

**Borough of Matawan  
Workshop Session  
October 4, 2016**

A workshop 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 October 4, 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 Clifton

Councilwoman Gould was absent.

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

Mayor Altomonte asked everyone to stand for a Salute to the Flag.

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

Mayor Altomonte informed of the addition of Resolutions 16-10-12: Approving 2016 Best Practices Inventory as both a Workshop Item and a Resolution for approval, Ordinance 16-08: Bond Ordinance Providing An Appropriation Of \$860,000 For Various Water/Sewer System Improvements On Various Streets For And By The Borough Of Matawan In The County Of Monmouth, New Jersey And, Authorizing The Issuance Of \$860,000 Bonds Or Notes Of The Borough For Financing Part Of The Appropriation, and Ordinance 16-09: Bond Ordinance Providing An Appropriation Of \$1,860,000 For Various Road Improvements For And By The Borough Of Matawan In The County Of Monmouth, New Jersey And, Authorizing The Issuance Of \$1,746,040 Bonds Or Notes Of The Borough For Financing Part Of The Appropriation, for introduction.

**Workshop Items**

*Parking Time Limited on Certain Streets – Union Street*

Mayor Altomonte stated he has been monitoring the area and spoken to a few residents on the block, who stated the commuter parking doesn't bother them at all. He also said he spoke with a resident of the Borough who was disembarking off the bus from NYC; she asked there not be limitations on parking. He noted the west side of Union Street has no parking during snow coverage.

Mayor Altomonte opened the floor for public comment.

Andrew Lopez, 51 Union Street, Matawan. Mr. Lopez stated he has been keeping track of the amount of cars parked on the street since September 21, 2016. He noted eight cars parked today on the street, and this is the average for the block. Mr. Lopez then expressed his frustration and further explained his objections to parking on the street. Mr. Lopez recommended the issue be added to a meeting agenda and voted on by Council. Mayor Altomonte disagreed, stating that he didn't think it was worthy of putting on the agenda. He stated someone could bring it up from the dais, if they wanted. He noted for the amount of cars parked there during the day, to add more rules seemed to be unnecessary. Mr. Lopez indicated that he didn't think his complaint wasn't being taken seriously and in his frustration said that he just recommended that someone add this issue to an agenda to be voted on by the Council.

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*2016 Best Practices Inventory*

Mr. Ferrara explained each year the Borough is required, by the State of New Jersey, to do a Best Practices Inventory. He noted it is a financial document in which a municipality must score at least 20 'yes' answers in order to maintain State aid. The Borough scored 25, noting that the Borough was well above the limit. He said that the Borough has never lost State aid. He requested Council approval of tonight's Resolution to ensure timely admission.

Mayor Altomonte asked for a motion to close the floor for public comment. Councilman Vergaretti made the motion, seconded by Councilwoman Clifton. Council agreed. Motion passed.

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

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

Fran Bucco, 79 Freneau Avenue, Matawan. Ms. Bucco asked for an explanation of the Best Practices Inventory. Mr. Ferrara outlined the State guidelines. Mr. Menna added the Resolution directs the municipality to certify each department has followed through with their goals.

**Approval of Minutes**

Mayor Altomonte requested a motion to approve the minutes of the September 6, 2016 Council Meeting. Councilman Urbano made a motion, seconded by Councilman Vergeretti. Council agreed. Motion passed.

Mayor Altomonte requested a motion to approve the minutes of the September 20, 2016 Council Meeting. Councilman Vergeretti made a motion, seconded by Councilman Urbano. Council agreed with Councilpersons Caldon and Clifton abstaining as they were not present for the meeting. Council agreed. Motion passed.

**Consent Agenda**

Mayor Altomonte read by title Resolutions 16-10-02 through and including Resolution 16-10-06, requesting a motion. Councilwoman Clifton made the motion, seconded by Councilman Vergaretti. Council agreed. Motion passed.

***RESOLUTION 16-10-02  
REDEMPTION OF TAX SALE CERTIFICATE  
FNA JERSEY BOI, LLC  
CERTIFICATE #13-00008***

***WHEREAS***, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #13-00008 was sold to FNA Jersey BOI, LLC, PO Box 1030, Brick, NJ 08723; and

***WHEREAS***, Certificate #13-00008 has been paid and fully redeemed for the property owner, Block 9, Lot 18.01, otherwise known as Main Street.

***NOW, THEREFORE, BE IT RESOLVED*** by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$49,337.57, and a Premium of \$2,100.00, to the above for the redemption of Tax Sale Certificate #13-00008.

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

***RESOLUTION 16-10-03  
REDEMPTION OF TAX SALE CERTIFICATE  
DBW TL HOLDCO 2015, LLC  
CERTIFICATE #15-00005***

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*WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #15-00005 was sold to DBW TL Holdco 2015, LLC, US Bank CF Tower DBW V Trust, 50 South 16<sup>th</sup> Street, Suite 2050, Philadelphia, PA 19102; and*

*WHEREAS, Certificate #15-00005 has been paid and fully redeemed for the property owner, Block 9, Lot 18.01, otherwise known as Main Street.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$35,223.56, and a Premium of \$31,200.00, to the above for the redemption of Tax Sale Certificate #15-00005.*

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

**RESOLUTION 16-10-04  
REDEMPTION OF TAX SALE CERTIFICATE  
PUBLIC TAX INVESTMENTS, LLC  
CERTIFICATE #15-00078**

*WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #15-00078 was sold to Public Tax Investments, LLC, 575 Route 70, Second Floor, Brick, NJ 08723; and*

*WHEREAS, Certificate #15-00078 has been paid and fully redeemed for the property owner, Block 71, Lot 14, otherwise known as 60 Middlesex Road.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,427.89 to the above for the redemption of Tax Sale Certificate #15-00078.*

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

**RESOLUTION 16-10-05  
REFUND OF TAX OVERPAYMENT DUE TO TAX APPEAL  
MATAWAN EMERALD INVESTMENTS, LLC  
BLOCK 121, LOT 17**

*WHEREAS, a State Tax Board Judgment has been favorable awarded to Matawan Emerald Investments, LLC, Block 121, Lot 17, for the fiscal years 2013, 2014, 2015, and 2016; and*

*WHEREAS, such judgment has resulted in an overpayment of property taxes in the amount of \$8,224.32, \$22,603.88, \$22,509.05, and \$22,896.85 respectively; and*

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

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that the Borough Treasurer issue a check in the amount of \$63,470.44 for said overpayment of property taxes, to the property owner's representative. In addition, the fourth-quarter 2016 tax bill is to be cancelled, in the amount of \$12,763.66:*

<u>Block/Lot</u>	<u>Vendor</u>	<u>Amount of Refund</u>
121/17	Matawan Emerald Investments 92 Freneau Avenue Matawan, NJ 07747	\$63,470.44

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

**RESOLUTION 16-10-06  
REFUND OF TAX OVERPAYMENT  
JSM AT MATAWAN, LLC/WALGREENS  
BLOCK 40, LOT 6.01 C00001**

*WHEREAS, a State Tax Board Judgment has been favorable awarded to JSM at Matawan, LLC/Walgreens, Block 40, Lot 6.01 C00001, for the fiscal years 2015, and 2016; and*

*WHEREAS, such judgment has resulted in an overpayment of property taxes in the amount of \$17,525.88 and an overbill of \$17,660.45 respectively; and*

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

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan, that the Borough Treasurer issue a check in the amount of \$17,525.88 for said overpayment of property taxes, to the property owner's representative. In addition, the fourth-quarter 2016 tax bill is to be cancelled, in the amount of \$17,660.45.*

<u>Block/Lot</u>	<u>Vendor</u>	<u>Amount of Refund</u>
40/6.01 C00001	Matawan Emerald Investments 92 Freneau Avenue Matawan, NJ 07747	\$17,525.88

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

**New Business**

Mayor Altomonte read by title Resolution 16-10-07: Authorizing Partial Refund of Water/Sewer Charges under Limited Circumstances – Andrew Derechailo 18 Main Street - Block 1, Lot 13. Mayor Altomonte requested a motion. Councilwoman Clifton made the motion, seconded by Councilman Urbano. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilman Caldon  
Councilman Urbano  
Councilwoman Clifton

No: Councilman Reeve  
Councilman Vergaretti

Motion passed.

**RESOLUTION 16-10-07  
AUTHORIZING PARTIAL REFUND OF WATER/SEWER CHARGES  
UNDER LIMITED CIRCUMSTANCES  
ANDREW DERECHAILO  
18 MAIN STREET - BLOCK 1, LOT 13**

***WHEREAS**, on or about March 15, 2016, a water pipe burst in Andrew Derechailo's home while he was out of town, resulting in excessive water consumption and a water bill in the total amount of Four-Thousand, Six Hundred Forty-Eight Dollars and No Cents (\$4,648.00); and*

***WHEREAS**, Mr. Derechailo has requested Council grant him financial relief from the excess charges.*

***NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Matawan does hereby authorize a partial refund in the amount of One-Thousand Five-Hundred Dollars and No Cents (\$1,500.00) to Andrew Derechailo, 18 Main Street, Matawan, New Jersey 07747.*

***BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Finance, Public Works as well as Andrew Derechailo.*

Mayor Altomonte read by title Resolution 16-10-08: Set Curfew 2016 Halloween Season. Mayor Altomonte requested a motion. Councilman Urbano made the motion, seconded by Councilwoman Clifton. Mayor Altomonte requested a roll call. A roll call vote was taken.

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

Motion passed.

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**RESOLUTION 16-10-08  
SET CURFEW  
2016 HALLOWEEN SEASON**

**WHEREAS**, the Halloween Season can be dangerous to children walking the streets of the Borough of Matawan after daylight hours; and

**WHEREAS**, it is the desire of the Borough Council to set a reasonable period to allow for Halloween activities and also to protect its residents; and

**WHEREAS**, the Police Department of the Borough of Matawan has recommended that curfew be set for persons 16 years, unless accompanied by an adult (18 years or older) or traveling to or from place of employment of age as follows:

- Saturday, October 29<sup>th</sup> from 7:30 PM until 5:00 AM the following day
- Sunday, October 30<sup>th</sup> from 7:30 PM until 5:00 AM the following day
- Monday, October 31<sup>st</sup> from 8:30 PM until 5:00 AM the following day

**NOW, THEREFORE, BE IT RESOLVED** that a curfew be set for persons 16 years of age and under to be off the streets on October 29 and 30, 2016 from 7:30 PM to 5:00 AM the following day and on October 31, 2016 from 8:30 PM to 5:00 AM the following day, unless accompanied by an adult (18 years or older) or traveling to or from place of employment.

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

Mayor Altomonte read by title Resolution 16-10-09: Award of Professional Services Contract to Steve Cie Entertainment for 2016 Turkey Trot. Mayor Altomonte requested a motion. Councilwoman Clifton made the motion, seconded by Councilman Urbano. Mayor Altomonte requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 16-10-09  
AWARD OF PROFESSIONAL SERVICES CONTRACT TO  
STEVE CIE ENTERTAINMENT FOR  
2016 TURKEY TROT**

**WHEREAS**, the Recreation Commission of the Borough of Matawan desires professional DJ services for the 2016 Turkey Trot; and

**WHEREAS**, Steve Cie of Steve Cie Entertainment can provide such service for the event and has submitted the attached quote of Two-Hundred Fifty Dollars and No Cents (\$250.00).

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that, based on the recommendation of the Recreation Commission, it hereby approves the attached contract for DJ Entertainment Services by Steve Cie of Steve Cie Entertainment in an amount not to exceed Two-Hundred Fifty Dollars and No Cents (\$250.00).

**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, Finance, Police, Public Works, Recreation as well as Steve Cie Entertainment.

Mayor Altomonte read by title Resolution 16-10-10: Fair and Open Request for Qualification for Professional Services and to Direct the Clerk to Advertise for 2017 Requests for Qualifications Under the Fair and Open Process. Mayor Altomonte requested a motion. Councilwoman Clifton made the motion, seconded by Councilman Urbano. 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 Clifton

Motion passed.

**RESOLUTION 16-10-10  
FAIR AND OPEN REQUEST FOR QUALIFICATION FOR PROFESSIONAL SERVICES  
AND TO DIRECT THE CLERK TO ADVERTISE FOR 2017 REQUESTS FOR QUALIFICATIONS UNDER THE  
FAIR AND OPEN PROCESS**

*WHEREAS, the Borough of Matawan has elected to undertake the appointment of professionals pursuant to the State authorized Fair and Open Process promulgated by the State of New Jersey for professional services for various professionals for the Borough of Matawan; and,*

*WHEREAS, the statutory enactment of the Fair and Open Process is guided by the rules and regulations adopted by the State under NJSA 19:44A-20.4, et seq; and,*

*WHEREAS, the Governing Body has determined that all professional appointments and candidates who answer and Requests for Qualification for appointments will not include any remuneration as employees of the Borough of Matawan, but all professionals shall be subcontractors of the Borough of Matawan, and that the municipality and will not provide any pension contribution to any of its professionals as part of remuneration; and,*

*WHEREAS, it is the sense of the Governing Body that professional appointments are confidential appointments of the Governing Body; and therefore, it is the desire of the Council to solicit more candidates for various positions of professional appointments, so that the Council can make a determination submitted under the Requests for Proposals that will be proffered to the Fair and Open Process.*

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

1. *The Clerk is authorized and empowered to advertise for Requests for Qualifications, pursuant to the Fair and Open.*

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

Mayor Altomonte read by title Resolution 16-10-11: Payment of Bills. 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 Clifton

Motion passed.

**RESOLUTION 16-10-11  
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	\$1,649,601.40
Water & Sewer	\$72,986.02
Borough Capital	\$18,564.92
Grant	\$166.37
Borough Trust	\$28,369.73
Dog Tax Trust	\$3.60

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Railroad Parking Trust	\$11,620.00
Recreation Trust	\$705.13
<b>Total</b>	<b>\$1,782,017.17</b>

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

Mayor Altomonte read by title Resolution 16-10-12: Approving 2016 Best Practices Inventory. Mayor Altomonte requested a motion. Councilwoman Clifton 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 Clifton

Motion passed.

**RESOLUTION 16-10-12  
APPROVING 2016 BEST PRACTICES INVENTORY**

**WHEREAS**, New Jersey State's Fiscal Year 2016 Appropriations Act (P.L. 2016, c.10), requires the Division of Local Government Services to determine whether some portion of a municipality's Consolidated Municipal Property Tax Relief Act and Energy Tax Receipt aid will be withheld based upon the results of a Best Practices Inventory (Inventory) to be completed by each municipality; and,

**WHEREAS**, the Inventory is a constructive way to encourage municipalities to consider and embrace a range of best practices that will help improve financial accountability and transparency; and

**WHEREAS**, the Chief Financial Officer has certified the Inventory and submitted the results to the Governing Body for its review.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Matawan hereby approves the 2016 Best Practices Inventory for the Borough of Matawan as certified by the Chief Financial Officer.

**BE IT FURTHER RESOLVED** that the Municipal Clerk shall complete the 2016 Best Practice Public Meeting Certification Form and as required submit it to the Division of Local Government Services.

**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 as well as the Borough Auditor and the Division of Local Government Services.

Mayor Altomonte read by title Ordinance 16-08: Bond Ordinance Providing an Appropriation of \$860,000 for Various Water/Sewer System Improvements on Various Streets for and by the Borough of Matawan in the County Of Monmouth, New Jersey and Authorizing the Issuance of \$860,000 Bonds or Notes of the Borough for Financing Part of the Appropriation. Mr. Menna explained the Ordinance is for the proposed 2016 Road Improvement Program and other improvements, having been cleared with the CFO and the Borough's Bond Attorney. Mr. Menna stated he has issued a clearance letter, indicating the bonding capacity is not impacted. He noted the letter is available for inspection in the Clerk's office. Mayor Altomonte requested a motion to introduce. Councilman Caldon made the motion, seconded by Councilman Urbano. Mayor Altomonte requested a roll call. A roll call vote was taken.

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

Motion passed.

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The Clerk informed the public hearing is scheduled for 7:00 PM on October 18, 2016.

**ORDINANCE 16-08**

***BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$860,000 FOR VARIOUS WATER/SEWER SYSTEM IMPROVEMENTS ON VARIOUS STREETS FOR AND BY THE BOROUGH OF MATAWAN IN THE COUNTY OF MONMOUTH, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$860,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.***

***BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF MATAWAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:***

**SECTION 1:**

*The improvements described in Section 3 of this bond ordinance (the “Improvements”) are hereby authorized to be undertaken by the Borough of Matawan, New Jersey (the “Borough”) as general improvements. For the said Improvement there is hereby appropriated the amount of \$860,000. No down payment is required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”) as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this ordinance.*

**SECTION 2:**

*In order to finance the cost of the Improvements, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$860,000 pursuant to the provisions of the Local Bond Law (the “Bonds”). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$860,000 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).*

**SECTION 3:**

*(a) The Improvements authorized and the purpose for the financing of which said obligations are to be issued is for various water/sewer system improvements on various streets, including but not limited to replacement of water mains on Poet Drive, renovations and including acquisition of equipment on Villanova Place, various water/sewer improvements on various streets, including but not limited to Poet Drive, Sunset Avenue, Villanova Place, Rabbit Lane, Woodland Avenue and Essie Drive and acquisition of televisions for water/sewer system, including all work materials, necessary therefore or incidental thereto, all as shown on and in accordance with the plans and specifications on file with the Borough Clerk.*

*(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$860,000.*

*(c) The estimated cost of the Improvements is \$860,000 which amount represents the initial appropriation made by the Borough.*

**SECTION 4.**

*All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the “Chief Financial Officer”); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.*

**SECTION 5:**

*The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government*



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*Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.*

**SECTION 6:**

*The following additional matters are hereby determined, declared, recited and stated:*

*(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.*

*(b) The period of usefulness of the Improvements, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 40 years.*

*(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$860,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.*

*(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.*

*(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A 40A:2-44(c).*

**SECTION 7:**

*Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.*

**SECTION 8:**

*The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.*

**SECTION 9:**

*This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$860,000.*

**SECTION 10:**

*This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.*

Mayor Altomonte read by title Ordinance 16-09: Bond Ordinance Providing an Appropriation of \$1,860,000 for Various Road Improvements for and by the Borough Of Matawan in the County of Monmouth, New Jersey and, Authorizing the Issuance of \$1,746,040 Bonds or Notes of the Borough for Financing Part of the Appropriation. Mr. Menna explained the Ordinance is for the proposed 2016 Road Improvement Program and other improvements, having been cleared with the CFO and the Borough's Bond Attorney. Mr. Menna stated he has issued a clearance letter, indicating that the bonding capacity is not impacted. He noted the letter is available for inspection in the Clerk's office. Mayor Altomonte requested a motion to introduce. Councilman Vergaretti made the motion, seconded by Councilwoman Clifton. 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 Clifton

Motion passed.

The Clerk informed the public hearing is scheduled for 7:00 PM on October 18, 2016.

**ORDINANCE 16-09  
BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$1,860,000 FOR  
VARIOUS ROAD IMPROVEMENTS FOR AND BY THE BOROUGH OF  
MATAWAN IN THE COUNTY OF MONMOUTH, NEW JERSEY AND,  
AUTHORIZING THE ISSUANCE OF \$1,746,040 BONDS OR NOTES OF THE  
BOROUGH FOR FINANCING PART OF THE APPROPRIATION**

*BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF MATAWAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:*

*The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Matawan, New Jersey (the "Borough") as general improvements. For the said Improvement there is hereby appropriated the amount of \$1,860,000, such sum includes the sum of (a) \$22,055.47 expected to be received from the Federal Emergency Management Agency and (b) \$91,904.53 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provisions in one or more previously adopted budgets for down payments for capital improvement purposes.*

*In order to finance the cost of the Improvements not covered by the application of the Down Payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,746,040 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$1,746,040 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").*

*The Improvements authorized and the purpose for the financing of which said obligations are to be issued is for various road improvements including but not limited to Poet Drive, Sunset Avenue, Villanova Place, Rabbit Lane, Woodland Avenue and Essie Drive, and including traffic striping, ADA improvements, drainage and curbing, and including all work materials, necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications on file with the Borough Clerk.*

*The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$1,746,040.*

*The estimated cost of the Improvements is \$1,860,000 which amount represents the initial appropriation made by the Borough.*

*All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.*

*The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government*

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*Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.*

*The following additional matters are hereby determined, declared, recited and stated:*

*The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.*

*The period of usefulness of the Improvements, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 20 years.*

*The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$1,746,040 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.*

*An aggregate amount not exceeding \$350,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.*

*Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.*

*The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.*

*This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$1,746,040.*

*This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.*

**Privilege of the Floor**

Mayor Altomonte opened the Privilege of the Floor.

Loretta Windas, 138 Aberdeen Road, Matawan. Ms. Windas asked when the Turkey Trot information will be posted on the website. Both Councilwoman Clifton and Mr. Ferrara informed it is already posted. Ms. Wynne acknowledged it is posted, and flyers are available at the front desk at Borough Hall.

James Archibald, Bayshore EMS. Mr. Archibald presented the First Aid's request for Council approval to host the 2016 Tree Lighting and Santa Runs. The tree lighting is requested for December 3, 2016, rain or shine; requesting the building be open at 6:00 PM with the ceremony to follow 6:30 PM. The Santa Runs are requested for December 12–15, 2016, with December 16, 2016 as an additional evening, if needed. Councilwoman Clifton expressed both Mr. Archibald and the Bayshore EMS are instrumental in coordinating both these functions, and the Borough is very fortunate for their effort. Council agreed, granting approval for the events, dates and times. All information will be posted on the Borough's website.

Ms. Wynne reminded the assembled the free Rabies Clinic is scheduled for Thursday, October 15, 2016, from 6:00 to 8:00 PM, at the Broad Street Hook and Ladder Firehouse.

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Mr. Ferrara informed the Borough received permission to reverse the course of the Turkey Trot. Councilwoman Clifton noted the Recreation Department was against the reversal because the course, as it was, was very competitive in its original direction. Mr. Ferrara mentioned the Police Department requested the change in order to reopen all roads sooner rather than later. He also mentioned the Christmas lights are scheduled to be hung on November 3, 2016. Councilman Urbano asked Mr. Ferrara to check the lights for Memorial Park as some of them are not working.

Councilman Caldon asked Mr. Ferrara of the status of Clinton Street Park lighting. Mr. Ferrara said the new brackets were due to arrive on Friday, and he will speak to the electrician tomorrow. Councilwoman Clifton questioned the delay. Mr. Ferrara stated the cost to replace the poles is approximately \$23,000. It was requested the original poles be saved at a cost difference of \$6,000.00 versus the \$23,000. Replacement parts are extremely difficult to match due to the poles' age. Councilwoman Clifton stated if the next sets of parts do not work, Council should revisit the issue.

Mayor Altomonte closed the Privilege of the Floor.

**Adjournment**

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

Meeting adjourned at 7:40 PM.

(Signature on File)

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Karen Wynne, RMC  
Municipal Clerk