establishments 149% of the quarterly water bill thereof except that such quarterly sewer charge shall in no event be less than \$143.00.*
- b. *All premises located outside the Borough of Matawan shall be charged a sewer service amount equal to the charge to the Borough residents.*

Mayor Buccellato read by title Ordinance 14-05: Amending and Supplementing Chapter XXII - Water of the Revised General Ordinances of the Borough of Matawan, County of Monmouth, State of New Jersey. Mayor Buccellato requested a motion to open the public hearing. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Council agreed. Motion passed. Mayor Buccellato requested comments. There were no comments. Mayor Buccellato requested a motion to close the public hearing. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Council agreed. Motion passed. Mayor Buccellato read by title on third and final reading Ordinance 14-04: Amending and Supplementing Chapter XXIII – Sewer of the Revised General Ordinances of the Borough of Matawan, County of Monmouth, State of New Jersey requesting a motion to adopt. Councilman Fitzsimmons made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Fitzsimmons
Councilwoman Clifton
Councilwoman Daly
Councilwoman Angelini

Motion passed.

**ORDINANCE 14-05
AMENDING ORDINANCE 09-23
AMENDING AND SUPPLEMENTING
CHAPTER XXII - WATER OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF
MATAWAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**Borough of Matawan
Public Session
May 20, 2014**

***BE IT ORDAINED** by the Borough Council of the Borough of Matawan, in the County of Monmouth, as follows:*

Chapter XXII – Water is hereby amended and supplemented to read as follows:

22-2.2 Fees for Use of Water Services

The Owner of any premises with a connection to the Matawan Borough Water System shall pay the Borough for the use of such water services a quarterly fee as follows:

Minimum quarterly rate of Thirty Dollars and No Cents (\$30.00) will be billed for each account connected to the Matawan Borough Water System.

An additional charge per quarter will be added based on the following formula:

- a. All water consumption less than 4,000 cubic feet will be billed Fifty Two Dollars and No Cents (\$52.00) per 1,000 cubic feet.**
- b. All water consumption greater than 4,000 cubic feet but less than 7,500 cubic feet will be billed Fifty Seven Dollars and No Cents (\$57.00) per 1,000 cubic feet.**
- c. All water consumption greater than 7,500 cubic feet will be billed Sixty Dollars and No Cents (\$60.00) per 1,000 cubic feet.**
- d. The water rates to be charged quarterly by the Borough to users outside the Borough shall be the same as those rates charged to Borough residents.*

**The above corresponding price breaks are based on annual usage.*

Mayor Buccellato read by title Ordinance 14-07: Calendar Year 2014 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (NJSA 40A: 4-45.14). Mayor Buccellato requested a motion to open the public hearing. Councilman Fitzsimmons made the motion, seconded by Councilwoman Angelini. Council agreed. Motion passed. Mayor Buccellato requested comments. There were no comments. Mayor Buccellato requested a motion to close the public hearing. Councilman Fitzsimmons made the motion, seconded by Councilwoman Clifton. Council agreed. Motion passed. Mayor Buccellato read by title on third and final reading Ordinance 14-04: Amending and Supplementing Chapter XXIII – Sewer of the Revised General Ordinances of the Borough of Matawan, County of Monmouth, State of New Jersey requesting a motion to adopt. Councilman Fitzsimmons made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Fitzsimmons
Councilwoman Clifton
Councilwoman Daly
Councilwoman Angelini

Motion passed.

**ORDINANCE 14-07
CALENDAR YEAR 2014
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK
(NJSA 40A: 4-45.14)**

***WHEREAS**, the Local Government Cap Law, NJS 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,*

***WHEREAS**, NJSA 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,*

***WHEREAS**, the Council of the Borough of Matawan in the County of Monmouth finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,*

**Borough of Matawan
Public Session
May 20, 2014**

***WHEREAS,** the Council of the Borough of Matawan hereby determines that a .05% increase in the budget for said year, amounting to \$39,479.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,*

***WHEREAS,** the Council of the Borough of Matawan hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.*

***NOW, THEREFORE, BE IT ORDAINED,** by the Council of the Borough of Matawan in the County of Monmouth a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the Borough of Matawan shall, in accordance with this ordinance and NJSA 40A: 4-45.14, be increased by 3.5%, amounting to \$276,353.00, and that the CY 2014 municipal budget for the Borough of Matawan be approved and adopted in accordance with this ordinance.*

***BE IT FURTHER ORDAINED,** that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.*

***BE IT FURTHER ORDAINED,** that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction.*

***BE IT FURTHER ORDAINED,** which a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.*

Mayor Buccellato read by title Ordinance 14-08: Amending and Supplementing the Revised General Ordinances of the Borough of Matawan Chapter II – Administration, Section 2-15, et seq Fire Department. Mayor Buccellato requested a motion to open the public hearing. Councilman Fitzsimmons made the motion, seconded by Councilwoman Clifton. Council agreed. Motion passed. Mayor Buccellato requested comments. There were no comments. Mayor Buccellato requested a motion to close the public hearing. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Council agreed. Motion passed. Mayor Buccellato read by title on third and final reading Ordinance 14-04: Amending and Supplementing Chapter XXIII – Sewer of the Revised General Ordinances of the Borough of Matawan, County of Monmouth, State of New Jersey requesting a motion to adopt. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Fitzsimmons
Councilwoman Clifton
Councilwoman Daly
Councilwoman Angelini

Motion passed.

**ORDINANCE 14-08
AMENDING AND SUPPLEMENTING
THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF MATAWAN
CHAPTER II – ADMINISTRATION, SECTION 2-15, ET SEQ
FIRE DEPARTMENT**

***WHEREAS,** it is necessary to amend the Administrative Code for the Borough of Matawan Fire Department to address issues concerning the membership and removal of individuals who are members of the Borough of Matawan Fire Department and its component companies; and*

***WHEREAS,** the Governing Body feels that the following amendment should be undertaken with respect to the Administrative Code for the orderly administration and composition of the Borough of Matawan Fire Department.*

***NOW, THEREFORE, BE IT ORDAINED** that the Borough of Matawan amends the Administrative Code, Section 2-15.7 and adds the following language:*

**Borough of Matawan
Public Session
May 20, 2014**

- a. Any member of the Fire Department of the Borough of Matawan and its constituent recognized fire companies who is convicted of a crime or felony in the State of New Jersey or in any other state during membership in the Fire Department shall tender his or her resignation upon such conviction. If a member does not tender a resignation within thirty (30) days of conviction by a court of competent jurisdiction or a plea of guilt to a felony or criminal offense, the Mayor and Council shall cause the Municipal Clerk to notify the member that he or she will be removed from membership in the Borough of Matawan Fire Department, and all privileges, rights and benefits, including LOSAP contributions, if any shall terminate within thirty (30) days of the action of the Governing Body.

In all other respects, the remaining parts of Ordinance 2-15 remain unchanged.

If any part of this Ordinance is deemed to be illegal or ineffective, the other provisions shall nonetheless remain in force.

This Ordinance shall take effect upon second reading and publication according to law.

Mayor Buccellato read by title Ordinance 14-09: Authorizing Special Appropriation for the Preparation and Complete Reassessment of Real Property Pursuant to NJSA 40A:4-53. Mayor Buccellato requested a motion to open the public hearing. Councilman Fitzsimmons made the motion, seconded by Councilwoman Daly. 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 Daly. Council agreed. Motion passed. Mayor Buccellato read by title on third and final reading Ordinance 14-04: Amending and Supplementing Chapter XXIII – Sewer of the Revised General Ordinances of the Borough of Matawan, County of Monmouth, State of New Jersey requesting a motion to adopt. Councilman Fitzsimmons made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Fitzsimmons
Councilwoman Clifton
Councilwoman Daly
Councilwoman Angelini

Motion passed.

**ORDINANCE 14-09
AUTHORIZING SPECIAL APPROPRIATION FOR THE PREPARATION AND COMPLETE
REASSESSMENT OF REAL PROPERTY PURSUANT TO NJSA 40A:4-53**

BE IT ORDAINED, by the Borough Council of the Borough of Matawan, County of Monmouth, State of New Jersey, as follows:

- SECTION 1.** ***Purpose.** The purpose of this ordinance is to finance the cost of the preparation of a complete reassessment of property and associated cost.*
- SECTION 2.** ***Appropriation.** The authorization for this special Emergency appropriation is \$75,000.00. At least one-fifth of such appropriation shall be included in each annual budget until the appropriation has been fully provided for.*
- SECTION 3.** *This ordinance repeals any inconsistent ordinance or ordinances or parts thereof.*
- SECTION 4.** *This ordinance shall take effect immediately upon its final passage and publication as required by law.*

Clerk's Report

Ms. Wynne informed of Supplement #2 to the Borough Code Book distributed to Council and Department Heads with the website to be updated shortly. Ms. Wynne also informed of new State guidelines on financial disclosure reports for local government officials. Lastly, the Clerk informed Council she will be on vacation the week of June 16, 2014.

**Borough of Matawan
Public Session
May 20, 2014**

Mayor's Report

No report. Mayor Buccellato asked Mr. Ferrara if the stops signs for the Green and White Village were ordered. Mr. Ferrara replied, yes.

Administrator's Report

Mr. Ferrara reported T&M Associates is currently drawing up a site plan for the markings on the Broad and Little Street parking lot. Residents will be informed to vacate the lot once a date is determined for the County to resurface and stripe.

Mr. Ferrara reported the First Aid has informed they will no longer be carrying the 'Jaws of Life' on their rigs which will automatically move the Police ASU units as Police are first on the scene. These units are well-equipped and with staff property trained.

The Energy Audit is completed and set to four state-authorized vendors. Mr. Ferrara met with a number of energy specialists this week who recommended once the audit is done the Borough participate in an Energy Savings Improvement Program. This program will propose co-generation plans at our main facility here to offset energy costs. It would all be paid by the state program.

The Recreation Committee has approved the purchase of a new dock, and two swan boats for Lake Lefferts.

A well-received meeting with Mayor Buccellato, Mr. Menna and himself was held with Hazlet Township to construct plans for the future of the joint court.

Mayor Buccellato organized and held a second meeting last week with the downtown Main Street businesses, the County Board of Chosen Freeholders, and their staff. The businesses were given updates, including the resurfacing of Broad and Little Street parking lot, regarding the progress they asked for at the first meeting.

Bids for grass and lawn cutting maintenance contracts were received above the bid threshold. The Borough may utilize current staff for the remainder of this season and/or re-bid.

The pothole repair program is in full-force. The County Road Department is filling potholes for the Borough.

Mr. Ferrara spoke with some of the businesses about possibly publishing a location list for the NJ State Film Commission. Due to the history of and architecture in the Borough, it makes us very attractive to film production companies to use Matawan locations in their films bringing jobs and revenue to the municipality. Mr. Ferrara is working on and recommends the Borough create an agreement for film production companies for future projects.

The Police digital radios are on-line and working very well. We now have a shared services agreement with the County to use new County digital towers which are extremely effective.

Attorney's Report

No report.

Engineer's Report

Mr. Keady reported on Borough Hall ADA improvements stating interior work is scheduled to start approximately June 7, and the exterior on or about June 2. Also, the Park Avenue Sanitary Sewer Project has begun. The 2013 Road Program Contract 1 has started to address punchlist items. Esposito Contractors, Contract 2, base-paved William Street and has finished the under

**Borough of Matawan
Public Session
May 20, 2014**

drain and curb on Ned Drive. They are currently excavating and base-course paving on Ned Drive, and expect base-course paving to be complete through Mark Drive by Thursday. Contract 3 work is expected to start in the next few months.

Mr. Keady informed the Borough received a State municipal aid grant of \$200,000.00 for Mill Road, Phase II, from Overbrook to Route 79.

Police, Fire, Railroad Parking, ADA

No Report.

Personnel, Development, Construction & Planning/Zoning Board

No Report.

Finance and Environmental

Councilman Fitzsimmons requested Treasurer's Reports for the months of February, March, and April be read to the record.

Borough of Matawan
Public Session
May 20, 2014

REPORT OF THE TREASURER					
TO THE MAYOR AND COUNCIL OF THE BOROUGH OF MATAWAN					
BANK BALANCES AS OF FEBRUARY 28, 2014					
CURRENT ACCOUNT		TD BANK		\$0.37	\$4,012,496.28
		INVESTORS		\$4,012,495.91	
TAX COLLECTOR TRUST FUND		INVESTORS		\$0.00	\$0.00
WATER & SEWER ACCOUNT		INVESTORS		\$871,356.72	\$871,356.72
WATER & SEWER-Certificate of Deposit		INVESTORS		\$500,000.00	\$500,000.00
BOROUGH CAPITAL ACCOUNT		INVESTORS		\$977,001.69	\$977,001.69
UTILITY CAPITAL ACCOUNT		INVESTORS		\$162,161.76	\$162,161.76
BOROUGH TRUST ACCOUNT		INVESTORS		\$646,479.49	\$646,479.49
BORO TRUST SUMMARY-TD BANK					
AS OF: FEBRUARY 28, 2014			CASH BALANCES		
	FIRE SAFETY		\$27,810.48		
	FIRE PREVENTION/DEDICATED PENALTY		-\$225.74		
	ESCROW		\$97,280.09		
	TAX REDEMPTIONS		\$74,151.16		
	POAA		\$0.00		
	DONATION		\$2,742.49		
	PREMIUMS		\$398,175.00		
	OFF DUTY POLICE		\$38,772.85		
	PUBLIC DEFENDER		\$7,773.16		
	TOTAL		\$646,479.49		
DOG TAX TRUST ACCOUNT		INVESTORS		\$5,048.93	\$5,048.93
UNEMPLOYMENT INSURANCE ACCOUNT		INVESTORS		\$14,361.94	\$14,361.94
RECREATION SPECIAL ACCOUNT		INVESTORS		\$32,355.88	\$32,355.88
RECREATION TRUST SUMMARY-TD BANK					
AS OF: FEBRUARY 28, 2014			CASH BALANCES		
	TURKEY TROT		\$16,157.39		
	SUMMER RECREATION		\$6,531.61		
	SUMMER RECREATION TRIPS		-\$427.24		
	MATAWAN DAY		-\$762.30		
	BASKETBALL TOURNAMENT		-\$156.81		
	CANOE RENTALS		-\$1,220.10		
	MEN'S OVER 30 B'BALL		\$1,804.00		
	NNO VENDER		\$0.00		
	YOGA/KICKBOXING		\$709.00		
	FIREWORKS DONATIONS		\$0.00		
	CAPITAL IMPROVEMENTS		\$9,720.33		
	TOTAL		\$32,355.88		
ACCUTRACK DEVELOPERS ESCROW ACCT		INVESTORS		\$209,976.94	\$209,976.94
LAW ENFORCEMENT ACCOUNT		INVESTORS		\$5,943.38	\$5,943.38
RAILROAD PARKING LOT TRUST		INVESTORS		\$265,012.23	\$265,012.23
TOTAL				\$7,702,195.24	\$7,702,195.24
RESPECTFULLY,					
<i>Monica Antista</i>					
TREASURER					
5/20/2014					

REPORT OF THE TREASURER				
TO THE MAYOR AND COUNCIL OF THE BOROUGH OF MATAWAN				
BANK BALANCES AS OF MARCH 31, 2014				
CURRENT ACCOUNT	TD BANK		\$0.49	\$1,809,772.08
	INVESTORS		\$1,809,771.59	
TAX COLLECTOR TRUST FUND	INVESTORS		\$0.00	\$0.00
WATER & SEWER ACCOUNT	INVESTORS		\$932,688.64	\$932,688.64
WATER & SEWER-Certificate of Deposit	INVESTORS		\$500,619.86	\$500,619.86
BOROUGH CAPITAL ACCOUNT	INVESTORS		\$944,832.77	\$944,832.77
UTILITY CAPITAL ACCOUNT	INVESTORS		\$150,199.59	\$150,199.59
BOROUGH TRUST ACCOUNT	INVESTORS		\$623,517.62	\$623,517.62
BORO TRUST SUMMARY-TD BANK		CASH BALANCES		
AS OF: MARCH 31, 2014				
	FIRE SAFETY		\$27,910.48	
	FIRE PREVENTION/DEDICATED PENALTY		-\$225.74	
	ESCROW		\$101,572.33	
	TAX REDEMPTIONS		\$48,439.95	
	POAA		\$0.00	
	DONATION		\$2,742.49	
	PREMIUMS		\$378,075.00	
	OFF DUTY POLICE		\$57,229.95	
	PUBLIC DEFENDER		\$7,773.16	
	TOTAL		\$623,517.62	
DOG TAX TRUST ACCOUNT	INVESTORS		\$5,352.73	\$5,352.73
UNEMPLOYMENT INSURANCE ACCOUNT	INVESTORS		\$14,361.94	\$14,361.94
RECREATION SPECIAL ACCOUNT	INVESTORS		\$32,231.88	\$32,231.88
RECREATION TRUST SUMMARY-TD BANK		CASH BALANCES		
AS OF: MARCH 31, 2014				
	TURKEY TROT		\$16,157.39	
	SUMMER RECREATION		\$6,407.61	
	SUMMER RECREATION TRIPS		-\$427.24	
	MATAWAN DAY		-\$762.30	
	BASKETBALL TOURNAMENT		-\$156.81	
	CANOE RENTALS		-\$1,220.10	
	MEN'S OVER 30 B'BALL		\$1,804.00	
	NNO VENDER		\$0.00	
	YOGA/KICKBOXING		\$709.00	
	FIREWORKS DONATIONS		\$0.00	
	CAPITAL IMPROVEMENTS		\$9,720.33	
	TOTAL		\$32,231.88	
ACCUTRACK DEVELOPERS ESCROW ACCT	INVESTORS		\$217,462.36	\$217,462.36
LAW ENFORCEMENT ACCOUNT	INVESTORS		\$5,943.89	\$5,943.89
RAILROAD PARKING LOT TRUST	INVESTORS		\$287,317.78	\$287,317.78
TOTAL			\$5,524,301.14	\$5,524,301.14
RESPECTFULLY, Monica Antista TREASURER				
				5/20/2014

Borough of Matawan
Public Session
May 20, 2014

REPORT OF THE TREASURER					
TO THE MAYOR AND COUNCIL OF THE BOROUGH OF MATAWAN					
BANK BALANCES AS OF APRIL 30, 2014					
CURRENT ACCOUNT	INVESTORS		\$1,912,655.26	\$1,912,655.26	
TAX COLLECTOR TRUST FUND	INVESTORS		\$0.00	\$0.00	
WATER & SEWER ACCOUNT	INVESTORS		\$825,811.63	\$825,811.63	
WATER & SEWER-Certificate of Deposit	INVESTORS		\$500,619.86	\$500,619.86	
BOROUGH CAPITAL ACCOUNT	INVESTORS		\$940,178.57	\$940,178.57	
UTILITY CAPITAL ACCOUNT	INVESTORS		\$141,445.41	\$141,445.41	
BOROUGH TRUST ACCOUNT	INVESTORS		\$651,538.15	\$651,538.15	
BORO TRUST SUMMARY-TD BANK		CASH BALANCES			
AS OF: APRIL 30, 2014					
	FIRE SAFETY		\$27,910.48		
	FIRE PREVENTION/DEDICATED PENALTY		-\$907.74		
	ESCROW		\$101,607.72		
	TAX REDEMPTIONS		\$105,245.50		
	POAA		\$0.00		
	DONATION		\$2,742.49		
	PREMIUMS		\$344,675.00		
	OFF DUTY POLICE		\$62,491.54		
	PUBLIC DEFENDER		\$7,773.16		
	TOTAL		\$651,538.15		
DOG TAX TRUST ACCOUNT	INVESTORS		\$5,352.73	\$5,352.73	
UNEMPLOYMENT INSURANCE ACCOUNT	INVESTORS		\$12,459.60	\$12,459.60	
RECREATION SPECIAL ACCOUNT	INVESTORS		\$32,231.88	\$32,231.88	
RECREATION TRUST SUMMARY-TD BANK		CASH BALANCES			
AS OF: APRIL 30, 2014					
	TURKEY TROT		\$16,157.39		
	SUMMER RECREATION		\$6,407.61		
	SUMMER RECREATION TRIPS		-\$427.24		
	MATAWAN DAY		-\$762.30		
	BASKETBALL TOURNAMENT		-\$156.81		
	CANOE RENTALS		-\$1,220.10		
	MEN'S OVER 30 B/BALL		\$1,804.00		
	NNO VENDER		\$0.00		
	YOGA/KICKBOXING		\$709.00		
	FIREWORKS DONATIONS		\$0.00		
	CAPITAL IMPROVEMENTS		\$9,720.33		
	TOTAL		\$32,231.88		
ACCUTRACK DEVELOPERS ESCROW ACCT	INVESTORS		\$214,482.27	\$214,482.27	
LAW ENFORCEMENT ACCOUNT	INVESTORS		\$5,944.39	\$5,944.39	
RAILROAD PARKING LOT TRUST	INVESTORS		\$291,014.48	\$291,014.48	
TOTAL			\$5,533,734.23	\$5,533,734.23	
RESPECTFULLY,					
<i>Monica Antista</i>					
TREASURER					
5/20/2014					

Recreation and Main Street

Councilwoman Clifton reported on the well-attended second meeting with local businesses. Recreation will host a ‘Downtown Cleanup’ asking for volunteers. The Memorial Day Parade

**Borough of Matawan
Public Session
May 20, 2014**

will be held on Sunday leading from St. Clement Church at 1:45 PM. She also informed in addition to canoe rentals, kayaks and paddles boats rentals will be available at Lake Lefferts.

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 14-05-22 through and including 14-05-24, and Resolution 14-05-28, requesting a motion to approve en masse. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

Yes: Councilman Fitzsimmons
Councilwoman Clifton
Councilwoman Daly
Councilwoman Angelini

Motion passed.

**RESOLUTION 14-05-22
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR PRO CAP II, LLC
CERTIFICATE #12-00093**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #12-00093 which was sold to US Bank Cust for Pro Cap II, LLC, US Bank TLSC, 50 S 16th St. Ste 1950, Philadelphia, PA 19102; and

WHEREAS, Certificate #12-00093 has been paid and fully redeemed for the property owner, Block 122, Lot 3 otherwise known as 5 Lola Lane.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$3,125.48 and a Premium of \$400.00 to the above for the redemption of Tax Sale Certificate #12-00093.

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

**RESOLUTION 14-05-23
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR PRO CAP II, LLC
CERTIFICATE #13-00038**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #13-00038 which was sold to US Bank Cust for Pro Cap II, LLC, US Bank TLSC, 50 S 16th St. Ste 1950, Philadelphia, PA 19102; and

WHEREAS, Certificate #13-00038 has been paid and fully redeemed for the property owner, Block 42, Lot 7 otherwise known as 250 Jackson St.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$732.13 and a Premium of \$900.00 to the above for the redemption of Tax Sale Certificate #13-00038.

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

**RESOLUTION 14-05-24
REDEMPTION OF TAX SALE CERTIFICATE
TWR AS CST FOR EBURY FUND 1 NJ, LLC
CERTIFICATE #13-00041**

**Borough of Matawan
Public Session
May 20, 2014**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #13-00041 which was sold to TWR as Cst for Ebury Fund 1 NJ, LLC, PO Box 37695, Baltimore, MD 21297-3695; and

WHEREAS, Certificate #13-00041 has been paid and fully redeemed for the property owner, Block 45.01, Lot 13 otherwise known as 916 Highway 34.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,989.90 and a Premium of \$1,600.00 to the above for the redemption of Tax Sale Certificate #13-00041.

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

**RESOLUTION 14-05-28
APPROVAL OF BUSINESS RELOCATION
APACHE TAXI, LLC**

WHEREAS, Apache Taxi, LLC, (taxi store) was previously approved as a business operating in the Borough of Matawan; and

WHEREAS, Apache Taxi, LLC has notified the Borough of Matawan of its relocating from 1070 Route 34, Suite 216 to 67 Main Street effective May 30, 2014; and

WHEREAS, this business is an approved use in its new location.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the following business license relocation:

*Business: Apache Taxi, LLC
67 Main Street
Matawan, New Jersey 07747*

*Applicant: Paul Rodriguez
484 East 74th 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 Borough of Matawan Departments: Clerk, Police, Construction as well as Paul Rodriguez.

New Business

Mayor Buccellato read by title Resolution 14-05-25: Authorizing Waiver of Municipal Fees Borough of Matawan Memorial Day Parade Don's Dogs. Mayor Buccellato requested a motion. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Fitzsimmons
Councilwoman Clifton
Councilwoman Daly
Councilwoman Angelini

Motion passed.

**RESOLUTION 14-05-25
AUTHORIZING WAIVER OF MUNICIPAL FEES
BOROUGH OF MATAWAN MEMORIAL DAY PARADE
DON'S DOGS**

WHEREAS, the Recreation Department of the Borough of Matawan is sponsoring the Borough of Matawan's Annual Memorial Day Parade on May 25, 2014; and

WHEREAS, the Recreation Department has reached out "Don's Dogs" to offer free food service, with Borough reimbursement, to parade marchers during the Memorial Day Parade; and

WHEREAS, the Recreation Department requests Council waive municipal fees to Don's Dogs.

**Borough of Matawan
Public Session
May 20, 2014**

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan hereby grants the Recreation Department request to waive any and all municipal fees only, with the exception of State and/or County fees, to Don's Dogs.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Finance, Clerk, Recreation as well as Don's Dogs.

Mayor Buccellato read by title Resolution 14-05-26: Emergency Temporary Appropriation. Mayor Buccellato requested a motion. Councilman Fitzsimmons made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Fitzsimmons
Councilwoman Clifton
Councilwoman Daly
Councilwoman Angelini

Motion passed.

***RESOLUTION 14-05-26
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 \$7,535,581.31.

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.

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.

Borough of Matawan
Public Session
May 20, 2014

2014 Temporary Budget-05/20/14					
		Salary & Wages	Other Expenses		
MAYOR & COUNCIL		5,000.00			
MUNI CLERK		6,000.00			
GENERAL ADMIN		10,000.00	1,500.00		
AUDIT					
FINANCE ADMIN		6,700.00	1,500.00		
TAX ASSES ADMIN		3,300.00			
TAX COLLECTOR		4,500.00			
LEGAL SERVICES		5,000.00			
ENGINEERING					
BLDG & GROUNDS		10,000.00			
PLAN/ZONING BD		1,200.00	2,000.00		
SHADE TREE COMM					
ENVIRON HEALTH					
SOLID WASTE COLL					
INSURANCE-GROUP HEALTH		100,000.00			
INSURANCE-LIABILITY					
INSURANCE-WORKERS COMP					
FIRE					
FIRE-AID TO DEPARTMENT					
FIRE PREVENTION		1,002.00			
POLICE		215,000.00			
STREETS & ROADS		25,000.00			
STREET LIGHTING					
BD OF HEALTH		300.00	2,000.00		
RECREATION		1,500.00	2,500.00		
HISTORICAL SITES		200.00			
VOL 1ST AID SQUAD					
OEM					
PROP MAINT		1,432.00			
RR PARKING		15,000.00	5,000.00		
DOWNTOWN REDEV					
UTILITIES					
VEHICLE MAINT			10,000.00		
CONSTR OFFICIAL		14,304.00			
ACCUM SICK LEAVE					
OASI/SOCIAL SECURITY					
PERS					
PFRS					
CONTINGENT					
MUNICIPAL COURT					
FREE PUBLIC LIBRARY					
EMERGENCY 911					
GREEN TRUST LOAN					
INTEREST ON BONDS			180,000.00		
INTEREST ON NOTES					
PAYMENT OF BANS					
MCIA LEASE INTEREST					
SUBTOTAL					
TOTAL TEMPORARY EMERGENCY APPROPRIATIONS		425,438.00	204,500.00		
WATER SEWER UTILITY			629,938.00		5,242,130.86
OPERATING		40,000.00	100,000.00		
BULK WATER PURCHASE/ACQUISITION OF WATER			50,000.00		
BAYSHORE REGIONAL SEWERAGE AUTHORITY					
PAYMENT ON BOND PRINCIPAL					
PERS					
CAPITAL OUTLAY					
BANS					
INTEREST ON BONDS			97,000.00		
INTEREST ON NOTES					
WATER-SEWER REHAB LOAN					
WASTEWATER LOAN					
SOCIAL SECURITY			3,000.00		
SUBTOTAL					
		40,000.00	250,000.00		
TOTAL WATER SEWER UTILITY TEMPORARY EMERGENCY APPROPRIATIONS			290,000.00		2,293,450.45
Total Temp Budget-Current & Water/Sewer					7,535,581.31

**Borough of Matawan
Public Session
May 20, 2014**

Mayor Buccellato read by title Resolution 14-05-27: Payment of Bills. Mayor Buccellato requested a motion. Councilman Fitzsimmons made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Fitzsimmons
Councilwoman Clifton
Councilwoman Daly
Councilwoman Angelini

Motion passed.

**RESOLUTION 14-05-27
PAYMENT OF BILLS**

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

Current	\$568,881.79
Water & Sewer	\$146,412.44
Borough Capital	\$6,069.00
Borough Trust	\$122,205.18
Developers Escrow Account	\$7,192.75
Railroad Parking Trust	\$11,720.00
Recreation Trust	\$734.60
Total	\$863,215.76

***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 14-05-29: Resolution Concerning Matawan Day And Licensing Contract. Mayor Buccellato requested a motion. Councilwoman Clifton made the motion, seconded by Councilwoman Daly. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Fitzsimmons
Councilwoman Clifton
Councilwoman Daly
Councilwoman Angelini

Motion passed.

**RESOLUTION 14-05-29
RESOLUTION CONCERNING
MATAWAN DAY AND LICENSING CONTRACT**

WHEREAS, the Borough of Matawan Governing Body has expressed its desire to have a public event called “Matawan Day” to be held on October 11, 2014, with a rain date of October 12, 2014; and

WHEREAS, the celebration of Matawan Day will entail the closure of at least one municipal street and participation by municipal organizations and agencies of the Governing Body; and

WHEREAS, vendors will be invited to participate, and the Borough is not in a position due to lack of staffing ability and administrative agencies to be able to coordinate the event in a successful fashion; and

WHEREAS, the Governing Body directed the Borough Administrator to undertake the submission of public bids for the undertaking of the coordination work to secure vendors, for the payment of fees, and various other obligations concerning the event, including promotions, inclusive of the advertising and coordination of the event; and

**Borough of Matawan
Public Session
May 20, 2014**

WHEREAS, interested vendors were invited to submit closed bids to the Borough at 10:00 in the morning on the 13th day of May 2014; and

WHEREAS, a public bid was advertised in a newspaper of general circulation regarding the opening of said bid on 18th day of April, 2014 for a license to an individual or organization for the submission of Concession Services for Matawan Day under the Fair and Open Process; and

WHEREAS, on the 13th day of May 2014 at 10:00 in the morning, the Borough Administrator undertook to open any and all participating bids and/or inquiries from prospective participants; and

WHEREAS, no bids were received in response to the publication of the proposal for the Concession Service; and

WHEREAS, it is the desire of the Governing Body to proceed with the implementation of the event known as Matawan Day; and

WHEREAS, it is impossible or unfeasible to schedule a second public bid due to time constraints and the coordination that is involved;

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

1. *The Borough Administrator is authorized to undertake the negotiation of a vendor contract with any and all interested participants who are engaged in the promotional business and/or community events business in the area of the Borough of Matawan and to report back to the Council with respect to any proposed agreement with a vendor for the undertaking of the Concession Services for the event that was the basis for the public bid for which there was no response in a timely fashion prior to the next meeting of the Council; and*

2. *The Council declares that no bids were received and authorizes the negotiation of a License Agreement subject to the Council's approval.*

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, Recreation as well as the Borough Attorney.

Mayor Buccellato read by title Resolution 14-05-30: Award of Professional Services Contract to Triad Associates for Grant Consultant Services. 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 Fitzsimmons
Councilwoman Clifton
Councilwoman Daly
Councilwoman Angelini

Motion passed.

**RESOLUTION 14-05-30
AWARD OF PROFESSIONAL SERVICES CONTRACT TO
TRIAD ASSOCIATES FOR GRANT CONSULTANT SERVICES**

WHEREAS, the Borough of Matawan desires professional consultant services to render proper grant writing; and

WHEREAS, the firm of Triad Associates has submitted qualifications as part of a "Fair and Open Process" pursuant to the provisions of NJSA 40:44A-20.5 et seq.; and

WHEREAS, NJSA 19:44A-20.5 et seq. allows a municipality through a "Fair and Open Process" to seek and solicit qualifications by advertising for such qualifications and appointing the firm based on said contractor's qualifications and merit; and

WHEREAS, Triad Associates has the required knowledge of such services to conduct grant investigation, research and evaluation; preliminary program and financial analysis and strategy development; special technical support services; preparation of application documents; and, program implementation; and

WHEREAS, Louis C. Ferrara, Borough Administrator, has reviewed, approved and recommended the proposal of Triad Associates.

**Borough of Matawan
Public Session
May 20, 2014**

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan accepts the Borough Administrator's attached recommendation and hereby appoints Triad Associates, 1301 W. Forest Grove Road, Vineland, New Jersey 08360 as Borough Municipal Grant Consultant for the Borough of Matawan for the year 2014, said term to expire December 31, 2014 in an amount not to exceed Seven Thousand Five Hundred Dollars and No Cents (\$7,500.00) and authorizes the Mayor to execute any necessary documentation.

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 Triad Associates.

Mayor Buccellato read by title Resolution 14-05-31: Authorizing the Hiring of Part-Time Seasonal Personnel 2014 Summer Recreation Program Canoe Rentals. Mayor Buccellato requested a motion. Councilwoman Clifton made the motion, seconded by Councilwoman Daly. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Fitzsimmons
Councilwoman Clifton
Councilwoman Daly
Councilwoman Angelini

Motion passed.

**RESOLUTION 14-05-31
AUTHORIZING THE HIRING OF PART-TIME SEASONAL PERSONNEL
2014 SUMMER RECREATION PROGRAM
CANOE RENTALS**

WHEREAS, the Council has been advised that there is a need part-time personnel for the Summer Recreation Canoe Rentals for the year 2014 within the Borough of Matawan; and

WHEREAS, the rate of pay will be as follows:

<i>Canoe Renters – First Year</i>	<i>\$8.00 per hour</i>
<i>Canoe Renters – Second Year</i>	<i>\$8.50 per hour</i>

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that the Council authorizes the hiring of part-time personnel as indicated on the attached Exhibit "A" for the Summer Recreation Canoe Rentals for the year 2014 effective May 24, 2014 with the last day of rentals on September 1, 2014.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Chief Financial Officer, Payroll Officer and Recreation Director.

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 T-14-56-850-801 Borough of Matawan to Canoe Renters - Recreation for the Borough of Matawan in an amount not to exceed Three Thousand Six Hundred Dollars and No Cents (\$3,600.00).

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: May 20, 2014*

EXHIBIT A

First Year

\$8.00 per hour

Second Year

\$8.50 per hour

*Mathew T. Malanga
James P. McNamara*

**Borough of Matawan
Public Session
May 20, 2014**

Privilege of the Floor

Mayor Buccellato opened the Privilege of the Floor.

Rosemary Conte, 4 Eisenhower Court, Matawan. Ms. Conte thanked everyone for the pothole repair program. She then asked if the Borough can ascertain ownership of the handicap parking spaces in the Broad and Little Street parking lot as they are sometimes blocked by adjacent parked vehicles. Mr. Keady will investigate and advise.

Jeremiah E. Hourihan, Sr., 13 Edgewater Drive, Matawan. Mr. Hourihan requested the Property Maintenance Officer look to residential, business and vacant properties in need of repair and maintenance. He then questioned for a for grant consulting service. Mr. Ferrara stated the Borough is looking for firms who can apply for specific grants for the Borough in order to have a better chance of successful application. It is critical to have someone who understands the methodology behind the application process. Triad was successful in obtaining a County \$200,000.00 grant for Gravelly Brook Park.

Robert Anfuso, 258 Main Street, Matawan. Mr. Anfuso believes the Borough needs to utilize unused park facilities and dedicate a specific area for our children to ride bikes, roller skate, skateboards, etc., safely. With supervision, this could eliminate fatal injuries that you read about in the newspaper. Mr. Anfuso asked for the Borough's help in considering some other options and if some research could be done on how to go about finding whether this is the right thing for our town. It was suggested the Clinton Street handball court be re-designated as such a location. Mr. Anfuso agreed.

Mayor Buccellato closed the Privilege of the Floor.

Adjournment

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

Meeting adjourned at 7:48 PM.

Karen Wynne, RMC
Municipal Clerk