

**Borough of Matawan
Public Session
December 15, 2015**

A regular meeting of the Borough Council of the Borough of Matawan, New Jersey, was held at the Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey on December 15, 2015. The meeting was called to order at 7:00 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 Independent* on January 15, 2015, by sending notice to the *Asbury Park Press*, and by posting. Mayor Buccellato requested a roll call.

On roll call the following members responded present:

Yes: Councilman Lopez
 Councilman Urbano
 Councilwoman Daly
 Councilwoman Clifton
 Councilman Caldon
 Councilwoman Gould

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

Mayor Buccellato asked everyone to stand for a Moment of Silence.

Mayor Buccellato asked Chief Gallo and his men to lead the Salute to the Flag.

Mayor Buccellato requested a motion to suspend the Public Session. Councilman Urbano made the motion, seconded by Councilwoman Clifton. Council agreed. Motion passed.

Matawan Police Department Presentation of Awards

Chief Gallo presented the Borough of Matawan Police Department Awards to recognize individual Officers.

Chief Gallo presented a plaque in recognition of the retirement of Officer Joseph Dzwil's combined 27 years of Police service.

Chief Gallo presented an award to Officer Joseph Mason in recognition of his work in narcotics enforcement.

Chief Gallo presented an award to Officer Joseph Lovallo in recognition of his work with local and other agencies.

Chief Gallo introduced Lt. Thomas Falco who provided an overview of the Borough of Matawan Police Department Award Program. In early 2015, Chief Gallo issued General Order 15-003 establishing an Annual Awards and Recognition Program for the Matawan Police Department to use awards and decorations to publicly reward and recognize extraordinary, exceptionally meritorious or conspicuously outstanding acts of heroism or other service. It is the goal to bring attention to actions above and beyond those normally expected that distinguish the individual or unit from others performing similar acts of service.

Meritorious Service Award – Recognizing a highly unusual accomplishment under adverse conditions with some degree of hazard to life and limb to the nominee, or where death or injury to a third party is prevented.

Lt. Falco related an event wherein Officer Andrew Marsala managed an armed suicidal suspect who had barricaded himself in his home, and safely securing the suspect's family. Officer Marsala negotiated with the suspect who ultimately relinquished himself to Officer Marsala's custody. Chief Gallo presented the award for Meritorious Service to Officer Andrew Marsala.

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Lt. Falco related an event wherein Officer Jeffrey Bodner responded to a report of a woman trapped beneath a train at the Aberdeen-Matawan Train Station. Without regard to himself he crawled under multiple “live” train cars initiating treatment to the victim. Chief Gallo presented the award for Meritorious Service to Officer Jeffrey Bodner.

Lt. Benjamin Smith related an event wherein Officer Eric Anderson and Lt. Thomas Falco responded to a report of an unstable male in front of a residence with a firearm. The Officers negotiated with the suspect who ultimately relinquished himself to the Officers’ custody. Chief Gallo presented the award for Meritorious Service to Officer Eric Anderson and Lt. Thomas Falco.

Lifesaving Award – Recognizing an outstanding act where the actions taken directly related to the saving of a life.

Lt. Falco related an event wherein Officers Christopher Stark and Jonathan Borsari responded to a choking victim at a local restaurant. Chief Gallo presented the Lifesaving Award to Officers Christopher Stark and Jonathan Borsari.

Lt. Falco related an event wherein Officer Eric Budelman responded to a local resident’s home where the resident required rescue breathing, CPR and treatment with an automatic defibrillator. Chief Gallo presented the Lifesaving Award to Officer Eric Budelman.

2015 Police Officer of the Year Award – The Member’s total contributions to the Police function and each of them are considered in deciding this Award.

Lt. Falco related the Officer’s career at the Matawan Police Department since joining in January 2014 citing his work ethic, social skills and relationships with his fellow Officers, the residents and community in the Borough of Matawan. Chief Gallo presented the 2015 Police Officer of the Year Award to Officer Charles Henry.

Mayor Buccellato requested a motion to resume the Public Session. Councilwoman Daly made the motion, seconded by Councilman Lopez. Council agreed. Motion passed.

Approval of Meeting Minutes

Mayor Buccellato requested a motion to approve meeting minutes of December 1, 2015. Councilwoman Gould made the motion, seconded by Councilman Urbano. Council agreed. Motion passed.

Mayor Buccellato informed of the addition of Resolution 15-12-25: 2016 Reorganization Meeting of the Governing Body to tonight’s Agenda.

Old Business

Mayor Buccellato read by title Resolution 15-08-14: Qualified for Credit Under the LOSAP Program for the Year 2014 – First Aid. Mayor Buccellato requested a motion. Councilwoman Daly made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Lopez
 Councilman Urbano
 Councilwoman Daly
 Councilwoman Clifton
 Councilman Caldon
 Councilwoman Gould

Motion passed.

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**RESOLUTION 15-08-14
QUALIFIED FOR CREDIT UNDER THE
LOSAP PROGRAM FOR THE YEAR 2014
FIRST AID**

WHEREAS Ordinance #03-22 of the Borough of Matawan implemented the Length of Service Award Program (LOSAP) for the Matawan First Aid and Rescue Squad and was passed by voters by a referendum on November 4, 2003; and

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

WHEREAS the Governing Body has received and reviewed such certified list from the Matawan First Aid and Rescue Squad.

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

1. Per the certified list received, the following Matawan First Aid and Rescue Squad members are hereby approved to receive the 2014 LOSAP award:

James Archibald	Steven Morley
Austin Chang	Patricia Sickels
Hoi Fung	Christopher Sommer
Robert LaForge	Tatiana Roser

The amount each qualified member will receive for the 2014 LOSAP award is \$1,250.00.

James Archibald	Patricia Sickels
Austin Chang	Christopher Sommer
Hoi Fung	Tatiana Roser
Steven Morley	

The amount each qualified member will receive for the 2014 LOSAP award is \$750.00
Robert LaForge

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

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Finance, Clerk, First Aid as well as Lincoln Financial Group.

Clerk's Report

No report but the Clerk extended best wishes to Councilpersons Daly, Lopez and Mayor Buccellato.

Mayor's Report

Mayor Buccellato nominated and appointed Kenneth Cassidy to fill the vacancy of an Alternate III Member on the Unified Planning/Zoning Board of Adjustments requesting Council approval. Councilman Lopez made the motion, seconded by Councilwoman Daly. Council agreed. Motion passed.

Mayor Buccellato nominated and appointed Loretta Windas and Tracey Carlino as Members to the Animal Advisory Board requesting Council approval. Councilwoman Clifton made the motion, seconded by Councilman Urbano. Council agreed. Motion passed.

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Mayor Buccellato thanked the residents for giving him the opportunity to serve the great community of Matawan for the past 13 years. He thanked his family, particularly, his wife, specifically during hurricanes and Super Storm Sandy when he was rarely home. He stated, “I am going to truly miss representing the Borough.” He commented on the inaccuracy of the campaign literature.

Administrator’s Report

Mr. Ferrara distributed a hard copy of his Report to Council.

Attorney’s Report

No report.

Engineer’s Report

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

- 2013 Road Program Contract 2 has been completed.
- The Energy Savings Improvement Program – The contracts have been sent to the Borough for execution.
- 2015 Road Program Contract 1 – Previously awarded by Council. The request for concurrence has been sent to the DOT. Upon its concurrence a pre-construction meeting will be scheduled.
- 2015 Road Program Contract 2 – The project has been re-advertised with a bid opening date of January 6, 2016.

Mr. Keady expressed his pleasure in working with Councilpersons Daly and Lopez as well as Mayor Buccellato.

Finance & Environmental

Councilman Lopez had no report but, as a resident, thanked Mayor Buccellato for his time and effort on behalf of the Borough.

Councilman Lopez requested the Treasurer Reports for September and October 2015 be read into the record.

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	REPORT OF THE TREASURER				
	TO THE MAYOR AND COUNCIL OF THE BOROUGH OF MATAWAN				
	BANK BALANCES AS OF SEPTEMBER 30, 2015				
CURRENT ACCOUNT	INVESTORS		\$3,431,838.19	\$3,431,838.19	
TAX COLLECTOR TRUST FUND	INVESTORS		\$0.00	\$0.00	
WATER & SEWER ACCOUNT	INVESTORS		\$1,007,059.01	\$1,007,059.01	
WATER & SEWER-Certificate of Deposit	INVESTORS		\$500,000.00	\$500,000.00	
BOROUGH CAPITAL ACCOUNT	INVESTORS		\$1,540,169.47	\$1,540,169.47	
UTILITY CAPITAL ACCOUNT	INVESTORS		\$725,629.51	\$725,629.51	
BOROUGH TRUST ACCOUNT	INVESTORS		\$884,162.52	\$884,162.52	
BORO TRUST SUMMARY-INVESTORS BANK			CASH BALANCES		
AS OF: SEPTEMBER 30, 2015					
	FIRE SAFETY		\$23,476.25		
	FIRE PREVENTION/DEDICATED PENALTY		-\$657.74		
	ESCROW		\$107,177.47		
	TAX REDEMPTIONS		\$31,296.78		
	POAA		\$0.00		
	DONATION		\$10,442.49		
	PREMIUMS		\$671,075.00		
	OFF DUTY POLICE		\$21,173.71		
	RECYCLING TRUST		\$12,388.40		
	PUBLIC DEFENDER		\$7,790.16		
	TOTAL		\$884,162.52		
DOG TAX TRUST ACCOUNT	INVESTORS		\$1,643.53	\$1,643.53	
UNEMPLOYMENT INSURANCE ACCOUNT	INVESTORS		\$32,371.58	\$32,371.58	
RECREATION SPECIAL ACCOUNT	INVESTORS		\$27,089.69	\$27,089.69	
RECREATION TRUST SUMMARY-INVESTORS BANK			CASH BALANCES		
AS OF: SEPTEMBER 30, 2015					
	TURKEY TROT		\$15,928.99		
	SUMMER RECREATION		\$3,920.02		
	SUMMER RECREATION TRIPS		\$3,078.92		
	MATAWAN DAY		\$0.00		
	BASKETBALL TOURNAMENT		\$0.00		
	CANOE RENTALS		\$1,444.41		
	MEN'S OVER 30 B'BALL		\$0.00		
	NNO VENDER		\$0.00		
	YOGA/KICKBOXING		\$0.00		
	DOG'S NIGHT OUT		\$68.84		
	FIREWORKS DONATIONS		-\$1,775.00		
	CAPITAL IMPROVEMENTS		\$4,423.51		
	TOTAL		\$27,089.69		
DEVELOPERS ESCROW ACCT	INVESTORS		\$296,755.43	\$296,755.43	
LAW ENFORCEMENT ACCOUNT	INVESTORS		\$5,395.42	\$5,395.42	
RAILROAD PARKING LOT TRUST	INVESTORS		\$94,088.55	\$94,088.55	
TOTAL			\$8,546,202.90	\$8,546,202.90	
RESPECTFULLY, <i>Monica Antista</i>					
TREASURER					12/14/2015

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REPORT OF THE TREASURER					
TO THE MAYOR AND COUNCIL OF THE BOROUGH OF MATAWAN					
BANK BALANCES AS OF OCTOBER 31, 2015					
CURRENT ACCOUNT		INVESTORS		\$3,147,987.42	\$3,147,987.42
TAX COLLECTOR TRUST FUND		INVESTORS		\$0.00	\$0.00
WATER & SEWER ACCOUNT		INVESTORS		\$1,022,346.05	\$1,022,346.05
WATER & SEWER-Certificate of Deposit		INVESTORS		\$500,000.00	\$500,000.00
BOROUGH CAPITAL ACCOUNT		INVESTORS		\$1,865,156.54	\$1,865,156.54
UTILITY CAPITAL ACCOUNT		INVESTORS		\$663,687.29	\$663,687.29
BOROUGH TRUST ACCOUNT		INVESTORS		\$891,757.83	\$891,757.83
BORO TRUST SUMMARY-INVESTORS BANK		CASH BALANCES			
AS OF: OCTOBER 31, 2015					
	FIRE SAFETY		\$17,237.71		
	FIRE PREVENTION/DEDICATED PENALTY		-\$657.74		
	ESCROW		\$110,537.47		
	TAX REDEMPTIONS		\$40,398.65		
	POAA		\$0.00		
	DONATION		\$2,742.49		
	PREMIUMS		\$671,075.00		
	OFF DUTY POLICE		\$30,112.69		
	RECYCLING TRUST		\$12,388.40		
	PUBLIC DEFENDER		\$7,923.16		
	TOTAL		\$891,757.83		
DOG TAX TRUST ACCOUNT		INVESTORS		\$1,757.33	\$1,757.33
UNEMPLOYMENT INSURANCE ACCOUNT		INVESTORS		\$32,371.58	\$32,371.58
RECREATION SPECIAL ACCOUNT		INVESTORS		\$30,211.69	\$30,211.69
RECREATION TRUST SUMMARY-INVESTORS BANK		CASH BALANCES			
AS OF: OCTOBER 31, 2015					
	TURKEY TROT		\$19,050.99		
	SUMMER RECREATION		\$3,920.02		
	SUMMER RECREATION TRIPS		\$3,078.92		
	MATAWAN DAY		\$0.00		
	BASKETBALL TOURNAMENT		\$0.00		
	CANOE RENTALS		\$1,444.41		
	MEN'S OVER 30 B'BALL		\$0.00		
	NNO VENDER		\$0.00		
	YOGA/KICKBOXING		\$0.00		
	DOG'S NIGHT OUT		\$68.84		
	FIREWORKS DONATIONS		-\$1,775.00		
	CAPITAL IMPROVEMENTS		\$4,423.51		
	TOTAL		\$30,211.69		
DEVELOPERS ESCROW ACCT		INVESTORS		\$296,519.72	\$296,519.72
LAW ENFORCEMENT ACCOUNT		INVESTORS		\$5,395.88	\$5,395.88
RAILROAD PARKING LOT TRUST		INVESTORS		\$92,796.95	\$92,796.95
TOTAL				\$8,549,988.28	\$8,549,988.28
RESPECTFULLY,					
<i>Monica Antista</i>					
TREASURER					
12/14/2015					

Police, Railroad Parking & ADA

Councilman Urbano reported the final 2015 ADA Committee was held on December 8, 2015; hard copy of the Report will be forwarded to the Clerk upon completion. He then thanked Councilpersons Daly and Lopez for their service to the Borough, and to Mayor Buccellato, thank you for your leadership especially through some very tough times. The Borough is a better place for it.

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

Councilwoman Daly had no report but thanked Mayor and Council for the opportunity to work with them on behalf of the Borough.

Recreation and Main Street

Councilwoman Clifton reported on the success of this year's Turkey Trot thanking the volunteers and the Police, the CERT, the Fire Department, just some of the many organizations who participated. Councilwoman Clifton thanked Councilpersons Daly and Lopez, and Mayor Buccellato for his time, guidance and support.

Fire, DPW & Shade Tree

Councilman Caldon reported the Fire Department continues to host community events, DPW continues to pick up leaves, and Shade Tree is quiet at this time. Councilman Caldon thanked Councilpersons Daly and Lopez, and thanked Mayor Buccellato for his time and participation, and his knowledge.

Personnel, Development, Construction & Planning/Zoning Board

Councilwoman Gould had no report but thanked Councilpersons Daly and Lopez, and Mayor Buccellato for their friendship. She continued, citing the Mayor's wonderful professional, expertise and service.

Mayor Buccellato informed he will announce the Citizen of the Year at 7:00 PM on Saturday, December 19, 2015 at Washington Engine Company's holiday event.

Consent Agenda

Mayor Buccellato read by title Resolutions 15-12-14 through and including 15-12-16 requesting a motion to approve en masse. Councilman Lopez made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

Yes: Councilman Lopez
Councilman Urbano
Councilwoman Daly
Councilwoman Clifton
Councilman Caldon
Councilwoman Gould

Motion passed.

**RESOLUTION 15-12-14
REFUND OF TAX OVERPAYMENTS
BLOCK 11, LOT 29
BLOCK 40, LOT 6.01 C002
BLOCK 119, LOT 1**

WHEREAS, the following properties have been overpaid for the year 2015 as a result of an adjustment of the assessment on the property; and

WHEREAS, the property owner is due a refund in order to clear the account; and

WHEREAS, the following refund has been verified as accurate by the Tax Collector.

NOW, THEREFORE, BE IT RESOLVED that the Borough Tax Collector refund according to the following:

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<u>Block/Lot</u>	<u>Vendor</u>	<u>Amount of Refund</u>	<u>Notation</u>
11/29	Prayosha Realty, LLC 339 Texas Rd. Morganville, NJ 07751	\$689.67	Overpaid as a result of assessment change
40/6.01 C002	JSM at Matawan Phase II 1260 Stelton Rd. Piscataway, NJ 08854	\$422.00	same as above
119/1	JCP&L GPU Serv Tax Dept 800 Cabin Hill Dr. Greensburg, PA 15601	\$1,454.65	same as above

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

**RESOLUTION 15-12-15
APPROVAL OF SOLICITORS PERMIT
PRO-CUSTOM SOLAR**

WHEREAS, Pro-Custom Solar, has passed the required Police Department background checks; and

WHEREAS, Pro-Custom Solar, has read Chapter 3-2.11 Handbills of the Borough of Matawan Code.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the following solicitors permit:

Business: Pro-Custom Solar
30 Nixon Lane
Edison, New Jersey 08837

Applicants: Mike DelPriore
114 Raritan Boulevard
Cliffwood Beach, NJ 07735

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

**RESOLUTION 15-12-16
APPROVAL OF TOWING & STORAGE LICENSE RENEWAL
VIRLOU, INC. T/A KEY AUTO BODY**

WHEREAS, VirLou, Inc. T/A Key Auto Body, (towing & storage services) has passed the required background checks and received approval from the Matawan Police Department; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the following renewal of Towing & Storage License for the calendar year 2016 said license to expire December 31, 2016:

Business: VirLou, Inc. T/A Key Auto Body
20 Main Street
Matawan, New Jersey 07747

Applicant: Louis Mendes

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

Mayor Buccellato read by title Resolution 15-12-17: Granting Relief from the Five Year Moratorium Road Opening Permit – 14 Wilson Avenue – Block 119, Lot 53. Mayor Buccellato requested a motion. Councilman Urbano made the motion, seconded by Councilwoman Daly. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

Yes: Councilman Lopez
Councilman Urbano

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Councilwoman Daly
Councilwoman Clifton
Councilman Caldon
Councilwoman Gould

Motion passed.

**RESOLUTION 15-12-17
GRANTING RELIEF FROM THE
FIVE YEAR MORATORIUM ROAD OPENING PERMIT
14 WILSON AVENUE – BLOCK 119, LOT 53**

***WHEREAS**, Amanda Rutherford, residing at 14 Wilson Avenue, for health reasons, has requested the Council of the Borough of Matawan grant relief from the five year moratorium to open 14 Wilson Avenue for the purpose of connecting to the New Jersey Natural Gas facilities; and*

***WHEREAS**, the Borough Engineer has recommended conditions be imposed to return the road to its original condition with infrared repair to provide a seamless patch to the roadway surface as outlined in the Code of the Borough of Matawan Chapter 21, Section 21-1.8 as well as the posting of a two year maintenance bond.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan, they hereby grant Amanda Rutherford relief from the five year moratorium road opening on 14 Wilson Avenue for health reasons.*

***BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Construction, Fire, First Aid, Police, Public Works as well as the Borough Engineer, New Jersey Natural Gas and Amanda Rutherford.*

Mayor Buccellato read by title Resolution 15-12-18: Authorizing the Extension of the Solid Waste and Recyclable Materials Contract Between the Borough of Matawan and Future Sanitation, Inc. Mayor Buccellato requested a motion. Councilwoman Daly made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

Yes: Councilman Lopez
Councilman Urbano
Councilwoman Daly
Councilwoman Clifton
Councilman Caldon
Councilwoman Gould

Motion passed.

**RESOLUTION 15-12-18
AUTHORIZING THE EXTENSION OF THE
SOLID WASTE AND RECYCLABLE MATERIALS CONTRACT
BETWEEN THE BOROUGH OF MATAWAN AND
FUTURE SANITATION, INC.**

***WHEREAS**, there is a need to extend the Solid Waste and Recyclable Materials Contracts between in the Borough of Matawan and Future Sanitation, Inc. beyond its termination date of December 31, 2015, and*

***WHEREAS**, there is may be a need for a month-to-month extension of the existing Agreement between the Borough of Matawan and Future Sanitation, Inc. for a period not to exceed beyond March 31, 2016; and*

***WHEREAS**, the extension will be for monthly increments at the request of the Borough Administrator at the existing base monthly remuneration set forth in the existing monthly charge in the Contract; and*

***WHEREAS**, the Borough of Matawan and Future Sanitation, Inc. have agreed that the within Resolution does not extend or re-affirm the terms of the existing Contract other than by the terms expressly set forth in the within Resolution.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that the terms of the Solid Waste and Recyclable Materials Contract with Future Sanitation, Inc., 385 Cranberry Road, Farmingdale,*

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New Jersey 07727 set to expire on December 31, 2015 is hereby extended for a period not to go beyond March 31, 2016.

BE IT FURTHER RESOLVED, the Council of the Borough of Matawan resolves that Paul Buccellato or the successor to the office of Mayor is hereby authorized as signatory on behalf of the Borough of Matawan.

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

Mayor Buccellato read by title Resolution 15-12-19: Authorizing the Execution of a Shared Services Agreement for Animal Control Services Between the Borough of Matawan and the Township of Marlboro, and Resolution 15-12-20: Authorizing the Execution of an Animal Shelter Services Agreement with the Monmouth County SPCA requesting a motion to approve en masse. Councilwoman Clifton made the motion, seconded by Councilwoman Daly. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

Yes: Councilman Lopez
Councilman Urbano
Councilwoman Daly
Councilwoman Clifton
Councilman Caldon
Councilwoman Gould

Motion passed.

**RESOLUTION 15-12-19
AUTHORIZING THE EXECUTION OF A
SHARED SERVICES AGREEMENT
FOR ANIMAL CONTROL SERVICES
BETWEEN THE BOROUGH OF MATAWAN AND
THE TOWNSHIP OF MARLBORO**

WHEREAS, the New Jersey Uniform Shared Services and Consolidation Act (C.40A:65-1, et seq.) authorizes local units such as this Municipality to enter into Shared Service Agreements with other local units; and

WHEREAS, the Township of Marlboro, a local unit, has offered to provide Shared Services for Animal Control Services to the Borough of Matawan; and

WHEREAS, it is in the best interest of this Municipality to enter into the proposed Shared Services Agreements with the Township of Marlboro.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that the Borough Administrator be and is hereby authorized to execute the attached Shared Services Agreement for Animal Control Services with the Township of Marlboro, effective January 1, 2016 through and including December 31, 2016 in an amount not to exceed Sixteen Thousand Dollars and No Cents (\$16,000.00), and the same is hereby confirmed pending receipt of Certification As To Available Funding from the Chief Financial Officer of the Borough of Matawan.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Finance, Police, Public Works, Recreation as well as Township Clerk of the Township of Marlboro, 1979 Township Drive, Marlboro, New Jersey 07746 and the Division of Local Government Services.

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 6-01-27-330-200 Budget of the Borough of Matawan for Animal Control Services with the Township of Marlboro in an amount not to exceed Sixteen Thousand Dollars and No Cents (\$16,000.00).

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

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Chief Financial Officer

(Signature on File)

Monica Antista, CMFO

Dated: December 15, 2015

**SHARED SERVICES AGREEMENT FOR ANIMAL CONTROL SERVICES
BETWEEN
THE TOWNSHIP OF MARLBORO
AND
THE BOROUGH OF MATAWAN**

This Agreement is made this ____ day of _____, 2015, by and between the Township of Marlboro (“Township”), with its principal place of business at 1979 Township Drive, Marlboro, New Jersey 07746 and the Borough of Matawan (“Matawan”), with its principal place of business at 201 Broad Street, Matawan, New Jersey 07747.

WHEREAS, the Township of Marlboro (the “Township”) currently provides animal control services for the Township of Marlboro; and

WHEREAS, the Borough of Matawan (“Borough”) has requested that the Marlboro Township Animal Control Officer provide animal control services including emergency response for domestic animal incidents, emergency response for sick or dangerous wildlife and enforcement of the Borough’s ordinances pertaining to domestic animals; and

WHEREAS, the Township and Borough desire to enter into a Shared Services Agreement in order for the Township to provide animal control services to the Borough; and

WHEREAS, the provision of animal control services by the Township to the Borough is in the best financial interests of both entities; and

WHEREAS, resolutions authorizing this Agreement have been approved and issued by both the Township and Borough;

NOW, THEREFORE, in consideration of the mutual covenants, promises and consideration recited herein, the parties to this Agreement agree as follows:

I. Scope of Services

Animal Control Services in accordance with Marlboro’s Standard Operating Procedures (Exhibit A) the Township will provide:

- A. Emergency response for domestic animal incidents.*
- B. Emergency response for sick or dangerous wildlife.*
- C. Transport to the contracted kennel.*
- D. Enforcement of Matawan’s ordinances pertaining to domestic animals.*

II. Borough Responsibilities

- A. Borough agrees to reimburse Marlboro for the cost of sheltering with a local kennel to house animals that are located and trapped by the Township Animal Control Officer (“ACO”).*
- B. Borough agrees to reimburse Marlboro for the cost of a local veterinarian to attend to injured animals transported by the ACO.*
- C. Provide a temporary shelter to keep animals after hours when a delayed response may be necessary.*
- D. Collect redemption fees from owners based on ordinance.*
- E. Quality control of all calls to ensure response is required.*

III. Contract Term

- A. The term of this Agreement shall commence on or about January 1, 2016 and terminating on December 31, 2016.*

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IV. Contract Amount

- A. *In consideration for the services provided pursuant to Section I of this Agreement, the Borough shall pay:*
- (1) Unlimited calls initiated Monday through Friday, 7:30 am to 3:30 pm, excluding Township holidays: \$16,000.00 (\$4,000.00 per quarter)*
 - (2) Calls initiated on all other days and times to be billed at a rate of \$200.00 per call.*
 - (3) Matawan's share of billing for animals sheltered.*
 - (4) Matawan's share of veterinarian service provided to Matawan animals.*
- B. *Amounts shall be payable within forty-five (45) days of the date of invoice by the Township.*

V. Termination

- A. *This Agreement may be terminated as follows:*
- (1) For convenience. By either Party at any time upon twenty-one (21) days written notification to the other party.*
 - (2) For cause. By either Party upon ten (10) days written notice to the other Party after the other Party has received such notice specifying the failure to perform and fails to remedy and cure such failure within ten calendar days (10) of written notification.*
 - (3) By failure to extend this Agreement upon its expiration.*
- B. *As set forth in Section A(2), above, each Party shall have an additional ten (10) business days to cure any alleged breach after notification of same by the other party. If the cure requires more than ten (10) business days, the Parties shall immediately initiate steps which may be reasonably deemed to be sufficient to cure the alleged breach and thereafter continues and complies with all reasonable and necessary steps sufficient to produce compliance as soon as reasonably practical.*

VI. Dispute Resolution

In the event of a dispute under this Agreement, the parties may enter into mediation proceedings to resolve such dispute, the cost of which shall be borne equally by both parties, and, should mediation not succeed or not be agreed to by both parties, any such dispute shall be heard in a court of competent jurisdiction venued in Monmouth County in the State of New Jersey.

VII. Indemnification

The Borough of Matawan agrees to indemnify, defend and hold harmless the Township of Marlboro, collectively and individually, as well as its agents, servants and employees, for any and all claims, suits, costs, expenses, fees (including legal fees) and from all damages of every kind and description arising out of the performance of this Agreement as set forth herein.

VIII. Designated Contact Persons

- A. *Pursuant to N.J.S.A. 40A:65-7, the Township of Marlboro hereby designates the Business Administrator, or his designee, as its contact person as required for all written notices and communications relative to the performance of this Agreement.*
- B. *Pursuant to N.J.S.A. 40A:65-7, the Borough hereby designates Louis Ferrara as its contact person for all notices and communications relative to the performance of this Agreement.*

IX. Approval of Agreement

This Agreement shall be subject to approval by both the Township of Marlboro and the Borough of Matawan prior to becoming effective.

X. New Jersey Law

This Agreement shall be construed in accordance with the provisions of the laws of the State of New Jersey.

XI. Entire Agreement

This Agreement represents and contains the entire terms of the Agreement between the parties, and shall supersede and replace all prior agreements or discussion between the parties regarding the services specified herein. This Agreement may be modified or amended only by written instrument signed by the parties or their authorized agents.

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Public Session
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IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed by their proper officers the day and year first above written.

Attest: TOWNSHIP OF MARLBORO

By: _____
Name: Jonathan L. Hornik
Title: Mayor
Dated:

Attest: BOROUGH OF MATAWAN

Karen Wynne, RMC
Municipal Clerk
By: _____
Name: Paul Buccellato
Title: Mayor
Dated: December 15, 2015

**RESOLUTION 15-12-20
AUTHORIZING THE EXECUTION OF AN
ANIMAL SHELTER SERVICES AGREEMENT
WITH THE MONMOUTH COUNTY SPCA**

WHEREAS, there is a need for animal shelter services in the Borough of Matawan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that the Borough Administrator be and is hereby authorized to enter into the attached Agreement for Animal Shelter Services with the Monmouth County SPCA effective January 1, 2016 through and including December 31, 2016 in an amount not to exceed Two Thousand Dollars and No Cents (\$2,000.00), and the same is hereby confirmed pending receipt of Certification As To Available Funding from the Chief Financial Officer of the Borough of Matawan.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Finance, Police, Public Works, Recreation as well as the Monmouth County SPCA, 260 Wall Street, PO Box 93, Eatontown, New Jersey 07724.

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 6-01-27-330-200 Budget of the Borough of Matawan to the Monmouth County SPCA for Animal Shelter Services for the Borough of Matawan in an amount not to exceed Two Thousand Dollars and No Cents (\$2,000.00).

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

Chief Financial Officer

(Signature on File)

Monica Antista, CMFO
Dated: December 15, 2015

**Borough of Matawan
Public Session
December 15, 2015**



NOT-FOR PROFIT
ORGANIZATION
Founded in 1945

260 Wall Street
PO Box 93
Eatontown, NJ 07724

732.542.0040
Fax 732.542.4552

MonmouthCountySPCA.org

BOARD OF TRUSTEES

Jerry Rosenthal
President & CEO

Daran Haber, MD
Chairman

David Kelley
Vice Chairman

Josephine Joel
Secretary

Christopher Nalbadian
Treasurer

Bob Baerenbach

Ursula Goetz

Harvey Greller

Alene Opatut, VMD

Laura Saker

SERVICES

Animal Shelter
Bereavement Counseling
Cruelty Investigations
Dog Obedience Training
Flea & Tick Products
Humane Education
Humane Law Enforcement
Lost & Found
Low Cost Spay/Neuter
Pet Adoptions
Pet Pantry
Pet Therapy Program
Pittie Project
Thrift Store
TNR Program
Vaccine Clinic
Volunteer Program

October 5, 2015

Captain Fred Reck
Marlboro Twp Police Department
1979 Township Drive
Maarlboro Twp, New Jersey 07746

Dear Captain Reck:


The Monmouth County SPCA is happy to submit a proposal to provide shelter services for animals brought in by your animal control officers or their designees. Our standard fee for dogs and cats will be \$250 per animal with the understanding that if the animal is redeemed by its owner within 24 hrs from entering our facility, the fee will be reduced to \$75 per animal. Kittens under 6 weeks from the same litter will be charged the same fee as 1 cat. Animals found as strays in your town and brought in by good Samaritans will be charged the same fees as listed above.

If you would like to participate in the TNR/SNR program for stray feral felines from your town, the fee will be \$75 per feline. Please call our office to discuss this program.

This agreement can be cancelled by either party within 30 days by giving written notice.

If you have any questions my direct line is 732 440-1532 and e-mail address is Jerry@monmouthcountyspca.org.

Sincerely,


Jerry Rosenthal
President and CEO



facebook.com/MonmouthCountySPCA



@TheMCSPCA



youtube.com/MonmouthCountySPCA

Mayor Buccellato read by title Resolution 15-12-21: Resolution Requesting Approval of Items of Revenue and Appropriation NJSA 40A:4-87 – Monmouth County Historical Commission Grant for the Burrowes Mansion Restoration Project – Roof Repairs. Mayor Buccellato requested a motion. Councilwoman Daly made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

Yes: Councilman Lopez
Councilman Urbano
Councilwoman Daly
Councilwoman Clifton

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Councilman Caldon
Councilwoman Gould

Motion passed.

**RESOLUTION 15-12-21
RESOLUTION REQUESTING APPROVAL OF
ITEMS OF REVENUE AND APPROPRIATION
NJSA 40A:4-87
MONMOUTH COUNTY HISTORICAL COMMISSION GRANT FOR THE BURROWES MANSION
RESTORATION PROJECT
ROOF REPAIRS**

***WHEREAS**, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and*

***WHEREAS**, said Director may also approve the insertion of an appropriation for the equal amount.*

***NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Matawan, in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$6,791.00, which is now available as a revenue from the Monmouth County Historical Commission pursuant to the provision of the Statute.*

***BE IT FURTHER RESOLVED** that the like sum of \$6,791.00 is hereby appropriated under the caption of "Grants Budget Account #G-02-41-711-301"; and*

***BE IT FURTHER RESOLVED** that the sum of \$6,791.00 representing the amount required for the municipality's share of the aforementioned undertaking or improvement appears in the budget of the year 2015 under the caption "Historic Sites" and is hereby appropriated under the caption of "Historic Sites Budget Account #5-01-20-175-200."*

***BE IT FURTHER RESOLVED** that the above is a result of a Monmouth County Historical Commission Grant in the amount of \$6,791.00 for the Borough of Matawan Burrowes Mansion Restoration Project – Roof Repairs.*

Mayor Buccellato read by title Resolution 15-12-22: Authorizing the Appointment of a Part-Time Recreation Director – Daria Dieterle. Mayor Buccellato requested a motion. Councilwoman Clifton made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

Yes: Councilman Lopez
Councilman Urbano
Councilwoman Daly
Councilwoman Clifton
Councilman Caldon
Councilwoman Gould

Motion passed.

**RESOLUTION 15-12-22
AUTHORIZING THE APPOINTMENT OF A
PART-TIME
RECREATION DIRECTOR
DARIA DIETERLE**

***WHEREAS**, under Council authorization, the Borough Administrator did post the position and interviewed applicants for the position of Part-Time Recreation Director; and*

***WHEREAS**, it is the recommendation of the Borough Administrator and Councilwoman Linda Clifton to hire Daria Dieterle, a qualified and experienced applicant, for the position of Part-Time Recreation Director.*

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NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Matawan authorizes the Appointment of Daria Dieterle for the position of Part-Time Recreation Director effective January 1, 2016 not to exceed Fifteen Thousand Dollars and No Cents (\$15,000.00) per annum.

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, Payroll as well as Daria Dieterle.

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 6-01-28-370-100 Budget of the Borough of Matawan to Daria Dieterle in an amount not to exceed Fifteen Thousand Dollars and No Cents (\$15,000.00) per annum.

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

Chief Financial Officer

(Signature on File)

Monica Antista, CMFO

Dated: December 15, 2015

Mayor Buccellato read by title Resolution 15-12-23: Authorizing the Transfer of Funds from Current and Utility Accounts in the 2015 Budget. Mayor Buccellato requested a motion. Councilman Lopez made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

Yes: Councilman Lopez
Councilman Urbano
Councilwoman Daly
Councilwoman Clifton
Councilman Caldon
Councilwoman Gould

Motion passed.

**RESOLUTION 15-12-23
AUTHORIZING THE TRANSFER OF FUNDS FROM
CURRENT AND UTILITY ACCOUNTS IN THE 2015 BUDGET**

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

WHEREAS, the Chief Financial Officer has advised the Mayor and Council of the Borough of Matawan that the need for certain transfers within the 2015 Municipal Budget exists; and

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

NOW, THEREFORE, BE IT RESOLVED that the following budget transfers be made in the 2015 Municipal Budget:

<u>Transfer From:</u>		<u>Transfer To:</u>	
Account Number	Amount of Transfer	Account Number	Amount of Transfer
5-01-26-291-200 Railroad Other Expenses	\$ 3,500.00	5-01-26-291-100 Railroad Salary & Wages	\$ 3,500.00
5-01-31-430-200 Utilities Other Expenses	\$ 4,000.00	5-01-26-291-100 Railroad Salary & Wages	\$ 4,000.00

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5-01-31-435-200 Street Lighting Other Expenses	\$ 17,907.00	5-01-43-490-200 Court Other Expenses	\$ 17,907.00
5-01-26-310-100 Public Buildings Salary & Wages	\$ 2,500.00	5-01-26-310-200 Public Buildings Other Expenses	\$ 2,500.00
5-01-22-195-200 Construction Other Expenses	\$ 1,000.00	5-01-36-472-200 Social Security Other Expenses	\$ 1,000.00
5-01-23-210-200 Other Insurance Other Expenses	\$ 2,500.00	5-01-36-472-200 Social Security Other Expenses	\$ 2,500.00
5-01-26-305-200 Garbage Other Expenses	\$ 2,000.00	5-01-36-472-200 Social Security Other Expenses	\$ 2,000.00
5-01-20-120-100 Boro Clerk Salary & Wages	\$ 2,000.00	5-01-26-290-100 Streets & Roads Salary & Wages	\$ 2,000.00
5-01-30-415-200 Accumulated Sick Leave Other Expenses	\$ 6,500.00	5-01-20-145-200 Tax Collection Other Expenses	\$ 6,500.00
5-09-55-500-100 Water/Sewer Salary & Wages	\$ 20,000.00	5-09-55-500-200 Water/Sewer Other Expenses	\$ 20,000.00

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

Mayor Buccellato read by title Resolution 15-12-24: Payment of Bills. Mayor Buccellato requested a motion. Councilman Lopez made the motion, seconded by Councilwoman Daly. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

Yes: Councilman Lopez
Councilman Urbano
Councilwoman Daly
Councilwoman Clifton
Councilman Caldon
Councilwoman Gould

Motion passed.

**RESOLUTION 15-12-24
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	\$442,049.42
Water & Sewer	\$110,071.04
Borough Capital	\$31,389.93
Grant	\$591.00
Borough Trust	\$3,955.44
Developers Escrow Account	\$317.00
Dog Tax Trust	\$26.40
Recreation Trust	\$4,343.92
Total	\$592,744.15

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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: Finance as well as the Borough Auditor.*

Mayor Buccellato read by title Resolution 15-12-25: 2016 Reorganization Meeting of the Governing Body. Mayor Buccellato requested a motion. Councilman Urbano made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

Yes: Councilman Lopez
Councilman Urbano
Councilwoman Daly
Councilwoman Clifton
Councilman Caldon
Councilwoman Gould

Motion passed.

**RESOLUTION 15-12-25
2016 REORGANIZATION MEETING OF THE GOVERNING BODY**

***BE IT RESOLVED** by the Governing Body of the Borough of Matawan that the reorganization of the Mayor and Council of the Borough of Matawan is hereby scheduled for Friday, January 1, 2016 at 12:00 Noon in the Matawan Community Center, 201 Broad Street, Matawan, New Jersey.*

***BE IT FURTHER RESOLVED** that the agenda for this meeting shall be the reorganization of the Governing Body of the Borough, including appointments and such other matters as may come before the Governing Body. Formal action will be taken.*

***BE IT FURTHER RESOLVED** that the Clerk caused notice of this meeting to be appropriately posted and to be given to be published in one of the official newspapers of the Borough.*

Councilman Caldon made a motion for Council approval of Borough of Matawan Volunteer Fire Police Anthony Washington and Ron Johnson, seconded by Councilman Lopez. Council agreed. Motion passed.

Mayor Buccellato administered the Oath of Office for Fire Police to Messrs. Washington and Johnson.

Privilege of the Floor

Mayor Buccellato opened the Privilege of the Floor.

Corinna Moratta, 4 Claire Court, Matawan. Ms. Moratta thanked Mayor Buccellato for his time and commitment to the town, stating, “she doesn’t know how we are going to do without you.”

Fran Bucco, 79 Freneau Avenue, Matawan. Ms. Bucco reiterated Ms. Moratta’s comments.

Mayor Buccellato closed the Privilege of the Floor.

Recess

Mayor Buccellato requested a motion to recess the meeting and reconvene at 12 Noon on January 1st, 2016. Councilwoman Clifton made the motion, seconded by Councilwoman Daly. Council agreed. Motion passed.

Meeting adjourned at 7:47 PM.

(Signature on File)

Karen Wynne, RMC
Municipal Clerk