

**Borough of Matawan
Special Meeting Public Session
March 16, 2015**

A special 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 March 16, 2015. The meeting was called to order at 6:15 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 March 13, 2015, 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 Daly
 Councilman Caldon
 Councilwoman Gould

No: Councilwoman Angelini
 Councilwoman Clifton

Also, present were Louis C. Ferrara, Borough Administrator and Pasquale Menna, Esq., Borough Attorney, by telephone.

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

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

**Public Hearing – Person-to-Person Transfer of Plenary Retail Distribution License from
Radhe Liquor, Inc. to Soma Liquors, Inc. #1329-44-002-008**

Mayor Buccellato read by title Resolution 15-03-10: Person-to-Person Transfer of Plenary Retail Distribution License from Radhe Liquor, Inc. to Soma Liquors, Inc. #1329-44-002-008. Mayor Buccellato requested a motion to open the public hearing. Councilwoman Gould made the motion, seconded by Councilman Urbano. Council agreed. Motion passed. Mayor Buccellato requested comments.

Timothy Horn of Villani & Deluca, PC representing Soma Liquors related the particulars of the transfer confirming all state and municipal requirements have been met thanking Council and the Clerk for their assistance in the matter, and their time for this special meeting.

Mayor Buccellato requested a motion to close the public hearing. Councilwoman Gould made the motion, seconded by Councilwoman Daly. Council agreed. Motion passed. Mayor Buccellato read by title Resolution 15-03-10: Person-to-Person Transfer of Plenary Retail Distribution License from Radhe Liquor, Inc. to Soma Liquors, Inc. #1329-44-002-008 requesting a motion to adopt. Councilman Urbano made the motion, seconded by Councilwoman Gould. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Urbano
 Councilwoman Daly
 Councilman Caldon
 Councilwoman Gould

Motion passed.

**RESOLUTION 15-03-10
PERSON-TO-PERSON TRANSFER OF
PLENARY RETAIL DISTRIBUTION LICENSE FROM
RADHE LIQUOR, INC. (WINE NATION) TO**

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**SOMA LIQUORS INC.
#1329-44-002-008**

***WHEREAS**, an application has been filed for a Person-to-Person Transfer of Plenary Retail Distribution License Number 1329-44-002-008, heretofore issued to Radhe Liquor, Inc., trade name Wine Nation, for premises located at Pinecrest Plaza, 1016 Route 34, Units 6, 7 & 8, Matawan, New Jersey 07747; and*

***WHEREAS**, Soma Liquors Inc. submitted application form is deemed complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and*

***WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and*

***WHEREAS**, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business.*

***NOW, THEREFORE, BE IT RESOLVED** that the Matawan Borough Governing Body does hereby approve, effective March 17, 2015, the Person-to-Person Transfer of the aforesaid Plenary Retail Distribution License held by Radhe Liquor, Inc., trade name Wine Nation, to Soma Liquors Inc., 6 Knight Drive, Plainsboro, New Jersey 08536, and does hereby direct the Borough Clerk/ABC Board Secretary to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Soma Liquors Inc., effective March 17, 2015."*

***BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Finance, Police as well as Radhe Liquor, Inc., Soma Liquor Inc., Villani & DeLuca, PC, Anthony Cambria, Esq. and NJS Division of Alcohol Beverage Control.*

New Business

Mayor Buccellato read by title Resolution 15-03-11: Emergency Temporary Appropriation. Mayor Buccellato requested a motion. Councilman Urbano made the motion, seconded by Councilwoman Daly. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Urbano
Councilwoman Daly
Councilman Caldon
Councilwoman Gould

Motion passed.

**RESOLUTION 15-03-11
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 2015 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 2015 pursuant to the provisions of Chapter 96, PL 1951 (NJSA 40A:4-20) including this resolution total \$5,342,608.89.*

***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 2015 budget under the appropriate titles.*
- 3. That one certified copy of this resolution be filed with the Director of Local Government Services.*

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***BE IT FURTHER RESOLVED,** that the amount required by Statue for the payment of 2015 County, and Local School District Taxes, which are not included in this temporary budget, shall be paid as and when due.*

**2015 Temporary Budget-for March 16, 2015
Meeting**

	Salary & Wages	Other Expenses
MAYOR & COUNCIL		500.00
MUNI CLERK	1,000.00	
GENERAL ADMIN	2,000.00	
AUDIT		
FINANCE ADMIN	1,000.00	
TAX ASSES ADMIN	1,000.00	
TAX COLLECTOR	2,000.00	
LEGAL SERVICES		15,000.00
ENGINEERING		
BLDG & GROUNDS	5,000.00	5,000.00
PLAN/ZONING BD		
SHADE TREE COMM		
ENVIRON HEALTH		
SOLID WASTE COLL	500.00	150,000.00
INSURANCE-GROUP HEALTH		150,000.00
INSURANCE-LIABILITY		
INSURANCE-WORKERS COMP		
FIRE		
FIRE-AID TO DEPARTMENT		
FIRE PREVENTION	2,000.00	
POLICE	150,000.00	
STREETS & ROADS	5,000.00	10,000.00
STREET LIGHTING		
BD OF HEALTH		
RECREATION	500.00	
HISTORICAL SITES		
VOL 1ST AID SQUAD		
OEM		
PROP MAINT		
RR PARKING	10,000.00	
DOWNTOWN REDEV		
UTILITIES		
VEHICLE MAINT		
CONSTR OFFICIAL	5,000.00	
ACCUM SICK LEAVE		
OASI/SOCIAL SECURITY		
PERS		
PFRS		
CONTINGENT		
MUNICIPAL COURT		

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PUBLIC DEFENDER
FREE PUBLIC LIBRARY
EMERGENCY 911
GREEN TRUST LOAN
INTEREST ON BONDS
INTEREST ON NOTES
PAYMENT OF BANS
MCIA LEASE INTEREST

SUBTOTAL	185,000.00	330,500.00	
TOTAL TEMPORARY EMERGENCY APPROPRIATIONS		515,500.00	3,638,941.65

WATER SEWER UTILITY

OPERATING		150,000.00	
BULK WATER PURCHASE/ACQUISITION OF WATER			
BAYSHORE REGIONAL SEWERAGE AUTHORITY			
PAYMENT ON BOND PRINCIPAL			
PERS			
BANS			
INTEREST ON BONDS			
INTEREST ON NOTES			
WATER-SEWER REHAB LOAN			
WASTEWATER LOAN			
SOCIAL SECURITY			
SUBTOTAL	-	150,000.00	

TOTAL WATER SEWER UTILITY TEMPORARY EMERGENCY APPROPRIATIONS		150,000.00	1,703,667.24
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***BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Finance as well as the Borough Auditor and the Director of Local Government Services.*

Mayor Buccellato read by title Ordinance 15-02: Calendar Year 2015 – 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 introduce. Councilman Urbano made the motion, seconded by Councilwoman Daly. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Urbano
Councilwoman Daly
Councilman Caldon
Councilwoman Gould

Motion passed.

The public hearing is scheduled for April 7, 2015.

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**ORDINANCE 15-02
CALENDAR YEAR 2015
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 2015 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,

WHEREAS, the Council of the Borough of Matawan hereby determines that a 2% increase in the budget for said year, amounting to \$160,852.02 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 2015 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 \$281,491.04, and that the CY 2015 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 Resolution 15-03-12: Amending Resolution 15-02-38: Payment of Bills. Mayor Buccellato requested a motion. Councilman Urbano made the motion, seconded by Councilwoman Gould. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Urbano
Councilwoman Daly
Councilman Caldon
Councilwoman Gould

Motion passed.

**RESOLUTION 15-03-12
AMENDING RESOLUTION 15-02-38
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.

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<i>Current</i>	<i>\$293,567.07</i>
<i>Water & Sewer</i>	<i>\$39,065.16</i>
<i>Grant</i>	<i>\$2,493.75</i>
<i>Borough Trust</i>	<i>\$96,700.59</i>
<i>Railroad Parking Trust</i>	<i>\$27.00</i>
<i>Total</i>	<i>\$431,853.57</i>

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

Mayor Buccellato read by title Resolution 15-03-13: Payment of Bills. Mayor Buccellato requested a motion. Councilwoman Gould made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Urbano
Councilwoman Daly
Councilman Caldon
Councilwoman Gould

Motion passed.

***RESOLUTION 15-03-13
PAYMENT OF BILLS***

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

<i>Current</i>	<i>\$1,478,351.33</i>
<i>Water & Sewer</i>	<i>\$209,787.99</i>
<i>Borough Capital</i>	<i>\$40,881.02</i>
<i>Water Capital</i>	<i>\$35,185.79</i>
<i>Grant</i>	<i>\$2,997.05</i>
<i>Borough Trust</i>	<i>\$61,018.80</i>
<i>Developers Escrow Account</i>	<i>\$281.00</i>
<i>Dog Tax Trust</i>	<i>\$33.00</i>
<i>Railroad Parking Trust</i>	<i>\$11,502.00</i>
<i>Recreation Trust</i>	<i>\$419.89</i>
<i>Total</i>	<i>\$1,840,457.87</i>

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

Privilege of the Floor

Melissa Graviass, 37 Orchard Street, Matawan. Ms. Graviass is a student required to speak at the Council meeting on the Public Hearing for the Person-to-Person Transfer confirming satisfactory completion of the Police background investigation for the Transfer. Mr. Menna related ABC background requirements.

MELJIF Employment Practices Class Council Presentation

Michael Avalone, of Conner Strong, handed out the MELJIF Financial Fast Track Report Snapshot Analysis relating highlights to the Council.

Firefighter Approval

Councilman Caldon requested Council approval of Volunteer Firefighter Joseph Martucci, Jr. of Midway Hose Company. Mayor Buccellato requested a motion. Councilman Caldon made the motion, seconded by Councilman Urbano. Council agreed. Motion passed.

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Adjournment

Mayor Buccellato requested a motion to adjourn. Councilwoman Daly made the motion, seconded by Councilman Urbano. Council agreed. Motion passed. The Clerk thanked Council for taking the time for the Special Meeting.

Meeting adjourned at 6:54 PM.

Karen Wynne, RMC
Municipal Clerk