

**Borough of Matawan
Public Session
March 15, 2016**

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 March 15, 2016 with Mayor Altomonte presiding. Pursuant to Section 5 of the Open Public Meetings Act, adequate notice of this meeting has been provided by publishing notification in *The Independent* on January 14, 2016, by sending notice to the *Asbury Park Press*, and by posting. Mayor Altomonte called the meeting to order at 7:10 PM requesting a roll call.

On roll call the following members responded present:

Yes: Councilman Caldon
Councilman Reeve
Councilman Vergaretti
Councilman Urbano
Councilwoman Gould

Councilwoman Clifton was absent.

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

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

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

Mayor Altomonte announced Ordinance 16-05 and Resolution 16-03-44 were being pulled from tonight's Agenda. The CFO indicated she does not need the CAP ordinance, and the Resolution as the Agreement has not yet been finalized.

Old Business

Mayor Altomonte read by title Ordinance 16-02: Amending and Supplementing the Borough of Matawan Code Chapter 30 – Land Use Procedures, Section 30-1.2 – Alternate Members Concerning the Constitution of the Unified Planning Board - Zoning Board of Adjustment. Mayor Altomonte requested a motion to introduce. Councilman Reeve made the motion, seconded by Councilman Vergaretti. Council agreed. Motion passed. Mayor Altomonte requested comments. There were no comments. Mayor Altomonte requested a motion to close the public hearing. Councilman Reeve made the motion, seconded by Councilman Vergaretti. Council agreed. Motion passed. Mayor Altomonte read by title on third and final reading Ordinance 16-02: Amending and Supplementing the Borough of Matawan Code Chapter 30 – Land Use Procedures, Section 30-1.2 – Alternate Members Concerning the Constitution of the Unified Planning Board - Zoning Board of Adjustment. Councilman Vergaretti made the motion, seconded by Councilman Reeve. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilman Caldon
Councilman Reeve
Councilman Vergaretti
Councilman Urbano
Councilwoman Gould

Motion passed.

ORDINANCE 16-02

**AMENDING AND SUPPLEMENTING THE BOROUGH OF MATAWAN CODE CHAPTER
30 – LAND USE PROCEDURES SECTION 30-1.2 – ALTERNATE MEMBERS
CONCERNING THE CONSTITUTION OF THE UNIFIED PLANNING BOARD - ZONING
BOARD OF ADJUSTMENT**

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WHEREAS, the Borough of Matawan has an established Unified Planning Board, as a result of a transition from two separate boards, namely a Planning Board and a Zoning Board of Adjustment, to a Unified board; and

WHEREAS, the currently established Unified Planning Board functions under the authority of the New Jersey Municipal Land Use Law, NJSA 40:55D-23; and

WHEREAS, the New Jersey statutory authority for Unified Planning Boards, as contained in the Municipal Land Use Law, permits municipalities to establish alternate members of the Unified Planning Board in Matawan's instance; however, the establishment, composition, and designation of those members must meet the statutory criteria set forth in NJSA 40:55D-23.1; and

WHEREAS, the foregoing amendment is not intended to have any impact on the statutorily permissible position of "Mayor's Alternate", who only attends in the event of the absence of the Mayor; and

WHEREAS, the Borough of Matawan has historically identified the alternate members as alternates for various classes of members of the said Unified Planning Board and not named them consistent with the statutory authority of NJSA 40:55D-23.1 as alternates for Class IV members; and

WHEREAS, it is the desire of the Mayor and Council to revise the current ordinance, namely 30-1.2 as it concerns Alternate Members only, in order to comply with the requirements of NJSA 40:55D-23.1.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL AS FOLLOWS:

1. The provisions of Section 30-1.2 are amended to read as follows:

30-1.2 Alternate Members.

a. In addition to the regular members of the Unified Planning Board appointed pursuant to this section, there shall be appointed four alternate members ~~as follows~~ appointed by the Mayor. They shall be designated Alternate Number One, Alternate Number Two, Alternate Number Three, and Alternate Number Four.

~~1. Class II: One (1) alternate member to be appointed by the Mayor.~~
~~2. Class III: One (1) alternate member to be appointed by the Borough Council.~~
~~3. Class IV: Two (2) alternate members to be appointed by the Mayor. The alternates shall be designated at the time of appointment by the Mayor as "Alternate Number 1" and "Alternate Number 2."~~

b. Alternate members shall serve in the absence or disqualification of the regular members of the Board. ~~of the Class to which the alternate is appointed. The alternate members of Class IV shall serve in rotation during the absence or disqualification of any member or members of Class IV.~~

c. Terms:

~~1. Class II Alternate: a term expiring at the same time as the term of the regular member of Class II.~~
~~2. Class III Alternate: a term expiring at the same time as the term of the regular member of Class III.~~
~~3. Class IV Alternates: a term of two (2) years beginning on January 1 of the year in which such alternate is appointed, however, the terms of the alternate members shall be such that the term of not more than ~~one (1)~~ two (2) alternate members shall expire in any one (1) year; provided that in no instance shall a term of alternate members first appointed exceed two (2) years.~~

d. Vacancy. A vacancy ~~in any class~~ which occurs otherwise than by expiration of term shall be filled by appointment as above provided for the unexpired term only.

e. No alternate member shall be permitted to act on any matter in which he or she has either directly or indirectly any personal or financial interest. An alternate member may be removed by the Governing Body for cause. Removal can be made only upon a hearing which shall be public if the alternate member so requests.

f. Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member of any class. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, "Alternate Number One" shall vote succeeded by Alternate Number Two, Alternate Number Three, and Alternate Number Four in order of precedence, if eligible to vote.

2. 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.

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Mayor Altomonte read by title Ordinance 16-03: Amending Ordinance 14-14: An Ordinance to Fix and Determine the Salaries and Wages of Officers, Management, Supervisory Personnel and General Employees Not Represented by an Organized Bargaining Unit and Employed by the Borough of Matawan, Monmouth County, NJ – Sewer. Mayor Altomonte requested a motion to introduce. Councilman Reeve made the motion, seconded by Councilman Vergaretti. Council agreed. Motion passed. Mayor Altomonte requested comments. There were no comments. Mayor Altomonte requested a motion to close the public hearing. Councilman Vergaretti made the motion, seconded by Councilman Urbano. Council agreed. Motion passed. Mayor Altomonte read by title on third and final reading Ordinance 16-03: Amending Ordinance 14-14: An Ordinance to Fix and Determine the Salaries and Wages of Officers, Management, Supervisory Personnel and General Employees Not Represented by an Organized Bargaining Unit and Employed by the Borough of Matawan, Monmouth County, NJ – Sewer. Councilman Reeve made the motion, seconded by Councilman Vergaretti. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilman Caldon
Councilman Reeve
Councilman Vergaretti
Councilman Urbano
Councilwoman Gould

Motion passed.

**ORDINANCE 16-03
AMENDING ORDINANCE 14-14
AN ORDINANCE TO FIX AND DETERMINE THE SALARIES AND WAGES OF
OFFICERS, MANAGEMENT, SUPERVISORY PERSONNEL AND GENERAL
EMPLOYEES NOT REPRESENTED BY AN ORGANIZED BARGAINING UNIT AND
EMPLOYED BY THE BOROUGH OF MATAWAN, MONMOUTH COUNTY, NJ – SEWER**

Be it ordained by the Mayor and Council of the Borough of Matawan, in the County of Monmouth, NJ as follows;

Section 1. The annual salaries or compensations of the officers, management, supervisory personnel and general employees of the Borough of Matawan not covered by any organized bargaining unit, effective March 1, 2016, shall be as follows:

<u>DEPARTMENT/TITLE</u>	<u>STATUS</u>	<u>PAYMENT CATEGORY</u>	<u>RANGE FROM</u>	<u>TO</u>
<u>Sewer</u> Licensed Waste Water Personnel	Part Time	Annual	\$1,000.00	\$15,000.00

Section 2. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance shall be and the same are hereby repealed.

Section 3. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

Section 4. This ordinance shall take effect upon final passage and publication as provided by law.

Privilege of the Floor – Agenda Items Only

Mayor Altomonte opened the Privilege of the Floor.

There were no comments.

Mayor Altomonte closed the Privilege of the Floor.

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Approval of Minutes

Mayor Altomonte requested a motion to approve meeting minutes of March 1, 2016. Councilman Reeve made the motion, seconded by Councilman Vergaretti. Council agreed. Motion passed.

Clerk's Report

Ms. Wynne informed the Clerk's Office is moving forward with the new State regulations on the Artemis records retention program relating a State officiated staff training session scheduled in April. Ms. Wynne stated she will be out of the office on March 23, 2016 but available by cell phone or through the Deputy Clerk.

Mayor's Report

No report.

Administrator's Report

Mr. Ferrara stated he has previously provided copy of his Report to Council.

Attorney's Report

Mr. Menna stated there was no report other than that provided in Executive Session.

Engineer's Report

Mr. Keady related the status of the following projects:

- 150 Main Street Remediation – Groundwater results have been received, and we are in process of preparing the Remedial Investigation Report due May 2016.
- Energy Savings Improvement Program – The contractor, DCO Energy, is performing investment grade audit and anticipate the Report by month's end.
- 2015 Road Improvement Program Contract 1 – Trees have been removed and ongoing concrete curb replacement on Victoria Court; Grant Street water main installed; Forest Avenue water main installation has begun.
- 2015 Road Improvement Program Contract 2 – Somerset Street sanitary sewer root treatment is complete, trees removed, ongoing concrete curb replacement; Ziegler Place drainage is complete with curb replacement to begin this week; miscellaneous areas of drainage throughout the Borough; paving anticipated to commence by end of March/beginning of April.
- Gravelly Brook Park – Field survey complete and working on creation of base map.

Fire, First Aid, DPW, Shade Tree, Environmental & Historic Sites

Councilman Caldon related a few tree removal permit applications, DPW is in process of maintenance of potholes, and the Fire Department performed ice training sessions. He also related recent meetings with Fire Chiefs stating the Washington Engine Fire Truck, a 30 year old vehicle, has a leak and in need of consideration for replacement. Forthcoming meetings to discuss vehicle assessment are scheduled. Councilman Caldon related OEM's request for a vehicle.

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Finance

Councilman Reeve reported the CFO has informed a draft budget will be available in a couple of weeks. Councilman Reeve requested the Treasurer’s Report for the month of January 2016 be read into the record.

Report of the Treasurer
To the Mayor and Council of the Borough of Matawan
Bank Balances as of January 31, 2016

Current Account	Investors	\$2,242,823.66
Tax Collector Trust Fund	Investors	\$0.00
Water & Sewer Account	Investors	\$1,070,626.75
Water & Sewer-Certificate of Deposit	Investors	\$500,000.00
Borough Capital Account	Investors	\$1,660,443.58
Utility Capital Account	Investors	\$694,766.35
Borough Trust Account	Investors	\$1,234,580.47
Boro Trust Summary – Investors Bank		
As of: January 31, 2016	Cash Balances	
Fire Safety	\$18,701.69	
Fire Prevention/Dedicated Penalty	\$342.26	
Escrow	\$117,661.47	
Tax Redemptions	\$95,527.96	
POAA	\$0.00	
Donation	\$2,742.49	
Premiums	\$941,575.00	
Off Duty Police	\$37,593.03	
Recycling Trust	\$12,513.41	
Public Defender	\$7,923.16	
Total	\$1,234,580.47	
Dog Tax Trust Account	Investors	\$3,112.93
Unemployment Insurance Account	Investors	\$23,443.28
Recreation Special Account	Investors	\$35,429.77
Recreation Trust Summary – Investors Bank Cash Balances		
As of: January 31, 2016		
Turkey Trot	\$24,444.07	
Summer Recreation	\$3,745.02	
Summer Recreation Trips	\$3,078.92	
Matawan Day	\$0.00	
Basketball Tournament	\$0.00	
Canoe Rentals	\$1,444.41	
Men’s Over 30 Basketball	\$0.00	
NNO Vender	\$0.00	
Yoga/Kickboxing	\$0.00	
Dogs Night Out	\$68.84	
Fireworks Donations	-\$1,775.00	
Capital Improvements	\$4,423.51	
Total	\$35,429.77	
Developers Escrow Acct	Investors	\$287,741.32
Law Enforcement Account	Investors	\$11,375.88
Railroad Parking Lot Trust	Investors	\$329,826.66
Total		<u>\$8,094,170.65</u>

Respectfully,
(Signature on File)
Monica Antista

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Personnel

No report.

Police, Railroad Parking, ADA & Planning/Zoning Board

Councilman Urbano related the addition of Resolution 16-03-49 to tonight's Agenda with regard to Aberdeen Township property adjacent to the Borough Municipal Center. He gave some history regarding the property, and then began to discuss the Executive Session. Mr. Menna interjected, stating Executive Session matters cannot be discussed. Councilman Urbano stated the PBA contract wording remains to be finalized.

Recreation & Main Street

Councilman Urbano provided a report on behalf of Councilwoman Clifton stating the Annual Easter Egg Hunt is scheduled for Saturday, March 19; the Recreation Department was looking for a Grand Marshal for the Memorial Day Parade directing suggestions to the Department's Facebook page; Councilwoman Clifton is requesting \$100,000.00 to reface the Burrowes Mansion prior to the Historic Society's Remembrance of the Shark Attack; lastly, Borough lake clean-up. Mr. Ferrara related possible solutions to the overgrowth of grass in the lake and the cost to have the lake treated with an approximate cost of \$12,000.00 for the treatment.

**Property Maintenance, Construction, Sanitation & Recycling,
Animal Welfare Advisory Board**

Councilwoman Gould provided the Construction Department report for February 2016:

- | | | |
|--------------------------------|--------------|------------------------------|
| • Permit income/certificates: | \$53,896.00 | Year to Date: \$95,370.00 |
| • Business CCOs/Misc Fees: | \$0 | Year to Date: \$ 600.00 |
| • State Permit Surcharge Fees: | \$468.00 | Year to Date: \$3,308.00 |
| • Value of Construction Work: | \$613,431.00 | Year to Date: \$2,042,106.00 |
| • Permits Issued: | 37 | Year to Date: 79 |

Privilege of the Floor – Agenda Items Only

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

There were no comments.

Mayor Altomonte closed the Privilege of the Floor for Agenda Items Only.

Consent Agenda

Mayor Altomonte read by title Resolutions 16-03-31 through and including 16-03-41 requesting a motion to approve en masse. Councilwoman Gould made the motion, seconded by Councilman Urbano. Mayor Altomonte requested a roll call vote. A roll call vote was taken.

Yes: Councilman Caldon
Councilman Reeve
Councilman Vergaretti
Councilman Urbano
Councilwoman Gould

Motion passed.

Councilmen Reeve and Caldon requested that they abstain from Resolution 16-03-38 to 16-03-40.

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**RESOLUTION 16-03-31
REDEMPTION OF TAX SALE CERTIFICATE
J&A NEW YORK, INC.
CERTIFICATE #13-00026**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #13-00026 which was sold to J&A New York, Inc., 144-90 41st Avenue, Apt. 515, Queens, NY 11355; and

WHEREAS, Certificate #13-00026 has been paid and fully redeemed for the property owner, Block 33, Lot 7, otherwise known as 163 Broad Street.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$5,352.54 and a Premium of \$1,000.00 to the above for the redemption of Tax Sale Certificate #13-00026.

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

**RESOLUTION 16-03-32
REDEMPTION OF TAX SALE CERTIFICATE
FIG CAPITAL INV NJ13, LLC
CERTIFICATE #14-00035**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #14-00035 was sold to FIG Capital Inv NJ13, LLC, MTAG Cust for FIG Capital Inv NJ13, 8323 Ramona Boulevard West, Suite 2, Jacksonville, FL 32221; and

WHEREAS, Certificate #14-00035 has been paid and fully redeemed for the property owner, Block 45.01, Lot 10, otherwise known as 922 Highway 34.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,003.55 and a Premium of \$1,700.00 to the above for the redemption of Tax Sale Certificate #14-00035.

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

**RESOLUTION 16-03-33
REDEMPTION OF TAX SALE CERTIFICATE
PUBLIC TAX INVESTMENTS, LLC
CERTIFICATE #15-00019**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #15-00019 which was sold to Public Tax Investments, LLC, 575 Route 70, Second Floor, Brick, NJ 08723; and

WHEREAS, Certificate #15-00019 has been paid and fully redeemed for the property owner, Block 17, Lot 2, otherwise known as 52 Little Street.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$8,664.69 and a Premium of \$7,500.00 to the above for the redemption of Tax Sale Certificate #15-00019.

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

**RESOLUTION 16-03-34
REDEMPTION OF TAX SALE CERTIFICATE
BOROUGH OF MATAWAN
CERTIFICATE #15-00035**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #15-00035 was sold to Borough of Matawan, 201 Broad Street, Matawan, NJ 07747; and

WHEREAS, Certificate #15-00035 has been paid and fully redeemed for the property owner, Block 33, Lot 7, otherwise known as 163 Broad Street.

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NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$24.36 to the above for the redemption of Tax Sale Certificate #15-00035.

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

**RESOLUTION 16-03-35
REDEMPTION OF TAX SALE CERTIFICATE
DBW TL HOLDCO 2015, LLC
CERTIFICATE #15-00049**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #15-00049 was sold to DBW TL HOLDCO 2015, LLC, US Bank CF Tower DBW V Trust, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102; and

WHEREAS, Certificate #15-00049 has been paid and fully redeemed for the property owner, Block 45.01, Lot 10, otherwise known as 922 Highway 34.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,011.25 to the above for the redemption of Tax Sale Certificate #15-00049.

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

**RESOLUTION 16-03-36
REDEMPTION OF TAX SALE CERTIFICATE
BOROUGH OF MATAWAN
CERTIFICATE #15-00116**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #15-00116 was sold to Borough of Matawan, 201 Broad Street, Matawan, NJ 07747; and

WHEREAS, Certificate #15-00116 has been paid and fully redeemed for the property owner, Block 122, Lot 18, otherwise known as Ryers Lane.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$3,003.01 to the above for the redemption of Tax Sale Certificate #15-00116.

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

**RESOLUTION 16-03-37
APPROVAL OF SOLICITORS PERMIT
CORNERSTONE MANAGEMENT CONCEPTS**

WHEREAS, *Cornerstone Management Concepts*, (windows, siding, door installation services) has passed the required Police Department background checks; and

WHEREAS, *Cornerstone Management Concepts*, 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 renewal:

Business: Cornerstone Management Concepts
6 Kingsbridge Road
Unit 5
Fairfield, NJ 07004

Applicants: Bryant Schmidt
128 Sanford Avenue
Lyndhurst, NJ 07071

Daniel Marino
264 Clinton Terrace
Lyndhurst, NJ 07071

Kyle Stapleton
201 East Clinton Avenue
Bergenfield, NJ 07621

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*Benjamin Matterson
128 Sanford Avenue
Lyndhurst, NJ 07071*

*Johnkarlos Vargas
344 West Clinton Street
Haledon, NJ 07508*

*Nicholas Smallsly
182 Heckel Street
Belleville, NJ 07109*

*Robert Victor
15 Russell Place
Hazlet, NJ 07730*

***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 Applicant.*

**RESOLUTION 16-03-38
APPROVAL OF TAXI DRIVER LICENSE RENEWAL
GALAL SHAFIK SHEHATA**

***WHEREAS, Galal Shafik Shehata,** has passed the required Police Department background checks; and*

***WHEREAS, Galal Shafik Shehata,** has filed the proper documentation with the Borough Clerk's office.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby approve the following new taxi driver license:*

*Applicant: Galal Shafik Shehata
1250 State Route 34, Bldg 3, #8
Matawan, New Jersey 07747*

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

**RESOLUTION 16-03-39
APPROVAL OF NEW TAXI DRIVER LICENSE
JOSE MANZUL**

***WHEREAS, Jose Manzul,** has passed the required Police Department background checks; and*

***WHEREAS, Jose Manzul,** has filed the proper documentation with the Borough Clerk's office.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby approve the following new taxi driver license:*

*Applicant: Jose Manzul
455 Mechanic St., JM
Perth Amboy, New Jersey 08861*

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

**RESOLUTION 16-03-40
APPROVAL OF NEW TAXI DRIVER LICENSE
BARBARA SCOTT**

***WHEREAS, Barbara Scott,** has passed the required Police Department background checks; and*

***WHEREAS, Barbara Scott,** has filed the proper documentation with the Borough Clerk's office.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby approve the following new taxi driver license:*

*Applicant: Barbara Scott
7 Burton Avenue
South River, New Jersey 08882*

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

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**RESOLUTION 16-03-41
RELEASE OF PERFORMANCE BOND FOR
LOMBARDO & CO., LLC
228-1/2 FRENEAU AVENUE
BLOCK 122, LOTS 19 & 20**

WHEREAS, on December 10, 2013, Planning/Zoning Engineer, Philip A. Haderer, PE, CME of T&M Associates, set the Performance Bond for Block 122, Lots 19 and 20 at Five Thousand Seven Hundred Fifty One Dollars and No Cents (\$5,751.00) and a Cash Bond at Six Hundred Thirty Nine Dollars and No Cents (\$639.00); and

WHEREAS, on April 21, 2014, Lombardo & Co., LLC, posted a Performance Bond in the amount of Five Thousand Seven Hundred Fifty One Dollars and No Cents (\$5,751.00) and a Cash Bond at Six Hundred Thirty Nine Dollars and No Cents (\$639.00); and

WHEREAS, on March 7, 2016 in accordance with Robert R. Keady, Jr., T&M Associates, letter of March 3, 2016 letter stating a final inspection has been made and all improvements complete, Lombardo & Co., LLC, posted a two year Maintenance Bond in the amount of Seven Hundred Ninety Eight Dollars and Seventy Five Cents (\$798.75); and

WHEREAS, Lombardo & Co., LLC has requested the release of the Performance Bond in the amount of Five Thousand Seven Hundred Fifty One Dollars and No Cents (\$5,751.00), the Cash Performance Bond in the amount of Six Hundred Thirty Nine Dollars and No Cents (\$639.00) and any interest earned on the Cash Performance Bond.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Matawan hereby approves the release of the Performance Bond, in the amount of Five Thousand Seven Hundred Fifty One Dollars and No Cents (\$5,751.00), the Cash Performance Bond in the amount of Six Hundred Thirty Nine Dollars and No Cents (\$639.00) and any interest earned on the Cash Performance Bond.

New Business

Mayor Altomonte read by title Resolution 16-03-42: Qualified for Credit under the LOSAP Program for the Year 2015 – First Aid. Mayor Altomonte requested a motion. Councilman Reeve made the motion, seconded by Councilman Vergaretti. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilman Caldon
Councilman Reeve
Councilman Vergaretti
Councilman Urbano
Councilwoman Gould

Motion passed.

**RESOLUTION 16-03-42
QUALIFIED FOR CREDIT UNDER THE
LOSAP PROGRAM FOR THE YEAR 2015
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 2015 LOSAP award:

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*James Archibald
Austin Chang
Hoi Fung
Robert LaForge
Steven Morley*

*Tatiana Roser
Patricia Sickels
Christopher Sommer
Laura Thrall*

2. *The amount each qualified member will receive for the 2015 LOSAP award is \$520.83.*
- James Archibald
Austin Chang
Hoi Fung
Robert LaForge
Steven Morley*
- Tatiana Roser
Patricia Sickels
Christopher Sommer
Laura Thrall*
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.

Mayor Altomonte read by title Resolution 16-03-43: Authorizing Approval of Matawan Historical Society 1916 Shark Attack Monument Location in the Borough of Matawan’s Memorial Park. Mayor Altomonte requested a motion. Councilman Reeve made the motion, seconded by Councilman Vergaretti. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilman Caldon
Councilman Reeve
Councilman Vergaretti
Councilman Urbano
Councilwoman Gould

Motion passed.

**RESOLUTION 16-03-43
AUTHORIZING APPROVAL OF MATAWAN HISTORICAL SOCIETY
1916 SHARK ATTACK MONUMENT LOCATION IN THE
BOROUGH OF MATAWAN MEMORIAL PARK**

WHEREAS, the Matawan Historical Society has proposed a commemoration ceremony, and monument to be erected, in Memorial Park marking the 100th Anniversary of the July 12 Matawan Creek shark attacks; and,

WHEREAS, said request is to be referred to the Borough’s Special Events Committee with the recommendations the Matawan Historical Society will reimburse the Borough of Matawan for the public costs associated with the event, and the appropriate forms and insurance coverage be filed prior to the event.

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan hereby authorizes said event subject the Matawan Historical Society providing the Clerk of the Borough of Matawan with a certificate of insurance for said event, and the payment to the Borough by the Matawan Historical Society subject to the payment of the public costs that would be incurred by agencies and departments of the Borough of Matawan for the orderly undertaking of the event.

BE IT FURTHER RESOLVED that the sponsor shall adhere to all the conditions established by the Special Events Committee for the undertaking of the event.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the Special Events Committee, Finance as well as the Matawan Historical Society.

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Mayor Altomonte read by title Resolution 16-03-45: Authorizing the Transfer of Unexpended Balances in Certain 2015 Appropriation Reserve Accounts. Mayor Altomonte requested a motion. Councilman Reeve made the motion, seconded by Councilman Vergaretti. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilman Caldon
Councilman Reeve
Councilman Vergaretti
Councilman Urbano
Councilwoman Gould

Motion passed.

RESOLUTION 16-03-45
AUTHORIZING THE TRANSFER OF UNEXPENDED BALANCES IN CERTAIN
2015 APPROPRIATION RESERVE ACCOUNTS

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

WHEREAS, there are unexpended balances in certain 2015 appropriation reserve accounts; and

WHEREAS, additional funds are required in certain other 2015 appropriation reserve accounts.

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

Transfer From	Amount	Transfer To	Amount
Account Number	Of Transfer	Account Number	Of Transfer
5-01-25-240-100	\$ 40,000.00	5-01-20-155-200	\$ 40,000.00
Police		Legal	
Salary & Wages		Other Expenses	
5-01-23-220-200	\$ 5,000.00	5-01-20-155-200	\$ 5,000.00
Group Insurance		Legal	
Other Expenses		Other Expenses	
5-01-26-315-200	\$ 1,000.00	5-01-20-155-200	\$ 1,000.00
Vehicle Repairs		Legal	
Other Expenses		Other Expenses	
5-01-27-330-200	\$ 2,000.00	5-01-20-155-200	\$ 2,000.00
Board of Health		Legal	
Other Expenses		Other Expenses	
5-01-25-240-200	\$ 7,000.00	5-01-20-155-200	\$ 7,000.00
Police		Legal	
Other Expenses		Other Expenses	

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

Mayor Altomonte read by title Resolution 16-03-46: Emergency Temporary Appropriation. Mayor Altomonte requested a motion. Councilman Reeve made the motion, seconded by Councilman Vergaretti. Mayor Altomonte requested a roll call. A roll call vote was taken.

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Yes: Councilman Caldon
Councilman Reeve
Councilman Vergaretti
Councilman Urbano
Councilwoman Gould

Motion passed.

RESOLUTION 16-03-46
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 2016 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 2016 pursuant to the provisions of Chapter 96, PL 1951 (NJSA 40A:4-20) including this resolution total \$1,533,459.15.

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 2016 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 2016 County, and Local School District Taxes, which are not included in this temporary budget, shall be paid as and when due.

2016 Temporary Budget-for March 15, 2016 Meeting

	Salary & Wages	Other Expenses
MAYOR & COUNCIL		
MUNI CLERK	5,000.00	1,000.00
GENERAL ADMIN	4,700.00	
AUDIT		
FINANCE ADMIN	3,500.00	
TAX ASSES ADMIN	3,000.00	
TAX COLLECTOR	4,000.00	
LEGAL SERVICES		5,000.00
ENGINEERING		
BLDG & GROUNDS	7,000.00	2,000.00
PLAN/ZONING BD		2,000.00
SHADE TREE COMM		
ENVIRON HEALTH		
SOLID WASTE COLL		100,000.00
INSURANCE-GROUP HEALTH		
INSURANCE-LIABILITY		
INSURANCE-WORKERS COMP		
FIRE		
FIRE-AID TO DEPARTMENT		
FIRE PREVENTION		
POLICE	150,000.00	
STREETS & ROADS	56,000.00	10,000.00
STREET LIGHTING		

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BD OF HEALTH	500.00		
RECREATION	1,500.00		
HISTORICAL SITES			
VOL 1ST AID SQUAD			
OEM			
PROP MAINT		200.00	
RR PARKING	20,000.00		
DOWNTOWN REDEV			
UTILITIES			
VEHICLE MAINT		7,500.00	
CONSTR OFFICIAL			
ACCUM SICK LEAVE			
OASI/SOCIAL SECURITY		10,000.00	
PERS		153,000.00	
PFRS		586,510.17	
CONTINGENT			
MUNICIPAL COURT			
PUBLIC DEFENDER			
FREE PUBLIC LIBRARY			
EMERGENCY 911			
GREEN TRUST LOAN			
INTEREST ON BONDS			
INTEREST ON NOTES			
PAYMENT OF BANS			
MCIA LEASE INTEREST			
SUBTOTAL	255,200.00	877,210.17	
TOTAL TEMPORARY EMERGENCY APPROPRIATIONS		1,132,410.17	3,753,919.35
WATER SEWER UTILITY			
OPERATING	50,000.00	300,000.00	
BULK WATER PURCHASE/ACQUISITION OF WATER			
BAYSHORE REGIONAL SEWERAGE AUTHORITY		240,927.00	
PAYMENT ON BOND PRINCIPAL			
PERS		38,991.00	
BANS			
INTEREST ON BONDS			
INTEREST ON NOTES			
WATER-SEWER REHAB LOAN			
WASTEWATER LOAN			
SOCIAL SECURITY		<u>5,000.00</u>	
SUBTOTAL	50,000.00	584,918.00	
TOTAL WATER SEWER UTILITY TEMPORARY EMERGENCY APPROPRIATIONS		634,918.00	1,948,176.15

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Mayor Altomonte read by title Resolution 16-03-47: Payment of Bills. Mayor Altomonte requested a motion. Councilman Vergaretti made the motion, seconded by Councilman Reeve. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilman Caldon
Councilman Reeve
Councilman Vergaretti
Councilman Urbano
Councilwoman Gould

Motion passed.

**RESOLUTION 16-03-47
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	\$267,456.30
Water & Sewer	\$493,023.52
Borough Capital	\$18,372.14
Borough Trust	\$70,716.40
Developers Escrow Account	\$2,154.83
Railroad Parking Trust	\$720.00
Recreation Trust	\$124.00
Total	\$852,567.19

***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 Altomonte read by title Resolution 16-03-48: Approving Professional Services for CDL Random Alcohol and Drug Testing Program Dynamic Testing Service. Mayor Altomonte requested a motion. Councilman Vergaretti made the motion, seconded by Councilman Reeve. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilman Caldon
Councilman Reeve
Councilman Vergaretti
Councilman Urbano
Councilwoman Gould

Motion passed.

**RESOLUTION 16-03-48
APPROVING PROFESSIONAL SERVICES FOR CDL
RANDOM ALCOHOL AND DRUG TESTING PROGRAM
DYNAMIC TESTING SERVICE**

***WHEREAS**, the Borough of Matawan requires professional services related to the CDL Random Alcohol and Drug Testing Program; and*

***WHEREAS**, Dynamic Testing Service, 230 Main Street, Suite C, Toms River, New Jersey 08753 has submitted proposal for said professional services attached hereto.*

***NOW, THEREFORE, BE IT RESOLVED** the Council of the Borough of Matawan hereby approves Dynamic Testing Service’s proposal dated February 18, 2016, term of said contract April 1, 2016 through March 31, 2019, for DOT 5 Panel Urine Drug Screen - \$45.00 per test, Breath Alcohol with Confirmation - \$35.00 per test and Split Specimen Testing - \$230.00 per test, said contract not to exceed One Thousand Dollars and No Cents (\$1,000.00).*

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BE IT FURTHER RESOLVED, by the Council of the Borough of Matawan that the Mayor be and 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, Construction, Finance, Fire, First Aid, Payroll, Police, Public Works, Recreation, Recycling as well as Dynamic Testing Service.

Mayor Altomonte read by title Resolution 16-03-49: Acceptance of the Memorandum of Agreement between the Borough of Matawan and RPM Development Group. Mayor Altomonte requested a motion. Councilman Vergaretti made the motion, seconded by Councilman Reeve. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes:

Councilman Reeve
Councilman Vergaretti

No:

Councilman Caldon
Councilman Urbano
Councilwoman Gould

Motion Failed.

Privilege of the Floor

Mayor Altomonte opened the Privilege of the Floor.

Fran Bucco, 79 Freneau Avenue. Ms. Bucco requested an update with regard to The Preserve and the condition and location of the garbage dumpster. Mayor Altomonte presented pictures he took, indicating that there were no violations. He also stated that Ken Marr, Property Maintenance Officer, was present and can attest to this. Mayor Altomonte requested Mr. Marr step to the podium.

Ken Marr, Jr., Code Enforcement & Property Maintenance Officer for Borough of Matawan. Mr. Marr updated the council as to all the effort being extended by his office, the garbage hauler, and The Preserve. He mentioned a few options The Preserve offered with regard to the garbage area and making it look better. He also said that The Preserve is currently operating within Borough Code and he found no violations lately. Mr. Ferrara then commended Mr. Marr on all his work with regard to this issue. Mr. Marr also thanked the Borough office staff, the Police Department, and the DPW staff for their assistance since he started in his position in 2015.

Fran Bucco, 79 Freneau Avenue. Ms. Bucco thanked Mr. Marr, stating that it's not the view of the garbage from The Preserve, but the smell of the garbage.

Aimee Wong, Preserve Board Member and owner. Ms. Wong commented that The Preserve is working on the visual of the garbage containers, citing the planting of Cypress trees to alleviate smell and improve the aesthetics. She also stated that some of the points Mr. Marr stated were not correct and that the Board was still discussion various options.

Robert Buckberger, former President of the Preserve Board. Mr. Buckberger also acknowledged the work being done, since the beginning of The Preserve, to alleviate the garbage issue. He stated that he thought that the planning board and /or the developer miscalculated as to the amount of space they would need for garbage, for 157 units. He stated that the new garbage company seemed to be handling the issue much better.

Arlene Pachenko, 317 Sloan Court and a Preserve Board Member. Ms. Pachenko expressed frustration regarding the trees planted around the garbage area, stating that she didn't understand why they spent \$5,000 planting trees to disguise the garbage area when, as Ms. Bucco stated

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prior, the view of the garbage area wasn't the issue, and if it was just the smell that was the issue. She then stated that the Borough informed the Board that the trees were not tall enough.

Fran Bucco, 79 Freneau Avenue. Ms. Bucco also stated that she didn't ask for trees to be planted and she had nothing to do with the Planning Board. She said that she begged them to not put the garbage behind her house.

Robert Buckberger, former President of The Preserve Board Member. Reiterated that there really was no room for another dumpster site on the grounds of The Preserve. He apologized to Ms. Bucco that she is going through these issues.

Ken Marr, Jr., Code Enforcement & Property Maintenance Officer for Borough of Matawan. Mr. Marr stated that he spoke with property management company, not just The Preserve, regarding other ways to make the garbage area look better. He suggested giving the new updates a try.

Robert Buckberger, former President of The Preserve Board Member. He asked whether the issue of not having enough space to put trash was a Planning Board failing. Mr. Ferrara was adamant that it was the responsibility and obligation of the developer. Mr. Buckberger then asked why the developer wasn't involved in solving the issue. Mr. Menna commented that The Association is the successor to the developer and went on to explain how the calculations probably occurred when the site plan was being presented to the Borough Planning Board.

Corinna Marrotta, 4 Claire Court. Ms. Marrotta spoke about the Council meeting, deeming it horrific and a disgrace. She said that she felt it was terrible the way the Council behaved.

Joe Kacirek, 9 Taylor Road. Mr. Kacirek spoke how he was concerned about the taxes in town, specifically the school board taxes. He wondered if the Borough could withhold taxes to school board, since they have an \$8,000,000.00 surplus that they are not putting towards the new bond that was approved. Mr. Menna stated the Borough could not do so within existing regulations. Mr. Kacirek requested that a Council member act as a representative monitoring the school board meetings. Mr. Menna agreed that it is helpful to have a representative present at those meetings.

Mayor Altomonte closed the Privilege of the Floor.

Adjournment

Mayor Altomonte requested a motion to adjourn. Councilman Vergaretti made the motion, seconded by Councilwoman Gould. Council agreed. Motion passed.

Meeting recessed at 8:25 PM.

(signature on file)

Karen Wynne, RMC
Municipal Clerk