

**Borough of Matawan
Public Session
December 20, 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 December 20, 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 7:06 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

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

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

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

Matawan Police Department Presentation of Awards

Mayor Altomonte introduced Police Chief Jason Gallo. Chief Gallo thanked the Mayor and Council for hosting the 2nd Annual Police Department Awards.

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. Chief Gallo introduced Lt. Thomas Falco who provided an overview of the Borough of Matawan Police Department Award Program.

Matawan Police Department Presentation of Awards

Citizen's Award – Awarded for personal assistance by a civilian in apprehending a criminal or in extending oneself beyond one's own safety to provide prompt action to aid people who are in danger. Chief Gallo presented the Award to Jeremy Jeffries, Belmar Police Department Class 1 Special Law Enforcement Officer. Special Officer Jeffries intervened when Matawan Police Officer Andrew Marsala was attacked from behind while responding a report of a disorderly person.

Unit Citation – Awarded for the participation of the members of an operating unit in a cited action.

Chief Gallo presented the Citation to Officers Jeffrey Bodner, Jamil Brooks, Jeremiah Hourihan and Joseph Mason. Officers witnessed a pedestrian hit and run. Officers secured the area, administered first aid, while other Officers apprehended the driver of the vehicle.

Chief Gallo presented the Citation to Officers Charles Henry, Christopher Stark, Andrew Marsala. Officers responded to two reports; female caller screaming for help and multiple stabbings. Officers entered the residence without hesitation and took the offender into custody protecting the life of multiple residents. Officers secured the scene, and began to treat victims for their injuries until the arrival of EMS.

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Lifesaving Award – Awarded to an Officer for an outstanding act where the actions taken were directly related to the saving of a life. Chief Gallo presented the Award to Officers Eric Anderson, Eric Budelmann and Jeremiah Hourihan. Officers responded to the home of an unconscious victim who was not breathing. Officers administered CPA and an Automatic External Defibrillator until paramedics arrived. The victim was revived on scene due to the swift actions and life saving techniques performed by the Officers.

2016 Police Officer of the Year Award – An Officer's total contributions to the Police function are considered in deciding this Award. Chief Gallo presented the Award to Officer Joseph Mason. Lt. Falco related the Officer's career at the Matawan Police Department 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 2016 Police Officer of the Year Award to Officer Joseph Mason.

Certificates of Commendation – Presented to recognize Officers for acts performed above the General Order's criteria.

Chief Gallo presented Certificates of Commendation to:

- Narcotics Enforcement – SAFE Unit – Officers Charles Henry and Joseph Mason.
- DWI Enforcement – Officer Jeffrey Bodner
- Robbery Investigation – Officers Jonathan Borsari and Joseph Lovallo
- Burglary Suspect Arrests – Officer Sean McCabe
- Certificate of Appreciation to Ciaglia Landscape Design, Inc. for the donation of landscaping and maintenance of the Police Department property.

The Police Department left the meeting at 7:30 PM

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 requested a motion to close the Privilege of the Floor for Agenda Items Only. Councilman Vergaretti made the motion, seconded Councilwoman Clifton. Council agreed. Motion passed.

Approval of Minutes

Mayor Altomonte requested a motion to approve the minutes of the December 6, 2016 Council Meeting. Councilman Vergaretti made a motion, seconded by Councilwoman Gould. Council agreed. Motion passed.

Old Business

Mayor Altomonte read by title Ordinance 16-11: Ordinance Amending and Supplementing the Code of the Borough of Matawan – Chapter II – Administration, Article IV – Administrative Organization of the Departments of Local Government – Section 2-14.1 – Police Department Composition. Mayor Altomonte requested a motion to open the public hearing. Councilwoman Clifton 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. Councilwoman Clifton made the motion, seconded by Councilman Vergaretti. Council agreed. Motion passed. Mayor Altomonte read by title Ordinance 16-11: Ordinance Amending and Supplementing the Code of the Borough of Matawan – Chapter II – Administration, Article IV – Administrative Organization of the Departments of Local Government – Section 2-14.1 – Police

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Department Composition, requesting a motion to adopt. Councilman Vergaretti 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.

**ORDINANCE 16-11
ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF MATAWAN
CHAPTER II – ADMINISTRATION
ARTICLE IV – ADMINISTRATIVE ORGANIZATION OF THE DEPARTMENTS OF LOCAL GOVERNMENT
SECTION 2-14.1 – POLICE DEPARTMENT COMPOSITION**

WHEREAS, within its general powers as a municipality, the Borough of Matawan may make and enforce ordinances, rules and regulations not contrary to Federal or State law as it deems necessary and to protect the public safety and welfare of its residents; and

WHEREAS, the Mayor and Council of the Borough of Matawan support and encourage efficiency within the Matawan Police Department.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Matawan that Chapter II – Administration, Article IV – Administrative Organization of the Departments of Local Government, Section 2-14.1 – Department Establish; Composition hereby amended as follows:

2-14.1 Department Established: Composition

The Police Department of the Borough of Matawan is hereby established and shall consist of a Chief of Police, up to two (2) Lieutenants, up to four (4) Sergeants, up to fourteen (14) Patrol Officers, in addition to Class II Special Law Enforcement Officers as permitted as outlined in NJSA 40A:14-146.17, two (2) Police Matrons, such School Crossing Guards as recommended by the Chief of Police, one (1) Records Clerk who will also function as a clerical assistant for the department, and such other employees including, as needed, Class I Special Police Officers permitted by NJSA 40A:14-146.14, and recommended by the Chief, as may be appointed by the Governing Body.

BE IT FURTHER ORDAINED, all ordinances or parts of ordinances inconsistent with the provisions of this ordinance shall be and the same are hereby repealed.

BE IT FURTHER ORDAINED, 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.

BE IT FURTHER ORDAINED, this ordinance shall take effect upon final passage and publication as provided by law.

Clerk's Report

Ms. Wynne related the year-end Clerk's Report citing:

- Great strides in records inventory and electronic filing of historic, permanent and active records;
- Processing of 144 OPRA Requests;
- The number of Planning Zoning Applicants has doubled;
- 2017 animal licensing applications will be accepted after January 4. All other licensing expires December 31 and is now due;
- Borough offices hours for the holiday season.

She then acknowledged, congratulated, and tearfully thanked both Councilwomen Clifton and Gould for their service to the community, and their guidance and faith throughout, noting they will be missed.

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Mayor's Report

No report.

Administrator's Report

Mr. Ferrara stated his report has been electronically transmitted. Mr. Ferrara related a letter distributed to the Governing Body requiring Council authorization to be sent to the Department of Transportation regarding NJ Transit asking Council to consider a Resolution memorializing Council's authorization.

Attorney's Report

No report.

Engineer's Report

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

- The Energy Savings and Improvement Program Project: The plan was reviewed; and have coordinated with the contractor, DCO, regarding some comments. They will revise the savings plan and resubmit for second review.
- The 2015 Road Improvement Program Contract 1: A sewer issue arose last week. The contractor will be calling in the mark out and resolve the issue shortly. Mr. Ferrara noted he met with the resident, who was happy with the Borough's prompt response.
- The 2015 Road Improvement Program Contract 2: Terhune Park concrete work is complete, with the exception of the final turf restoration, which will be completed in the spring.
- Gravelly Brook Park Improvements: The design phase is approximately 85% complete. He mentioned that he emailed the committee the information regarding the cut sheets and amenities, such as bleachers, team benches, foul polls, backstops, etc. Design should be complete next month and should be going out to bid shortly thereafter.
- The 2017 Road Improvement Program survey will be completed by the end of this week or early next week, and design is now commencing.

Mr. Keady asked for Council support for Resolution 16-12-16: Approval to Submit a Grant Application and Executive a Grant Contract With the New Jersey Department of Transportation for the Lake Lefferts Bridge and Dam Reconstruction Project.

Mr. Keady informed the 2017 NJ DOT Municipal Aid Program Applications are due February 3, 2017 citing possible projects such as Middlesex Road Phase II, and a second application for the Lake Lefferts Bridge and Dam Reconstruction to help supplement the discretionary aid.

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

Councilman Caldon reported the Fire Department was able to secure some new equipment; he praised both Volunteer Departments of the Fire and First Aid. Public Works has a new hot box with asphalt for potholes, a new truck for help with snow plowing, and construction of the salt shed has begun. Shade Tree Commission has embarked on a new program to work with residents to purchase trees to be planted between the sidewalk and the street. Historic Sites continues to submit grant applications for 2017. Councilman Caldon congratulated both Councilwomen Clifton and Gould and wished them best of luck.

Finance

Councilman Reeve requested that Treasury Reports for the months of September 30 and October 31, 2016 be entered 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, 2016

| | | | |
|--------------------------------------|-----------|----------------|-----------------------|
| Current Account | Investors | \$4,128,154.96 | \$4,128,154.96 |
| Tax Collector Trust Fund | Investors | -\$0.80 | -\$0.80 |
| Water & Sewer Account | Investors | \$983,640.84 | \$983,640.84 |
| Water & Sewer-Certificate of Deposit | Investors | \$500,430.75 | \$500,430.75 |
| Borough Capital Account | Investors | \$1,703,641.11 | \$1,703,641.11 |
| Utility Capital Account | Investors | \$886,221.38 | \$886,221.38 |
| Borough Trust Account | Investors | \$799,674.77 | \$799,674.77 |

Boro Trust Summary–Investors Bank Cash Balances
As of: September 20, 2016

| | |
|-----------------------------------|---------------------|
| Fire Safety | \$25,231.69 |
| Fire Prevention/Dedicated Penalty | \$847.26 |
| Escrow | \$113,388.56 |
| Tax Redemptions | \$125,124.93 |
| POAA | \$0.00 |
| Donation | \$2,742.49 |
| Premiums | \$487,375.00 |
| Off Duty Police | \$24,024.41 |
| Recycling Trust | \$13,017.27 |
| Public Defender | \$7,923.16 |
| Total | \$799,674.77 |

| | | | |
|--------------------------------|-----------|-------------|--------------------|
| Dog Tax Trust Account | Investors | \$741.13 | \$741.13 |
| Unemployment Insurance Account | Investors | \$37,030.86 | \$37,030.86 |
| Recreation Special Account | Investors | \$39,966.53 | \$39,966.53 |

Recreation Trust Summary–Investors Bank Cash Balances
As of: September 30, 2016

| | |
|-------------------------|--------------------|
| Turkey Trot | \$19,127.71 |
| Summer Recreation | \$7,106.44 |
| Summer Recreation Trips | \$8,174.14 |
| Matawan Day | \$0.00 |
| Basketball Tournament | \$0.00 |
| Canoe Rentals | \$2,965.66 |
| Men's Over 30 B'Ball | \$85.00 |
| NNO Vendor | \$0.00 |
| Yoga/Kickboxing | \$16.25 |
| Dog's Night Out | -\$157.18 |
| Fireworks Donations | -\$1,775.00 |
| Capital Improvements | \$4,423.51 |
| Total | \$39,966.53 |

| | | | |
|----------------------------|-----------|------------------------------|------------------------------|
| Developers Escrow Acct | Investors | \$286,354.63 | \$286,354.63 |
| Law Enforcement Account | Investors | \$3,868.36 | \$3,868.36 |
| Railroad Parking Lot Trust | Investors | \$77,153.82 | \$77,153.82 |
| Total | | <u>\$9,446,878.34</u> | <u>\$9,446,878.34</u> |

Respectfully,
Monica Antista
Treasurer

12/15/2016

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

| | | | |
|--------------------------------------|-----------|----------------|-----------------------|
| Current Account | Investors | \$3,419,153.91 | \$3,419,153.91 |
| Tax Collector Trust Fund | Investors | \$0.00 | \$0.00 |
| Water & Sewer Account | Investors | \$1,208,273.15 | \$1,208,273.15 |
| Water & Sewer-Certificate of Deposit | Investors | \$500,583.88 | \$500,583.88 |
| Borough Capital Account | Investors | \$1,619,952.62 | \$1,619,952.62 |

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| | | | |
|-------------------------|-----------|--------------|---------------------|
| Utility Capital Account | Investors | \$880,489.62 | \$880,489.62 |
| Borough Trust Account | Investors | \$671,870.45 | \$671,870.45 |

Boro Trust Summary–Investors Bank Cash Balances
As of: October 31, 2016

| | |
|-----------------------------------|---------------------|
| Fire Safety | \$25,231.69 |
| Fire Prevention/Dedicated Penalty | \$847.26 |
| Escrow | \$111,881.29 |
| Tax Redemptions | \$37,495.68 |
| POAA | \$0.00 |
| Donation | \$2,742.49 |
| Premiums | \$443,275.00 |
| Off Duty Police | \$29,456.61 |
| Recycling Trust | \$13,017.27 |
| Public Defender | \$7,923.16 |
| Total | \$671,870.45 |

| | | | |
|--------------------------------|-----------|-------------|--------------------|
| Dog Tax Trust Account | Investors | \$759.93 | \$759.93 |
| Unemployment Insurance Account | Investors | \$37,630.49 | \$37,630.49 |
| Recreation Special Account | Investors | \$42,392.92 | \$42,392.92 |

Recreation Trust Summary–Investors Bank Cash Balances
As of: October 31, 2016

| | |
|-------------------------|--------------------|
| Turkey Trot | \$21,947.71 |
| Summer Recreation | \$7,106.44 |
| Summer Recreation Trips | \$7,655.03 |
| Matawan Day | -\$69.50 |
| Basketball Tournament | \$0.00 |
| Canoe Rentals | \$2,965.66 |
| Men’s Over 30 B’Ball | \$85.00 |
| NNO Vendor | \$0.00 |
| Yoga/Kickboxing | \$16.25 |
| Dog’s Night Out | \$37.82 |
| Fireworks Donations | -\$1,775.00 |
| Capital Improvements | \$4,423.51 |
| Total | \$42,392.92 |

| | | | |
|----------------------------|-----------|------------------------------|------------------------------|
| Developers Escrow Acct | Investors | \$282,743.02 | \$282,743.02 |
| Law Enforcement Account | Investors | \$3,869.19 | \$3,869.19 |
| Railroad Parking Lot Trust | Investors | \$75,169.88 | \$75,169.88 |
| Total | | <u>\$8,742,889.06</u> | <u>\$8,742,889.06</u> |

Respectfully,
Monica Antista
Treasurer

12/15/2016

Personnel

No report.

Police, Railroad Parking, ADA, Planning/Zoning Board

Councilman Urbano related the Chief of Police’s electronic report sent to the Governing Body. The final 2016 ADA meeting occurred and the reports will be submitted to the clerk’s office shortly. He then thanked Councilwoman Clifton and Councilwoman Gould, stating his pleasure to serve with both of them.

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

Councilwoman Gould spoke of her twelve fulfilling and inspiring years on Council; it has been her honor and privilege to serve the residents of Matawan thanking all for their support and respect. She always did her best and tried to do what’s right. She presented a gift the Borough with a clock “...that works”, and she wished everyone good luck.

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Recreation, Main Street, Development

Councilwoman Clifton thanked everyone, especially the residents of the Borough of Matawan, for the honor and pleasure of representing them for the past nine years as Councilwoman expressing her personal enjoyment as Chair of the Recreation Commission. She thanked her husband for his support as well as her pleasure in championing both Karen Wynne and Louis Ferrara for their respective jobs.

Mayor Altomonte personally thanked Councilwomen Clifton and Gould for their service.

Consent Agenda

Mayor Altomonte read by title Resolution 16-12-12 through and including Resolution 16-12-14, requesting a motion. Councilman Vergaretti made the motion, seconded by Councilwoman Clifton. Council agreed. Motion passed.

**RESOLUTION 16-12-12
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR PFS FINL 1
CERTIFICATE #15-00046**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #15-00046 was sold to US Bank Cust for PFS FINL 1, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102; and

WHEREAS, Certificate #15-00046 has been paid and fully redeemed for the property owner, Block 38, Lot 7, otherwise known as 11 South Street.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$8,350.35, and a Premium of \$8,200.00, to the above for the redemption of Tax Sale Certificate #15-00046.

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

**RESOLUTION 16-12-13
APPROVAL OF TOWING & STORAGE LICENSE RENEWAL
A&B COLLISION KEY INC. DBA KEY AUTO BODY**

WHEREAS, A&B Collision Key Inc. dba Key Auto Body (towing & storage contractor services) has submitted an application to be added to the Matawan Police Department tow call list; and

WHEREAS, on the condition that, A&B Collision Key Inc. dba Key Auto Body (towing & storage contractor services) has certified that the requirements of Chapter 4 of the Code of the Borough of Matawan and all other Statutes have been met and that the independent investigation by the Police Department reveals no nonconformity.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the following towing & storage license renewal:

*Business: A&B Collision Key Inc. dba Key Auto Body
20 Main Street
Matawan, New Jersey 07747*

Applicant: Omar Mostafa

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Police, Clerk as well as A&B Collision Key Inc. dba Key Auto Body.

**RESOLUTION 16-12-14
RELEASE OF ESCROW FUNDS
GARY & SUE KNOEPEL
117 RAVINE DRIVE
BLOCK 74, LOT 11**

WHEREAS, Gary and Sue Knoepfel have requested the release of the balance on their escrow account for 117 Ravine Drive, also known as Block 74, Lot 11, Matawan, New Jersey; and

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WHEREAS, the Planning/Zoning Board Attorney, the Planning/Zoning Board Engineer, and Borough Engineer have certified any and all outstanding issues and billing have been satisfied; and

WHEREAS, as reflected on the Summary of Escrow Deposits Statement received from the Office of the Chief Financial Officer, the remaining escrow balance as of December 12, 2016 is Fifty Five Dollars and Seventy Cents (\$55.70).

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan hereby approves the release of the balance of the escrow funds in the amount of Fifty Five Dollars and Seventy Cents (\$55.70) to Gary and Sue Knoeppel, 117 Ravine Drive, 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 as well as the Planning/Zoning Board Attorney, the Planning/Zoning Board Engineer, the Borough Engineer, and Gary and Sue Knoeppel.

New Business

Mayor Altomonte read by title Resolution 16-12-15: Authorizing T&M Associates to Provide Professional Services Associated with the 2016 Road Improvement Program – Route 34 and Middlesex Road Intersection Drainage Improvements. Mayor Altomonte requested a motion. Council 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 Gould
Councilwoman Clifton

Motion passed.

**RESOLUTION 16-12-15
AUTHORIZING T&M ASSOCIATES
TO PROVIDE PROFESSIONAL SERVICES ASSOCIATED WITH THE
2016 ROAD IMPROVEMENT PROGRAM
ROUTE 34 AND MIDDLESEX ROAD INTERSECTION DRAINAGE IMPROVEMENTS**

WHEREAS, the Council of the Borough of Matawan received an estimate from T&M Associates for professional services associated with the 2016 Road Improvement Program to include improvements to the intersection of Route 34 and Middlesex Road to correct an existing drainage issue; and

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan does hereby award the contract for professional services to T&M Associates for professional services associated with Route 34 and Middlesex Road Intersection Drainage Improvements as outlined in T&M Associates attached Scope and Fee Estimate in an amount not to exceed Twenty Thousand One Hundred Twenty Five Dollars and No Cents (\$20,125.00).

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 as well as the Borough Engineer.

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 C-04-55-916-100 Budget of the Borough of Matawan to T&M Associates for professional services associated with the 2016 Road Improvement Program to include Route 34 and Middlesex Road Intersection Drainage Improvements for the Borough of Matawan in an amount not to exceed Twenty Thousand One Hundred Twenty Five Dollars and No Cents (\$20,125.00).

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 20, 2016



MATNOH-16002

November 22, 2016

Louis Ferrara
Borough of Matawan
201 Broad Street
Matawan, NJ 07747

**Re: Route 34 and Middlesex Road Intersection Drainage Improvements
Scope and Fee Estimate
Borough of Matawan**

Dear Mr. Ferrara:

T&M Associates is pleased to submit this Scope and Fee Estimate for Professional Services associated with the improvements to the intersection of Middlesex Road and Route 34 to correct an existing drainage issue.

The drainage improvements are concentrated along the north gutter line of Middlesex Road at the intersection of Route 34 where an existing low area currently retains water. The proposed improvements anticipated include the re-grading of a portion of the north gutter line and installation of additional storm water inlets and piping.

In order to achieve the Borough's objectives, we propose the following scope of services:

A. PRE-DESIGN PHASE

1. Field survey of the intersection will be provided to determine existing pavement cross slopes, utility locations, longitudinal gutter profiles and existing inlet locations and grate elevations. Field survey will be acquired by conventional "on the ground" methods.
2. A base map will be prepared at a scale of 1" = 20'.
3. Copies of the base maps will be forwarded to each utility company (and the Borough Department of Public Works) so they can verify the location and sizes of their facilities.

B. DESIGN PHASE

1. Once the field survey is complete and base map prepared, a preliminary design will be prepared based on the information gathered by the survey and field investigation. This plan will include a preliminary construction cost estimate.
2. The preliminary plan will be reviewed with appropriate Borough officials prior to proceeding with final design.
3. Final construction plans will be prepared in AutoCAD, incorporated into one of the 2017 Road Improvements Project bid sets and consist of the following:
 - a. Construction and Layout Plan Sheet (1" = 20').
 - b. Existing Conditions and Grading and Drainage Plan Sheet.
 - c. Maintenance and Protection of Traffic Plan.
 - d. Construction Detail Sheet.

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MATNOH-16002
November 22, 2016
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Re: **Route 34 and Middlesex Road Intersection Drainage Improvements
Scope and Fee Estimate
Borough of Matawan**

4. Quantities will be estimated by item, and a final construction cost estimate will be provided and incorporated into the overall estimate for the 2017 Road Improvement Program.
5. Plans will be submitted to the New Jersey Department of Transportation for coordination because the project is located adjacent to Route 34. A Highway Occupancy Permit will be required for maintenance and protection of traffic signs in the State right-of-way and will be applied for. The application and permit fees required are estimated to be \$625 and have been included as a direct expense in our estimate of fee.
6. We will submit final plans and specifications to the Borough for final review prior to the incorporation into the 2017 Road Improvement Project bid documents.

**C. CONSTRUCTION PHASE –
CONTRACT ADMINISTRATION AND CONSTRUCTION OBSERVATION**

We will provide a part-time Project Manager (PM) and a part-time Inspector with additional support services from our office staff, as required by the PM, for the inspection portion of this additional work to be added to the contract. In addition to supporting the PM, the inspector will be responsible to observe and document the construction effort to determine that the materials were manufactured and the work installed in general conformance with the contract documents and approved submittals.

D. PROJECT SCHEDULE AND FEE

We are prepared to commence the services outlined above upon your written authorization and suggest an estimated fee of \$20,125 including NJDOT permit fees to be billed monthly utilizing the current billing rate schedule. Following are the estimated "soft cost" requirements for the project:

| | |
|--|----------|
| Topographic Survey and Base Mapping | \$ 5,000 |
| Design, Bidding and Permitting | \$11,025 |
| Construction Administration and Inspection | \$ 4,100 |
| Total | \$20,125 |

On behalf of T&M Associates, I would like to thank you and the Governing Body for the opportunity to submit this scope of services and fee estimate. We look forward to our continued successful work with you and members of your staff.

Very truly yours,

T&M ASSOCIATES

ROBERT R. KEADY, JR., P.E., C.M.E.
BOROUGH OF MATAWAN ENGINEER

RRK:RG:lkc

c: Mayor & Council
Karen Wynne, Borough Clerk
Monica Antista, Borough CFO

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Mayor Altomonte read by title Resolution 16-12-16: Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Lake Lefferts Bridge and Dam Reconstruction Project. Council agreed. Motion passed.

**BOROUGH OF MATAWAN
RESOLUTION 16-12-16**

Resolution: *Approval to Submit a Grant Application and Execute a Grant Contract With the New Jersey Department of Transportation for the Lake Lefferts Bridge and Dam Reconstruction Project*

NOW, THEREFORE, BE IT RESOLVED, that Council of the Borough of Matawan formally approves the grant application for the above stated project.

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BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application, identified as LAIF-2017 Lake Lefferts Bridge and Dam Reconstruction-00044, to the New Jersey Department of Transportation, on behalf of the Borough of Matawan.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Matawan, and their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution, adopted by the Council of the Borough of Matawan on this 20th day of December, 2016.

Karen Wynne, RMC
Municipal Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

Karen Wynne, RMC
(Municipal Clerk)

Mayor Joseph Altomonte
(Presiding Officer)

Mayor Altomonte read by title Resolution 16-12-17: Authorizing the Transfer of Funds from Current and Utility Accounts in the 2016 Budget. Mayor Altomonte requested a motion. Councilman Urbano made the motion, seconded by Councilman Vergaretti. Council agreed. Motion passed.

**RESOLUTION 16-12-17
AUTHORIZING THE TRANSFER OF FUNDS FROM
CURRENT AND UTILITY ACCOUNTS IN THE 2016 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 2016 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 2016 Municipal Budget:

| <u>Transfer From:</u> Account Number | Amount of Transfer | <u>Transfer To:</u> Account Number | Amount of Transfer |
|--|-----------------------|--|-----------------------|
| 6-01-25-265-300 Fire Prevention Other Expenses | \$1,800.00 | 6-01-25-265-100 Fire Prevention Salary & Wages | \$1,800.00 |
| 6-01-31-430-200 Utilities Other Expenses | \$5,000.00 | 6-01-23-220-200 Group Insurance Other Expenses | \$5,000.00 |
| 6-01-25-240-100 Police Salary & Wages | \$4,000.00 | 6-01-26-291-100 Railroad Salary & Wages | \$4,000.00 |
| 6-01-20-110-200 Mayor & Council Other Expenses | \$500.00 | 6-01-20-120-200 Boro Clerk Other Expenses | \$500.00 |

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| | | | |
|------------------|------------|---------------------|------------|
| 6-01-26-310-200 | \$2,000.00 | 6-01-26-310-100 | \$2,000.00 |
| Public Buildings | | Public Buildings | |
| Other Expenses | | Salary & Wages | |
| 6-09-55-509-200 | \$3,000.00 | 6-09-55-508-200 | \$3,000.00 |
| BRSA | | Bulk Water Purchase | |
| Other Expenses | | Other Expenses | |

***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 Altomonte read by title Resolution 16-12-18: Payment of Bills. Mayor Altomonte requested a motion. Councilman Vergaretti made the motion, seconded by Councilwoman Gould. Council agreed. Motion passed.

**RESOLUTION 16-12-18
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 | \$566,845.13 |
| Water & Sewer | \$160,685.06 |
| Borough Trust | \$15,868.12 |
| Developers Escrow Account | \$222.00 |
| Dog Tax Trust | \$3.60 |
| Recreation Trust | \$2,430.54 |
| Total | \$746,054.45 |

***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 16-12-19: Authorizing the Award of Quote for the Renovation of the Borough of Matawan Offices of Emergency Management – Vallee Construction. Mr. Menna related a typographical error in the Resolution, and the Clerk read the correction into the record prior to adoption. Mayor Altomonte requested a motion. Councilman Vergaretti made the motion, seconded by Councilman Reeve. Council agreed.

Motion passed.

**RESOLUTION 16-12-19
AUTHORIZING THE AWARD OF QUOTE FOR
THE RENOVATION OF THE BOROUGH OF MATAWAN
OFFICES OF EMERGENCY MANAGEMENT
VALLEE CONSTRUCTION**

***WHEREAS**, there is a need to renovate the administrative office space for the Borough of Matawan Office of Emergency Management at the Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey 07747; and*

***WHEREAS**, Louis Ferrara, Business Administrator, requested quotes for said renovations; and*

***WHEREAS**, the Borough of Matawan received one (1) quote for the aforesaid requirements; and*

***WHEREAS**, the Borough of Matawan Administrator has reviewed and recommended the proposal of Vallee Construction, 77 Cliffwood Avenue, Cliffwood, New Jersey 07721 in an amount not to exceed Seventeen Thousand Five Hundred Dollars and No Cents (\$17,500.00).*

***NOW, THEREFORE, BE IT RESOLVED** the Council of the Borough of Matawan hereby approves the recommendation of the Borough Administrator and awards the contract for renovations as outlined in the attached quote*

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to Vallee Construction, 95 Ravine Drive, Matawan, New Jersey 07721 in an amount not to exceed Seventeen Thousand Five Hundred Dollars and No Cents (\$17,500.00).

BE IT FURTHER RESOLVED, the Council of the Borough of Matawan resolves that the 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, Finance, Public Works, Clerk as well as Vallee Construction.

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 C-04-NB-900-167 Budget of the Borough of Matawan to Vallee Construction, 77 Cliffwood Avenue, Cliffwood, New Jersey 07721, in an amount not to exceed Seventeen Thousand Five Hundred Dollars and No Cents (\$17,500.00).

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 20, 2016

Mayor Altomonte read by title Resolution 16-12-20: Resolution Authorizing Bonds Aggregating the Principal Sum Not to Exceed \$6,932,608 Authorized by Eight Bond Ordinances Heretofore Adopted to Finance Part of the Cost of Various General Improvements in the Borough of Matawan, County of Monmouth, New Jersey Into One Consolidated Issue of Bonds and Providing for the Form, Maturities and Other Details of Said Consolidated Issue. 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
Councilwoman Clifton

Motion passed.

RESOLUTION 16-12-20

RESOLUTION AUTHORIZING BONDS AGGREGATING THE PRINCIPAL SUM NOT TO EXCEED \$6,932,608 AUTHORIZED BY EIGHT BOND ORDINANCES HERETOFORE ADOPTED TO FINANCE PART OF THE COST OF VARIOUS GENERAL IMPROVEMENTS IN THE BOROUGH OF MATAWAN, COUNTY OF MONMOUTH, NEW JERSEY INTO ONE CONSOLIDATED ISSUE OF BONDS AND PROVIDING FOR THE FORM, MATURITIES AND OTHER DETAILS OF SAID CONSOLIDATED ISSUE

WHEREAS, the Borough Council of the Borough of Matawan, in the County of Monmouth, New Jersey (the "Borough"), has heretofore adopted eight bond ordinances authorizing bonds to finance part of the cost of various general improvements in said Borough; and

WHEREAS, it is necessary to issue bonds pursuant to said ordinances in an aggregate principal amount not to exceed \$6,932,608 and it is deemed advisable and in the best interests of the Borough, for the purpose of the orderly marketing of said bonds and for other financial reasons, to combine the bonds authorized under said eight ordinances into one consolidated issue in the aggregate principal amount not to exceed \$6,932,608 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of New Jersey; NOW, THEREFORE,

BE IT RESOLVED BY 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) that:

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There shall be issued bonds of the Borough in the following principal amounts pursuant to the following bond ordinances:

- A. *An amount not to exceed \$11,000.00 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 85-23)*

“BOND ORDINANCE PROVIDING FOR PRELIMINARY PLANNING EXPENSES AND IMPROVEMENTS TO LAKE LEFFERTS DAM AND LAKE MATAWAN DAM IN AN BY THE BOROUGH OF MATAWAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$300,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$150,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF PENDING RECEIPT OF A STATE GRANT.”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 15 years.

- B. *An amount not to exceed \$285,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 01-21)*

“BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE MATAWAN MUNICIPAL COMMUNITY CENTER, APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$950,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF MATAWAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY.”

As amended by an ordinance entitled: (Ord. No. 14-12).

“ORDINANCE 14-12: BOND ORDINANCE 13-19 AMENDING BOND ORDINANCE NUMBER 01-21 FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MATAWAN, NEW JERSEY ON SEPTEMBER 19, 2001, AS AMENDED.”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 15 years.

- C. *An amount not to exceed \$675,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 12-08)*

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$850,000 FOR A FIRE TRUCK, EMERGENCY VEHICLES AND VARIOUS EQUIPMENT FOR AND BY THE BOROUGH OF MATAWAN IN THE COUNTY OF MONMOUTH, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$807,500 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 10 years.

- D. *An amount not to exceed \$2,601,358 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 13-11)*

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$2,779,101.80 FOR VARIOUS ROAD IMPROVEMENTS BY AND FOR THE BOROUGH OF MATAWAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$2,185,000 IN BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.”

As amended by an ordinance entitled: (Ord. No. 13-18)

“BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 13-11 FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MATAWAN, NEW JERSEY ON MAY 21, 2013.”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 19.13 years.

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E. An amount not to exceed \$2,465,250 bonds, being all of the bonds authorized by an ordinance entitled: (Ord. No. 15-07)

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$2,990,000 FOR VARIOUS ROAD IMPROVEMENTS FOR AND BY THE BOROUGH OF MATAWAN IN THE COUNTY OF MONMOUTH, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$2,465,250 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 20 years.

F. An amount not to exceed \$50,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 08-24)

“BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE WATER/SEWER UTILITY IN AND BY THE BOROUGH OF MATAWAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY; APPROPRIATING \$200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$200,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE COST THEREOF.”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 40 years.

G. An amount not to exceed \$400,000 bonds, being all of the bonds authorized by an ordinance entitled: (Ord. No. 13-12)

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$400,000 FOR REPLACEMENT OF WATER MAINS ON VARIOUS STREETS FOR AND BY THE BOROUGH OF MATAWAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY; AND APPROPRIATING THE ISSUANCE OF \$400,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 40 years.

H. An amount not to exceed \$445,000 bonds, being all of the bonds authorized by an ordinance entitled: (Ord. No. 15-06)

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$445,000 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 \$445,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.”

heretofore finally adopted. The average period of usefulness stated in said ordinance is 40 years.

Section 2. The bonds referred to in Section 1 hereof are hereby combined into one consolidated issue of bonds in the aggregate principal amount not to exceed \$6,932,608 and are sometimes hereinafter collectively referred to as the “Bonds.” The bonds referred to in Subsections A to E shall be designated “General Improvement Bonds, Series 2017” and shall be numbered with the prefix G from one (1) consecutively upward. The bonds referred to in Subsections F to H shall be designated “Water/Sewer Utility Bonds, Series 2017” and shall be numbered with the prefix WSU from one (1) consecutively upward. The bonds of said consolidated issue shall be dated the date of delivery of the Bonds and will be issued in fully registered form. The Bonds of said issue (i) shall be dated the date of delivery of the Bonds, (ii) shall mature in the years 2017 through 2034, or such other years as may be determined by the Chief Financial Officer, (iii) shall bear interest at the interest rates per annum as determined by the Chief Financial Officer, (iv) shall be sold at such price or prices as determined by the Chief Financial Officer, and (v) may be subject to redemption prior to their stated maturities as determined by the Chief Financial Officer, as shall be set forth in the proposal for the purchase of the Bonds acceptance of which is authorized pursuant to Section 5 hereof. The Bonds shall be numbered one consecutively upward, and will be issued in fully registered form.

Section 3. It is hereby found, determined and declared that the average period of usefulness of the improvements or purposes for which the said General Improvement Bonds, Series 2017 is to be issued, taking into consideration the amount of such General Improvement Bonds, Series 2017 to be issued for said improvements or purposes, is 18.26 years. It is hereby found, determined and declared that the average period of usefulness of the

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improvements or purposes for which the said Water/Sewer Utility Bonds, Series 2017 is to be issued, taking into consideration the amount of such Water/Sewer Utility Bonds, Series 2017 to be issued for said improvements or purposes, is 40 years.

Section 4. The Bonds shall be payable as to interest at the corporate trust office of U.S. Bank National Association, Woodland Park, New Jersey, payable on the May 15 and November 15 prior to each June 1 and December 1, commencing June 1, 2017, in an amount equal to the interest accruing to each such June 1 and December 1, and payable as to principal at the corporate trust office of U.S. Bank National Association, payable on the fifteenth day of the month immediately preceding the due date therefor. Interest on the Bonds shall be calculated on the basis of a 360-day year or twelve 30-day calendar months.

Section 5. The Bonds shall be signed by the Mayor or Deputy Mayor and the Borough Chief Financial Officer, by their manual or facsimile signatures, and the corporate seal of the Borough shall be affixed thereto, or imprinted or reproduced thereon and shall be attested by the manual or facsimile signature of the Clerk or Deputy Clerk of the Borough.

Section 6. The Bonds are hereby sold and awarded to the Monmouth County Improvement Authority (the "Authority") by an Authorized Officer at a price determined by the Authorized Officer pursuant to the terms of a Bond Purchase Agreement between the Borough and the Authority (the "Bond Purchase Agreement"). The Mayor and Deputy Mayor are hereby authorized on behalf of the Borough to execute the Bond Purchase Agreement by and between the Borough and the Monmouth County Improvement Authority and the Continuing Disclosure Agreement by and between the Borough and U.S. Bank National Association, if necessary.

Section 7. The Bonds and the registration provisions endorsed thereon shall be in substantially the following form:

No. 2017 G-___, WSU-___

**UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF MONMOUTH**

**BOROUGH OF MATAWAN
GENERAL IMPROVEMENT BOND, SERIES 2017
OR
WATER/SEWER UTILITY BONDS, SERIES 2017**

DATE OF
ORIGINAL
ISSUE: January __, 2017

BOROUGH OF MATAWAN in the County of Monmouth, New Jersey, hereby acknowledges itself indebted and for value received promises to pay to

**THE MONMOUTH COUNTY IMPROVEMENT
AUTHORITY (the "Authority")
c/o U.S. BANK NATIONAL ASSOCIATION
(the "Trustee")**

the principal sums on the dates and in the amounts set forth on Schedule A attached hereto and made a part hereof and to pay interest on such sum from the DATE OF ORIGINAL ISSUE of this bond until payment in full at the interest rates per annum and in the amounts shown on Schedule A attached hereto and made a part hereof. Interest is payable to the Authority at the corporate trust office of the Trustee on the May 15 and November 15 prior to each June 1 and December 1, commencing June 1, 2017, in an amount equal to the interest accruing to each such June 1 and December 1. This bond as to principal will be payable on the fifteenth day of the month immediately preceding the due date therefor at the corporate trust office of the Trustee. Amounts not paid when due hereunder shall bear interest at the Late Payment Rate until paid. This bond shall be prepayable as set forth in Section 1303 of the bond resolution adopted by the Authority on December 1, 2016 (as the same may be supplemented and amended, the "Bond Resolution").

Both principal of and interest on this bond is payable in lawful money of the United States of America and in immediately available funds.

As used herein, "Business Day" shall mean any day that is not a Saturday, a Sunday or a legal holiday in the State of New Jersey or the State of New York or a day on which the Trustee is legally authorized to close. "Late Payment Rate" shall mean a rate per annum equal to the lower of (i) the greater of (a) three percent above the interest rate that JPMorgan Chase publicly announces from time to time as its prime lending rate, such interest rate to change on the effective date of each announced change in such rate and (b) the rate then payable on this bond, and (ii) the maximum interest rate allowed by law.

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The Bonds are subject to redemption prior to their stated maturities.

This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law of New Jersey, and is one of the Bonds referred to in a resolution of the Borough of Matawan adopted on December 20, 2016 and entitled "Resolution Authorizing Bonds Aggregating The Principal Sum Not To Exceed \$6,932,608 Authorized By Eight Bond Ordinances Heretofore Adopted To Finance Part Of The Cost Of Various General Improvements In The Borough Of Matawan, County Of Monmouth, New Jersey Into One Consolidated Issue Of Bonds And Providing For The Form, Maturities And Other Details Of Said Consolidated Issue," and the bond ordinance referred to therein, in all respects duly approved and published as required by law.

The full faith and credit of the Borough of Matawan are hereby irrevocably pledged for the punctual payment of the principal of and the interest on, and all other amounts due under, this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the Borough of Matawan, is within every debt and other limit prescribed by such Constitution or statutes.

The Borough of Matawan agrees to pay (i) all costs and expenses (including legal fees) in connection with the administration and enforcement of this bond, which includes but is not limited to costs in connection with the enforcement of the County Guaranty (as defined in the Bond Resolution) and (ii) its share of the amounts payable pursuant to Section 9(vi)(B) of the Bond Purchase Agreement between the Borough of Matawan and the Authority.

IN WITNESS WHEREOF, the BOROUGH OF MATAWAN, in the County of Monmouth, New Jersey has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor or Deputy Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its Borough Clerk, and this bond to be dated the DATE OF ORIGINAL ISSUE as specified above.

BOROUGH OF MATAWAN

By: _____
Joseph Altomonte, Mayor

ATTEST:

Karen Wynne, RMC
Municipal Clerk

By: _____
Monica Antista, Chief Financial Officer

(Assignment Provision on Back of Bond)

ASSIGNMENT

FOR VALUE RECEIVED _____ hereby sells, assigns and transfers unto _____ (Please Print or Type Name and Address of Assignee) the within bond and irrevocably appoints _____ as Attorney to transfer this bond on the registration books of the _____ with full power of substitution and revocation.

NOTICE

The signature of this assignment must correspond with the name as it appears on the face of the within bond in every particular.

Dated:
Signature of Guarantee:

SCHEDULE A

BOROUGH OF MATAWAN

GENERAL IMPROVEMENT BONDS, SERIES 2017
OR
WATER/SEWER UTILITY BONDS, SERIES 2017

Schedule of Principal and Interest Payments

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Section 8. The Borough Chief Financial Officer is hereby authorized and directed (a) to cause a copy of the written opinion with respect to the Bonds which is to be rendered by the firm of Gibbons P.C. (complete except for omission of its date) to be printed or referred to on the Bonds, and at the time of the original delivery of payment for the Bonds and when such written opinion is rendered, to cause the Borough Clerk to certify to the truth and correctness of such copy of opinion by executing on each of said Bonds, by manual or facsimile signature, a certificate subjoined to each such copy, and to file a signed duplicate of such written opinion in such Clerk's office and at each place at which the Bonds are payable, (b) to cause the applicable CUSIP number (if any) assigned for each of said Bonds by the CUSIP Service Bureau of Standard & Poor's Corporation of New York, New York, to be printed on each of the Bonds, and (c) to cause, in the event that the Bonds shall qualify for issuance of any policy of municipal bond insurance at the option of the purchaser thereof, such legend or reference (if any) of such insurance to be printed (at the expense of such purchaser) on the Bonds.

Section 9. Upon the date of issue of the Bonds, being the date of delivery of the Bonds to the Authority and the payment of the purchase price thereof in accordance with the Bond Purchase Agreement, the Borough Chief Financial Officer is hereby authorized and directed as of said date of issue, to execute and deliver to said purchaser (a) an arbitrage certification with respect to the Bonds under and for the purpose of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and (b) an accompanying opinion of Gibbons P.C. as of said date of issue with respect to said arbitrage certification for the purposes of said Section 148.

Section 10. The proceeds of the Bonds shall be applied in the amounts and for the purposes provided in Section 1 hereof, and to pay and fund any bond anticipation notes theretofore issued for such purpose and then outstanding.

Section 11. The Mayor or Deputy Mayor and Borough Chief Financial Officer are hereby authorized and directed, as is the Borough Clerk, to execute all documents and certificates, necessary for the sale and delivery of said Bonds.

Section 12. This resolution shall take effect immediately.

AYES:

NAYS:

ABSTAIN:

ABSENT:

Mayor Altomonte announced the addition of Resolution 16-12-21: Authorizing the Borough Administrator to Execute a Letter Confirming Revisions to the Borough of Matawan and New Jersey Transit Commuter Lease and Parking Agreement. Mr. Menna informed the Resolution confirms discussion parameters on certain aspects of the commuter lease and parking Agreement set forth by the Administrator to New Jersey Transit regarding the utilization and/or space allocation regarding their lot as part of said Agreement. Mayor Altomonte requested a motion. Councilman Vergaretti, 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
Councilwoman Clifton

Motion passed.

RESOLUTION 16-12-21

AUTHORIZING THE BOROUGH ADMINISTRATOR TO EXECUTE A LETTER CONFIRMING REVISIONS TO THE BOROUGH OF MATAWAN AND NEW JERSEY TRANSIT COMMUTER LEASE AND PARKING AGREEMENT

WHEREAS, the Mayor and Council of the Borough of Matawan wish to partner with New Jersey Transit in the Borough's Redevelopment Plan for the Designated Redevelopment Area in the Vicinity of the Matawan Train Station in order to promote compact, mixed-use, vibrant and sustainable development at and surrounding the New Jersey Transit properties; and

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***NOW, THEREFORE, BE IT RESOLVED** the Mayor and Council of the Borough of Matawan hereby authorize the Borough Administrator to execute a letter confirming the agreement parameters on certain aspects of the Commuter Lease and Parking Agreement revisions reached between the Borough Administrator to New Jersey Transit Property Development.*

***BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Finance as well as the Borough Attorney and New Jersey Transit Property Development.*

Privilege of the Floor

Mayor Altomonte opened the Privilege of the Floor.

Brett Cannon, 206 Middlesex Road, Matawan. Mr. Cannon thanked Councilwomen Clifton and Gould for their service to the Borough of Matawan. He mentioned his father, former Councilman Michael Cannon, asked him to also thank the Councilwomen as he wasn't able to attend tonight's meeting. He then presented both with bouquets of flowers, from his parents, Mike and Diane Cannon.

Bob Montfort, 209 Main Street, Matawan. Mr. Montfort related an ongoing pothole issue outside his home at the intersection of Church and Main. Main Street is a County Road, and his contact with the County on the issue has not resulted in results. He asks for the Borough's assistance. Mr. Ferrara informed of a forthcoming meeting with the County this Thursday, and will mention the situation. Mr. Ferrara stated the County told him a year ago of its intention to repave Main Street. It is Mr. Montfort's contention the road needs not just repaving but the addition of a catch-basin at the intersection to allow proper drainage.

Mayor Altomonte requested a motion to close the Privilege of the Floor. Councilman Vergaretti made the motion, seconded by Councilman Reeve. Council agreed. Motion passed.

Mayor Altomonte expressed his gratitude to Councilwomen Linda Clifton and Donna Gould for their service to the community.

Recess

Mayor Altomonte requested a motion to recess until 12 Noon on January 1, 2017. Councilman Vergaretti made the motion, seconded by Councilman Urbano. Council agreed. Motion passed.

Meeting recessed at 8:01 PM.

(Signature on File)

Karen Wynne, RMC
Municipal Clerk