

**Borough of Matawan
Public Session
August 21, 2018**

A regular meeting of the Council of the Borough of Matawan, New Jersey, was held at the Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey on August 21, 2018, with Mayor Joseph 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 March 15, 2018, by sending notice to the Asbury Park Press, and by posting. A copy of said notice is and has been made available to the public and is on file in the Office of the Borough Clerk. A copy of said notice has also been sent to such members of the public as have requested such information in accordance with the Statute. Mayor Altomonte called the meeting to order at 7:01 PM requesting a roll call.

On roll call the following members responded present:

Yes: Councilwoman Josi Salvatore
Councilwoman Stephanie Buckel
Councilman Brett Cannon
Councilwoman Deana Gunn
Councilman David Vergaretti

Absent: Councilman Nicolas Reeve

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

Mayor Altomonte announced the addition of Ordinances 18-14, 18-15, and 18-16 to tonight's Agenda.

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

Mayor Altomonte asked everyone to stand for a Moment of Silence and to keep in their thoughts, Bill Clifton who recently passed away.

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. Councilwoman Salvatore made the motion, seconded by Councilwoman Buckel. Council agreed. Motion passed.

Approval of Minutes

Mayor Altomonte requested a motion to approve the minutes of the August 8, 2018 Council Meeting. Councilwoman Salvatore made the motion, seconded by Councilwoman Buckel. Council agreed. Motion passed.

Clerk's Report

The Deputy Clerk reported that the Clerk's office issued the following business licenses during the month of July 2018:

- Chat 'n Relax Counseling & Consultation (mental health and substance-use counseling);
- Kourt Security Partners, LLC DBA Select Security (electronic security system sales & maintenance);
- Sam's Construction & Renovation, LLC (general contracting); and

**Borough of Matawan
Public Session
August 21, 2018**

- Vecars, Inc. (used car dealership office ONLY).

Mayor's Report

Mayor Altomonte announced the cancellation of the September 4, 2018 Council Meeting.

Administrator's Report

Mr. Ferrara stated his report has been electronically transmitted to Council.

Attorney's Report

Mr. Menna reported Ordinance 18-14 on the Agenda for introduction clears up a lot of other previous ordinances which are conflicting and contradictory, and deals with the question of appropriate civilian authority. This Ordinance eliminates another administrative structure, the Police Commission, established in 2001 that was separate from the Council Police Committee established in 2009. Although on the books, the Commission was not in place for a number of years and, basically, did not meet. The appropriate civilian authority will be the Borough Administrator to coordinate information and policy with the Matawan Police Chief who is the Chief Operating Officer and in charge of the Police Department. The Administrator is subservient with respect to his statutory duty to the Council Police Committee which is composed of the three members of Council. The Police Committee, the Administrator and the Chief have supplemented, and this will eliminate the Police Commission which is another four member body which had been in place for a while but has not been operative for some time.

Engineer's Report

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

- Gravelly Brook Park Improvements Phase I – The punchlist is complete. The contractor will also do the drainage improvements behind the softball backstop during the week of September 9.
- Gravelly Brook Park Improvements Phase II – Tot-lot options are being coordinated with the Borough. Once finalized, will proceed.
- 2017 Road Program, Contract I – Completed.
- 2017 Road Program, Contract II – The contractor is base paving on Woodland and Sunset Avenues this week. North Street, Rabbit Street, Stillwell Street will follow.
- Transit Village Improvements – These are substantially complete. A punchlist has been issued. The major items not yet installed include the lighting and the bike racks with lead times to follow next month.
- Installation of Comminutors – Notice to proceed was issued. Waiting on shop drawings, which should be coming next week or so. Expect mobilization towards the end of October. Installation is usually quick so construction shouldn't take too long.

Construction, Finance

Councilwoman Salvatore requested the Treasurer Reports for May and June 2018 be entered into the record.

Borough of Matawan
Public Session
August 21, 2018

REPORT OF THE TREASURER
TO THE MAYOR AND COUNCIL OF THE BOROUGH OF MATAWAN
BANK BALANCES AS OF MAY 31, 2018

CURRENT ACCOUNT	INVESTORS	\$6,150,530.30	\$6,150,530.30
TAX COLLECTOR TRUST FUND	INVESTORS	\$0.00	\$0.00
WATER & SEWER ACCOUNT	INVESTORS	\$1,625,435.72	\$1,625,435.72
WATER & SEWER-Certificate of Deposit	INVESTORS	\$500,892.48	\$500,892.48
BOROUGH CAPITAL ACCOUNT	INVESTORS	\$770,594.91	\$770,594.91
UTILITY CAPITAL ACCOUNT	INVESTORS	\$1,738,612.12	\$1,738,612.12
BOROUGH TRUST ACCOUNT	INVESTORS	\$656,742.31	\$656,742.31

BORO TRUST SUMMARY-INVESTORS BANK AS OF: MAY 31, 2018		CASH BALANCES
FIRE SAFETY		\$24,592.98
FIRE PREVENTION/DEDICATED PENALTY		\$4,097.26
ESCROW		\$120,240.70
TAX REDEMPTIONS		\$71,845.20
POAA		\$0.00
DONATION		\$2,742.49
PREMIUMS		\$334,475.00
OFF DUTY POLICE		\$63,959.29
K-9 FUND		\$26,574.19
RECYCLING TRUST		\$292.04
PUBLIC DEFENDER		\$7,923.16
TOTAL		\$656,742.31

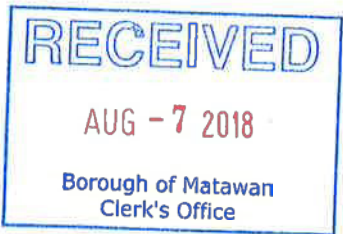
DOG TAX TRUST ACCOUNT	INVESTORS	\$3,050.32	\$3,050.32
UNEMPLOYMENT INSURANCE ACCOUNT	INVESTORS	\$29,977.25	\$29,977.25
RECREATION SPECIAL ACCOUNT	INVESTORS	\$66,136.52	\$66,136.52

RECREATION TRUST SUMMARY-INVESTORS BANK AS OF: MAY 31, 2018		CASH BALANCES
TURKEY TROT		\$15,014.55
SUMMER RECREATION		\$33,943.57
SUMMER RECREATION TRIPS		\$7,474.99
STEM REGISTRAION		\$500.00
MATAWAN DAY		-\$69.50
BASKETBALL TOURNAMENT		\$0.00
CANOE RENTALS		\$3,719.15
MEN'S OVER 30 B'BALL		\$85.00
NNO VENDER		\$350.00
YOGA/INTERVAL TRAINING		\$2,420.25
DOG'S NIGHT OUT		\$0.00
FIREWORKS DONATIONS		-\$1,725.00
CAPITAL IMPROVEMENTS		\$4,423.51
TOTAL		\$66,136.52

DEVELOPERS ESCROW ACCT	INVESTORS	\$238,874.48	\$238,874.48
LAW ENFORCEMENT ACCOUNT	INVESTORS	\$6,830.00	\$6,830.00
RAILROAD PARKING LOT TRUST	INVESTORS	\$341,274.73	\$341,274.73

TOTAL

RESPECTFULLY,
Monica Antista
TREASURER



\$12,128,951.14 \$12,128,951.14

8/7/2018

**Borough of Matawan
Public Session
August 21, 2018**

**REPORT OF THE TREASURER
TO THE MAYOR AND COUNCIL OF THE BOROUGH OF MATAWAN
BANK BALANCES AS OF JUNE 30, 2018**

CURRENT ACCOUNT	INVESTORS	\$4,119,457.02	\$4,119,457.02
TAX COLLECTOR TRUST FUND	INVESTORS	\$0.00	\$0.00
WATER & SEWER ACCOUNT	INVESTORS	\$1,106,475.95	\$1,106,475.95
WATER & SEWER-Certificate of Deposit	INVESTORS	\$500,998.84	\$500,998.84
BOROUGH CAPITAL ACCOUNT	INVESTORS	\$769,236.99	\$769,236.99
UTILITY CAPITAL ACCOUNT	INVESTORS	\$1,728,385.85	\$1,728,385.85
BOROUGH TRUST ACCOUNT	INVESTORS	\$615,340.58	\$615,340.58

BORO TRUST SUMMARY-INVESTORS BANK AS OF: JUNE 30, 2018		CASH BALANCES
FIRE SAFETY		\$24,592.98
FIRE PREVENTION/DEDICATED PENALTY		\$4,097.26
ESCROW		\$117,892.45
TAX REDEMPTIONS		\$60,094.72
POAA		\$0.00
DONATION		\$2,742.49
PREMIUMS		\$308,575.00
OFF DUTY POLICE		\$62,534.37
K-9 FUND		\$25,701.46
RECYCLING TRUST		\$1,186.69
PUBLIC DEFENDER		\$7,923.16
TOTAL		\$615,340.58

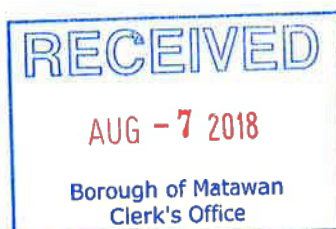
DOG TAX TRUST ACCOUNT	INVESTORS	\$3,172.93	\$3,172.93
UNEMPLOYMENT INSURANCE ACCOUNT	INVESTORS	\$29,822.19	\$29,822.19
RECREATION SPECIAL ACCOUNT	INVESTORS	\$79,083.87	\$79,083.87

RECREATION TRUST SUMMARY-INVESTORS BANK AS OF: JUNE 30, 2018		CASH BALANCES
TURKEY TROT		\$15,676.75
SUMMER RECREATION		\$37,777.22
SUMMER RECREATION TRIPS		\$10,247.99
STEM REGISTRATION		\$7,600.00
MATAWAN DAY		-\$69.50
BASKETBALL TOURNAMENT		\$0.00
CANOE RENTALS		\$3,257.65
MEN'S OVER 30 B'BALL		\$85.00
NNO VENDER		\$350.00
YOGA/INTERVAL TRAINING		\$1,460.25
DOG'S NIGHT OUT		\$0.00
FIREWORKS DONATIONS		-\$1,725.00
CAPITAL IMPROVEMENTS		\$4,423.51
TOTAL		\$79,083.87

DEVELOPERS ESCROW ACCT	INVESTORS	\$238,302.37	\$238,302.37
LAW ENFORCEMENT ACCOUNT	INVESTORS	\$6,837.02	\$6,837.02
RAILROAD PARKING LOT TRUST	INVESTORS	\$350,999.11	\$350,999.11

TOTAL

RESPECTFULLY,
Monica Antista *mw*
TREASURER



\$9,548,112.72 \$9,548,112.72

8/7/2018

**Borough of Matawan
Public Session
August 21, 2018**

Police, ADA, Recreation

No report.

DPW, Property Maintenance, Recycling & Sanitation

Councilwoman Buckel reported the recycling app will go 'live' next week. The Recycling Coordinator will post directions to the app on the website and on the Facebook page. She reminded everyone the State is requiring recyclables no longer to be placed in plastic bags. The Recycling Coordinator led a group from the National Honor Society in the cleanup of Aberdeen Road resulting in what appears to be the removal of hundreds of pounds of trash.

Planning/Zoning, Fire, Historic Sites

Councilman Cannon informed residents to keep watch for information regarding the Historic Society's Facebook page, as well as their website, for the Fall Ghost Tours.

Economic Business Development, Environmental, Main Street Development

Councilwoman Gunn reported she met with the owner of Sweet Berry Bowls, a new business in town located in the Main Street Village Plaza. The owner is very excited to be in Matawan and is looking forward to much success within the Borough. On August 30, 2018, at 6:00PM, New York New Jersey Baykeeper will be having their grand opening. The Baykeeper is not affiliated with the Chamber of Commerce. All are invited to attend their location on Washington Street. Councilwoman Gunn informed the Recreation Commission will be meeting with Mr. Keady to work on Phase II of Gravelly Brook Park Improvements.

Animal Advisory Board, Shade Tree, Personnel

No report.

New Business

Mayor Altomonte read by title Resolution 18-08-19: 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. Mayor Altomonte requested a motion. Councilwoman Salvatore made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Josi Salvatore
Councilwoman Stephanie Buckel
Councilman Brett Cannon
Councilwoman Deana Gunn
Councilman David Vergaretti

Motion passed.

***BOROUGH OF MATAWAN
RESOLUTION 18-08-19***

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.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application, identified as LAIF-2019 – Lake Lefferts Bridge and Dam Reconstruction – 00014 to the New Jersey Department of Transportation on behalf of the Borough of Matawan.

**Borough of Matawan
Public Session
August 21, 2018**

***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 21st day of August, 2018.

Mr. Ferrara thanked Mr. Keady and his team for getting the application done in record time. Mr. Keady, replied, not a problem, and thanked Mr. Ferrara.

Mayor Altomonte read by title Resolution 18-08-20: Authorizing the Execution of a Municipal Assistance/Shared Services Agreement with the County of Monmouth. Mayor Altomonte requested a motion. Councilwoman Buckel made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Josi Salvatore
Councilwoman Stephanie Buckel
Councilman Brett Cannon
Councilwoman Deana Gunn
Councilman David Vergaretti

Motion passed.

**RESOLUTION 18-08-20
AUTHORIZING THE EXECUTION OF A
MUNICIPAL ASSISTANCE/SHARED SERVICES AGREEMENT
WITH THE COUNTY OF MONMOUTH**

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

***WHEREAS**, the County of Monmouth, a local unit, has offered to provide municipal assistance/shared services to this Local Government Entity; and*

***WHEREAS**, it is in the best interest of this Local Government Entity to enter into the proposed Municipal Assistance/Shared Services Agreement with the County of Monmouth.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that the Mayor and Municipal Clerk be and they are hereby authorized to execute the attached Municipal Assistance/Shared Services Agreement with the County of Monmouth.*

***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, Public Works as well as Clerk of the Board of Chosen Freeholders, County of Monmouth, Hall of Records, 1 E. Main Street, Freehold, New Jersey 07728.*

**MUNICIPAL ASSISTANCE/SHARED SERVICES AGREEMENT
BETWEEN THE COUNTY OF MONMOUTH ("COUNTY")
AND
THE BOROUGH OF MATAWAN
("LOCAL GOVERNMENT ENTITY")**

The County and the Local Government Entity enter into this Agreement pursuant to the New Jersey Uniform Shared Services and Consolidation Act (C.40A:65-1, et seq.).

IT IS AGREED:

1. **Services Offered.** The County will offer the municipal assistance/shared services listed on Exhibit "A" to the Local Government Entity.
2. **Amendment to Services Offered.** The County, in its discretion, may amend Exhibit "A" from time to time, upon written notice to the Local Government Entity.

**Borough of Matawan
Public Session
August 21, 2018**

3. **Request for Service.** *The Local Government Entity will initiate a request for service by submitting a Request Form to the County.*
4. **Cost of Services.** *For those items on Exhibit "A" for which a fixed cost is not set, the estimated cost to the Local Government Entity will be determined by the County in advance and shall be subject to the approval of the Local Government Entity prior to the services being rendered.*
5. **Payment of Reasonable Cost.** *In the event that the Local Government Entity requests a service and prior approval of the cost has not been obtained, whether because of an emergency or some other reason, and the County provides the requested service, the Local Government Entity agrees to pay the County the reasonable cost of service, with the understanding the County will receive reimbursement for the County's costs in providing the service, including the cost of goods, expendables, labor and administrative costs.*
6. **No Obligation by Local Government Entity.** *The Local Government Entity is under no obligation to utilize any services offered by the County.*
7. **No Obligation by County.** *The County is under no obligation to provide a service requested by the Local Government Entity if the County is not in a position to honor the request.*
8. **Workmanlike Services.** *The County will render services to the Local Government Entity in a workmanlike manner.*
9. **Care Required.** *The County will exercise ordinary care in rendering services to the Local Government Entity.*
10. **Total Cost Undetermined.** *The total cost of the services to be rendered under this Agreement cannot be estimated in advance, but will be determined by the extent to which the Local Government Entity avails itself of the services available.*
11. **Effective Dates.** *This Agreement shall be in effect for a ten (10) year period from October 1, 2018 until September 30, 2028.*
12. **Early Termination.** *Either party may terminate this Agreement, with or without cause, upon thirty (30) days written notice to the other party.*
13. **County's Representative.** *The County's Administrator or its Director of Public Works and Engineering, or his/her respective designee, will act on behalf of the County with regard to the services available to the Local Government Entity, the cost thereof and commitment to provide requested services.*
14. **Local Government Entity's Representative.** *The Local Government Entity's Borough Administrator or Public Works Director, or his/her respective designee, will act on behalf of the Local Government Entity with regard to a request for services from the County and approval of cost estimates provided by the County.*
15. **Payment of Invoices.** *The Local Government Entity will pay the County for services rendered under this Agreement within thirty (30) days of the County's invoice for those services. If the Local Government Entity disputes a County invoice, the Local Government Entity will pay the undisputed portion and attempt to resolve the remaining portion in accordance with the article below, entitled "Disputes."*
16. **Disputes.** *If there is a dispute concerning either party's performance under this Agreement, the parties will attempt to resolve the dispute amicably between them. If the parties cannot resolve the issue amicably, the parties will mediate the dispute before a third party mediator jointly agreed to by the parties. Each party will bear its own cost of participating in mediation and the parties will share the cost of the mediator equally. If the dispute is not resolved through mediation, either party may then pursue any available legal or equitable remedy to resolve the dispute.*
17. **Indemnification.** *Each party will indemnify the other party and hold the other party harmless for the negligent or intentional acts of the indemnifying party.*
18. **Authority to Execute Agreement.** *The execution of this Agreement has been duly authorized by the governing bodies of the County and the Local Government Entity.*
19. **Choice of Law.** *This Agreement shall be governed by and interpreted in accordance with the laws of the State of New Jersey.*
20. **Filing of Agreement.** *Monmouth's Clerk of the Board shall file a fully executed copy of this Agreement with the Division of Local Government Services, New Jersey Department of Community Affairs in accordance with NJSA 40A:65-4(b).*

**Borough of Matawan
Public Session
August 21, 2018**

21. **Counterparts.** This Agreement may be fully executed in any number of counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one agreement binding upon all parties, notwithstanding that all parties have not signed the same counterpart. Such executions may be transmitted to the parties electronically or by facsimile, and such electronic or facsimile execution shall have the same force and effect as an original signature.
22. **Notices.** Any notices that are provided pursuant to this Agreement shall be in writing (including facsimile and electronic transmissions) and mailed or transmitted or delivered as follows:

To Monmouth County:

County of Monmouth
Address: 1 East Main Street, Freehold, NJ 07728
Attn: Elizabeth Perez, Shared Services Coordinator
Email: Elizabeth.perez@co.monmouth.nj.us
Fax: (732) 845-2037

To the Local Government Entity:

Borough of Matawan
Address: 201 Broad Street, Matawan, NJ 07747
Attn: Karen Wynne, Borough Clerk
Email: karen.wynne@matawanborough.com
Fax: (732) 290-7585

Or to such other address or individual as any party may from time to time notify the other.

IN WITNESS WHEREOF, the parties have executed this Agreement.

County:

Local Government Entity:

COUNTY OF MONMOUTH

BOROUGH OF MATAWAN

By: THOMAS A. ARNONE
Title: Freeholder Director
Date:

By: JOSEPH ALTOMONTE
Title: Mayor
Date:

ATTEST:

ATTEST:

MARION MASNICK
Clerk of the Board

KAREN WYNNE, RMC
Municipal Clerk

EXHIBIT "A"
COUNTY OF MONMOUTH
MUNICIPAL ASSISTANCE/SHARED SERVICES AGREEMENT

Services available:

The municipal assistance/shared services available from the County include, but are not limited to, the following:

- Catch basin cleaning
- Culvert repairs
- Diesel inspections
- Equipment use (with equipment operator)
- Guiderail installation
- Mowing
- Plowing
- Salting and Sanding
- Street sign installation
- Street sweeping
- Towing
- Traffic signal installation
- Vehicle painting
- Vehicle repairs
- Vehicle washing

**Borough of Matawan
Public Session
August 21, 2018**

Pricing:

It is the intent that the County will recoup its actual costs in providing the services, but no profit. Therefore, the cost of the services shall be the actual cost to the County for the requested (a) equipment, (b) materials and (c) labor, as quoted by the County, plus a modest administrative fee.

Procedure:

If the Local Government Entity is interested in procuring services through the Municipal Assistance/Shared Services Agreement, the Local Government Entity will submit a completed Request Form to the County. If the County is able to honor the request, the County will approve the request and issue either a fixed or an estimated price quotation. The Local Government Entity will then decide, at its option, whether or not to accept the services offered by the County.

Mayor Altomonte read by title Resolution 18-08-21: Authorizing the Execution of a Commodity Resale Agreement with the County of Monmouth. Mayor Altomonte requested a motion. Councilman Vergaretti made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Josi Salvatore
Councilwoman Stephanie Buckel
Councilman Brett Cannon
Councilwoman Deana Gunn
Councilman David Vergaretti

Motion passed.

**RESOLUTION 18-08-21
AUTHORIZING THE EXECUTION OF A COMMODITY RESALE AGREEMENT WITH
THE COUNTY OF MONMOUTH**

WHEREAS, NJAC 5:34-7.15 et seq. authorizes local contracting units to enter into Commodity Resale Agreements for the purchase of certain commodities from other contracting units; and

WHEREAS, the County of Monmouth has authorized the renewal of the Monmouth County Commodity Resale System (SYSTEM IDENTIFIER 99174 – MCCRS), for the period of October 1, 2018 through September 30, 2023; and

WHEREAS, it would be in the best interest of this Municipality to become or remain a member of the Monmouth County Commodity Resale System for that period.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Matawan that the Mayor and Municipal Clerk be and they are hereby authorized to execute the attached Commodity Resale Agreement with the County of Monmouth.

BE IT FURTHER RESOLVED that the Municipal Clerk forward a certified copy of this Resolution, along with the executed Commodity Resale Agreement to Elizabeth Perez, Division of Shared Services, County of Monmouth, Hall of Records, First Floor, 1 East Main Street, Freehold, New Jersey 07728.

**COMMODITY RESALE AGREEMENT
BETWEEN THE COUNTY OF MONMOUTH (the “COUNTY”)
AND
THE BOROUGH OF MATAWAN
(the “LOCAL GOVERNMENT ENTITY”)**

The County and the Local Government Entity enter into this Agreement pursuant to the Rules governing cooperative purchasing, namely NJAC 5:34-7.15 et seq.

IT IS AGREED:

23. **Commodities Offered.** *The County will offer the commodities listed on Exhibit “A” to the Local Government Entity through the Monmouth County Commodity Resale System (SYSTEM IDENTIFIER 99174 – MCCRS).*
24. **Amendment to Services Offered.** *The County, in its discretion, may amend Exhibit “A” from time to time, upon approval by the Director of the Division of Local Government Services, if necessary, and written notice to the Local Government Entity.*

**Borough of Matawan
Public Session
August 21, 2018**

25. **No Obligation by Local Government Entity.** *The Local Government Entity is under no obligation to purchase any commodities offered by the County.*
26. **No Obligation by County.** *The County is under no obligation to provide a commodity requested by the Local Government Entity if the County is not in a position to honor the request.*
27. **Total Cost Undetermined.** *The total cost of the commodities to be provided under this Agreement cannot be estimated in advance, but will be determined by the extent to which the Local Government Entity avails itself of the commodities available.*
28. **Effective Dates.** *This Agreement shall be in effect for a five (5) year period from October 1, 2018 through September 30, 2023.*
29. **Early Termination.** *Either party may terminate this Agreement, with or without cause, upon thirty (30) days written notice to the other party.*
30. **County's Representative.** *The County's Administrator or its Director of Public Works and Engineering, or his/her respective designee, will act on behalf of the County with regard to the commodities available to the Local Government Entity.*
31. **Local Government Entity's Representative.** *The Local Government Entity's Borough Administrator or Public Works Director, or his/her respective designee, will act on behalf of the Local Government Entity with regard to a request for commodities from the County.*
32. **Payment of Invoices.** *The Local Government Entity will pay the County for commodities purchased under this Agreement within thirty (30) days of the County's invoice for those commodities. If the Local Government Entity disputes a County invoice, the Local Government Entity will pay the undisputed portion and attempt to resolve the remaining portion in accordance with paragraph 11 below.*
33. **Disputes.** *If there is a dispute concerning either party's performance under this Agreement, the parties will attempt to resolve the dispute amicably between them. If the parties cannot resolve the issue amicably, the parties will mediate the dispute before a third party mediator jointly agreed to by the parties. Each party will bear its own cost of participating in mediation and the parties will share the cost of the mediator equally. If the dispute is not resolved through mediation, either party may then pursue any available legal or equitable remedy to resolve the dispute.*
34. **Indemnification.** *Each party will indemnify the other party and hold the other party harmless for the negligent or intentional acts of the indemnifying party.*
35. **Authority to Execute Agreement.** *The execution of this Agreement has been duly authorized by the governing bodies of the County and the Local Government Entity.*
36. **Counterparts.** *This Agreement may be fully executed in any number of counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one agreement binding upon all parties, notwithstanding that all parties have not signed the same counterpart. Such executions may be transmitted to the parties electronically or by facsimile, and such electronic or facsimile execution shall have the same force and effect as an original signature.*
37. **Notices.** *Any notices that are provided pursuant to this Agreement shall be in writing (including facsimile and electronic transmissions) and mailed or transmitted or delivered as follows:*

To Monmouth County:

*County of Monmouth
Address: 1 East Main Street, Freehold, NJ 07728
Attn: Elizabeth Perez, Shared Services Coordinator
Email: Elizabeth.perez@co.monmouth.nj.us
Fax: (732) 845-2037*

To the Local Government Entity:

*Borough of Matawan
Address: 201 Broad Street, Matawan, NJ 07747
Attn: Karen Wynne, Borough Clerk
Email: karen.wynne@matawanborough.com
Fax: (732) 290-7585*

Or to such other address or individual as any party may from time to time notify the other.

**Borough of Matawan
Public Session
August 21, 2018**

IN WITNESS WHEREOF, the parties have executed this Agreement.

County:

Local Government Entity:

COUNTY OF MONMOUTH

BOROUGH OF MATAWAN

By: THOMAS A. ARNONE
Title: Freeholder Director
Date:

By: JOSEPH ALTOMONTE
Title: Mayor
Date:

ATTEST:

ATTEST:

MARION MASNICK
Clerk of the Board

KAREN WYNNE, RMC
Municipal Clerk

**EXHIBIT "A"
MONMOUTH COUNTY COMMODITY RESALE SYSTEM**

Commodities available:

- Gasoline
- Diesel fuel
- Snow removal chemicals
- Public works materials and supplies, including road and roadway construction materials
- Such other materials as may be approved by the Director of the Division of Local Government Services

Pricing:

It is the intent that the County will recoup its actual costs, but no profit. Therefore, the cost of the commodities shall be the actual cost paid by the County for the commodities plus a modest administrative fee, as quoted by the County.

Procedure:

If the Local Government Entity is interested in purchasing a commodity through the County's Commodity Resale System, the Local Government Entity will submit a completed Request Form to the County. If the County is able to honor the request, the County will approve the request and issue a price quotation. The Local Government Entity will then decide, at its option, whether or not to complete the requested purchase, at the price(s) quoted by the County.

Mayor Altomonte read by title Resolution 18-08-22: 2017 Road Improvement Program Contract 2 – Black Rock Enterprises, LLC – Authorizing Change Order No. 2. Mayor Altomonte requested a motion. Councilman Vergaretti made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Josi Salvatore
Councilwoman Stephanie Buckel
Councilman Brett Cannon
Councilwoman Deana Gunn
Councilman David Vergaretti

Motion passed.

**RESOLUTION 18-08-22
2017 ROAD IMPROVEMENT PROGRAM CONTRACT 2
BLACK ROCK ENTERPRISES, LLC
AUTHORIZING CHANGE ORDER NO. 2**

WHEREAS, T&M Associates has informed the Council that Item A26 is reduced to reflect current as-built quantity, in the 2017 Road Improvement Program Contract 2, for a total reduction this Change Order No. 2 of Twelve Thousand Four Hundred Dollars and No Cents (\$12,400.00); and

WHEREAS, T&M Associates has informed the Council that Items A25, A30 and S-3 are increased to reflect current as-built quantities, in the 2017 Road Improvement Program Contract 2, for a total increase this Change Order No. 2 of Twelve Thousand Four Hundred Dollars and No Cents (\$12,400.00); and

**Borough of Matawan
Public Session
August 21, 2018**

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan, based upon the recommendation of Robert Keady, T&M Associates, that they hereby authorize the attached contract modification proposal, Change Order No. 2, for the 2017 Road Improvement Program Contract 2, a Net Change This Change Order No. 2, in an amount of Zero Dollars and No Cents (\$0.00).*

***BE IT FURTHER RESOLVED** this amount reflects a total Net Change Increase in Contract of Seven Hundred Ninety Eight Dollars and Eighty Four Cents (\$798.84).*

***BE IT FURTHER RESOLVED** the Mayor of the Borough of Matawan is hereby authorized to execute the attached contract modification proposal and acceptance.*

***BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Construction, Finance, Public Works as well as T&M Associates and Black Rock Enterprises, LLC.*

Borough of Matawan
Public Session
August 21, 2018

T&M ASSOCIATES
CONSULTING & MUNICIPAL ENGINEERS
ELEVEN TINDALL ROAD
MIDDLETOWN, NEW JERSEY 07748

SHEET NO. 1 OF 2
PROJECT NO. MATN-04060

CHANGE ORDER NO. 2

DATE:

PROJECT:

OWNER:

CONTRACTOR:

DESCRIPTION OF CHANGE:

REDUCTIONS:


Item A26 is reduced to reflect current as-built quantity.

EXTRA:

Items A25, A30 and S-3 are increased to reflect current as-built quantities.

SUPPLEMENTARY:

APPROVAL RECOMMENDED:


ROBERT R. KEADY, JR., P.E., C.M.E.

ACCEPTED: 

CONTRACTOR:
Black Rock Enterprises, LLC

OWNER'S APPROVALS:

Mayor Joseph Altomonte
Borough of Matawan

NOTE: All work to be done
according to Contract
Specifications.

SEE ATTACHED DETAIL	ADDITIONAL	REDUCTION
A. TOTAL REDUCTIONS THIS C.O.	XXXXXXXXXX	\$12,400.00
B. TOTAL EXTRAS THIS C.O.	\$12,400.00	XXXXXXXXXX
C. TOTAL SUPPLEMENTARY THIS C.O.	\$0.00	XXXXXXXXXX
TOTALS THIS C.O.	\$12,400.00	\$12,400.00
NET CHANGE THIS CHANGE ORDER	\$0.00	\$0.00
PREVIOUS CHANGE ORDERS	\$30,430.48	\$29,631.64
TOTAL CHANGE ORDERS TO DATE	\$42,830.48	\$42,031.64
NET CHANGE IN CONTRACT	\$798.84	\$0.00

ORIGINAL CONTRACT BID PRICE	<input type="text" value="\$1,341,223.33"/>
CHANGE ORDERS TO DATE	<input type="text" value="\$798.84"/>
REVISED CONTRACT PRICE	<input type="text" value="\$1,342,022.17"/>

Borough of Matawan
Public Session
August 21, 2018

CHANGE ORDER NO. 2

SHEET NO. 2 OF 2
PROJECT NO. MATN-04060

PROJECT: 2017 Road Improvement Program - Contract 2

OWNER: Borough of Matawan

CONTRACTOR: Black Rock Enterprises, LLC

	ITEM NO.	DESCRIPTION	QUANTITY		UNIT PRICE	AMOUNT
REDUCTIONS	A26	24" Drain Basin with Solid Cover	4.00	UN	\$3,100.00	\$12,400.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
A. TOTAL REDUCTIONS						\$12,400.00
EXTRA	A25	18" Inline Drain with Solid Cover	4.00	UN	\$2,400.00	\$9,600.00
	A30	Reconstructed Inlet, Type 'B', Using New Casting	1.00	UN	\$1,750.00	\$1,750.00
	S-3	Police Traffic Directors (If & Where Dir)	10.10	HR	\$103.97	\$1,050.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
B. TOTAL EXTRA						\$12,400.00
SUPPLEMENTARY						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
C. TOTAL SUPPLEMENTARY						\$0.00

**Borough of Matawan
Public Session
August 21, 2018**

Councilman Cannon asked if the Borough was ready to submit the 2018 Road Program for approval. Mr. Ferrara informed the bond counsel processed it this week but the Borough has yet to receive. Councilman Cannon asked if the 2019 Road Program could have a bond prepared earlier on in 2019, noting that the 2018 Road Program was planned out in January 2018 and it took seven months to get the bond. He said that was unacceptable and thought the 2019 Road Program should move sooner.

Mayor Altomonte read by title Resolution 18-08-23: Authorizing a 2018 Stipend for Full-Time Revenue Collector/Assessing Clerk – Mary McMurray. Mayor Altomonte requested a motion. Councilman Vergaretti made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Josi Salvatore
Councilwoman Stephanie Buckel
Councilman Brett Cannon
Councilwoman Deana Gunn
Councilman David Vergaretti

Motion passed.

**RESOLUTION 18-08-23
AUTHORIZING A 2018 STIPEND FOR
FULL-TIME REVENUE COLLECTOR/ASSESSING CLERK
MARY MCMURRAY**

***WHEREAS**, Mary McMurray is the Full Time Revenue Collector/Assessing Clerk of the Borough of Matawan and has in the course of her duties in 2018 been engaged in additional services and administered duties beyond the scope of her usual revenue collector/assessing clerk responsibilities assuming the obligations in the temporary absence of the Part Time Water-Sewer Clerk; and*

***WHEREAS**, the Chief Financial Officer has confirmed the availability of funds in the Salaries and Wages budget for the 2018 stipend.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that Mary McMurray, Revenue Collector/Assessing Clerk, shall be given a stipend of \$2,000.00 for calendar year 2018, subject to the Certification as to Available Funding by the Chief Financial Officer.*

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

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 8-09-55-500-100 Budget of the Borough of Matawan to Mary McMurray in an amount not to exceed Two Thousand Dollars and No Cents (\$2,000.00).

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

Chief Financial Officer

(Signature on file)

Monica Antista, CMFO

Dated: August 21, 2018

Mayor Altomonte read by title Resolution 18-08-24: Authorizing the Chief Financial Officer to Conduct Financial Matters between Meetings during August and September 2018. Mayor Altomonte requested a motion. Councilman Vergaretti made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Josi Salvatore
Councilwoman Stephanie Buckel
Councilman Brett Cannon

**Borough of Matawan
Public Session
August 21, 2018**

Councilwoman Deana Gunn
Councilman David Vergaretti

Motion passed.

**RESOLUTION 18-08-24
AUTHORIZING THE CHIEF FINANCIAL OFFICER
TO CONDUCT FINANCIAL MATTERS BETWEEN MEETINGS DURING
AUGUST AND SEPTEMBER 2018**

***WHEREAS**, the Mayor and Council will be holding one meeting for the calendar month of September 2018; and*

***WHEREAS**, bills will need to be authorized for payment prior to the next regular business meeting of the Borough Council; and*

***WHEREAS**, outstanding bills may only be paid with funds that have already been budgeted for and encumbered by purchase orders.*

***NOW, THEREFORE, BE IT RESOLVED** the Council of the Borough of Matawan hereby authorizes and directs the Borough's Chief Financial Officer to pay bills budgeted for an encumbered between meetings in August and September of 2018.*

***BE IT FURTHER RESOLVED** the Mayor and Council shall be provided with its regular report relating to any bills authorized for payment during this period by the Chief Financial officer.*

***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 Ordinance 18-14: Borough of Matawan, County of Monmouth, State of New Jersey Amending and Supplementing Chapter 2-14 of the Code of the Borough of Matawan Entitled "Police Department". Mayor Altomonte requested a motion to introduce. Councilwoman Salvatore made the motion, seconded by Councilman Vergaretti. Councilwoman Gunn asked for clarification of the ordinance, asking for specification in the change of the code. She asked if Police Commission will remain in existence. Mr. Menna replied, it will not. Councilwoman Gunn informed she did not have an opportunity to read the Ordinance as it was the first time she was seeing it. Mr. Menna explained the Police Commission, which was a four-person body that has not been operating in around nine years, will be eliminated. The Police Committee, consisting of the Council members, is remaining. The Committee will consist of the Council members, along with the Borough Administrator and the Chief of Police, and it will be an administrative body. Councilman Cannon agreed with Councilwoman Gunn, and shared his frustration stating there was no discussion about the Ordinance. He noted Councilwoman Gunn is on the Police Commission and this is the first time she has viewed the Ordinance. Councilwoman Gunn asked Councilwoman Salvatore if she had a chance to read the Ordinance. Councilwoman Salvatore said she has not read it. Mr. Menna suggested the Ordinance be tabled stating he was under the impression the Police Committee had discussed it. Mayor Altomonte agreed to table it and requested a motion to table. Councilwoman Salvatore made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Josi Salvatore
Councilwoman Stephanie Buckel
Councilman Brett Cannon
Councilwoman Deana Gunn

No: Councilman David Vergaretti

Motion passed.

Mayor Altomonte read by title Ordinance 18-15: Bond Ordinance of the Borough of Matawan Appropriating \$500,000 to Supplement Bond Ordinance No. 13-19 Adopted On October 15, 2013 and Authorizing the Issuance of \$476,000 Bonds or Notes of the Borough to Finance Part of the Appropriation. Mayor Altomonte requested a motion to introduce. Councilwoman Salvatore made

**Borough of Matawan
Public Session
August 21, 2018**

the motion, seconded by Councilwoman Gunn. Mr. Menna explained this is a bond refinancing ordinance and was provided by bond counsel. New bonds are not being issued. Council agreed. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Josi Salvatore
Councilwoman Stephanie Buckel
Councilman Brett Cannon
Councilwoman Deana Gunn
Councilman David Vergaretti

Motion passed.

ORDINANCE 18-15

BOND ORDINANCE OF THE BOROUGH OF MATAWAN APPROPRIATING \$500,000 TO SUPPLEMENT BOND ORDINANCE NO. 13-19 ADOPTED ON OCTOBER 15, 2013 AND AUTHORIZING THE ISSUANCE OF \$476,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE APPROPRIATION

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MATAWAN (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The Bond Ordinance of the Borough of Matawan, a municipal corporation of the State of New Jersey (the "Borough") entitled "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" finally adopted on September 19, 2001, as amended by Bond Ordinance No. 02-15 finally adopted on July 16, 2002, as amended by Bond Ordinance No. 06-18 finally adopted on September 5, 2006, and as amended by Bond Ordinance No. 13-19 finally adopted on September 15, 2013 (collectively, the "Prior Ordinance") is hereby incorporated by reference in its entirety.

Section 1. The Prior Bond Ordinance is hereby supplemented as set forth within this bond ordinance. The improvement or purpose provided for in the Prior Bond Ordinance and this bond ordinance has been authorized to be undertaken by the Borough as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the additional amount of \$500,000 (in addition to the \$1,800,000 appropriated in the Prior Bond Ordinance), including the sum of \$24,000 as the additional down payment required by the Local Bond Law. The down payment is now available by virtue of the provision for a down payment for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by the application of the additional down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$476,000 (in addition to the \$1,710,000 authorized in the Prior Bond Ordinance) pursuant to the Local Bond Law. In anticipation of the issuance of bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement or purpose hereby authorized for which bonds are to be issued is capital improvements for the Borough Municipal Community Center, including all work and materials necessary therefor and incidental thereto. This improvement or purpose supplements the improvement or purpose authorized in the Prior Bond Ordinance.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose authorized in this bond ordinance and \$2,186,000, which is the aggregate amount of \$476,000 authorized in this bond ordinance and \$1,710,000 authorized the Prior Bond Ordinance.

(c) The estimated cost of the improvement or purpose authorized in this bond ordinance and in the Prior Bond Ordinance is \$2,300,000, which is the aggregate amount of \$500,000 appropriated in this bond ordinance and \$1,800,000 appropriated in the Prior Bond Ordinance.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by 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 Chief Financial Officer's signature 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 N.J.S.A. 40A:2-8.1. 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

**Borough of Matawan
Public Session
August 21, 2018**

delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body 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 names of the purchaser.

Section 5. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, 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 improvement or purpose described in Section 3 of this bond ordinance, computed on the basis of the amount of obligations authorized for the improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 15 years.

(c) An aggregate amount not exceeding \$25,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost of the improvement or purpose set forth in Section 3 of this bond ordinance.

(d) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and submitted to the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough is increased by \$476,000 (the amount of the authorization of the obligations provided for in this bond ordinance). The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

Section 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the 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 real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. 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 18-16: Bond Ordinance Providing for 2018 Road Program and Water/Sewer Utility Sanitary Sewer Rehabilitation Program Improvements by the Borough of Matawan, Appropriating \$3,250,000 Therefor, Including a Grant in the Amount of \$350,000 Expected to be Received from the State Department of Transportation, and Authorizing the Issuance of \$2,778,500 Bonds or Notes of the Borough to Finance Part of the Cost Thereof. Mayor Altomonte requested a motion to introduce. Councilman Gunn made the motion, seconded by Councilwoman Salvatore. Council agreed. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Josi Salvatore
Councilwoman Stephanie Buckel
Councilman Brett Cannon
Councilwoman Deana Gunn
Councilman David Vergaretti

Motion passed.

ORDINANCE 18-16

BOND ORDINANCE PROVIDING FOR 2018 ROAD PROGRAM AND WATER/SEWER UTILITY SANITARY SEWER REHABILITATION PROGRAM IMPROVEMENTS BY THE BOROUGH OF MATAWAN, APPROPRIATING \$3,250,000 THEREFOR, INCLUDING A GRANT IN THE AMOUNT OF \$350,000 EXPECTED TO BE RECEIVED FROM THE STATE DEPARTMENT OF TRANSPORTATION, AND AUTHORIZING THE ISSUANCE OF \$2,778,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MATAWAN (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Matawan, a municipal corporation of the State of New Jersey (the

**Borough of Matawan
Public Session
August 21, 2018**

“Borough”) as a general improvement. For the improvement or purpose described in Section 3 of this bond ordinance, there is hereby appropriated the sum of \$3,250,000, including a grant in the amount of \$350,000 expected to be received from the State of New Jersey Department of Transportation, and including the sum of \$121,500 as the down payment for the improvement or purpose required by the Local Bond Law. The down payment is now available by virtue of the provision for a down payment for capital improvement purposes in one or more previously adopted budgets. Note: No down payment is required for the purposes set forth in Section 3(b) below, as said purposes are deemed self-liquidating and the obligations authorized in connection with said purposes are deductible from the gross debt of the Borough, as more fully explained in Section 6 of this Ordinance.

Section 2. In order to finance the cost of the improvement or purpose not covered by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,778,500 pursuant to the Local Bond Law. In anticipation of the issuance of bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The improvements or purposes hereby authorized for which bonds or notes are to be issued, the estimated cost of each improvement or purpose and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement or purpose, and the period of usefulness of each improvement or purpose are as follows:

(a) Capital improvements for various roads throughout the Borough as part of the Borough’s 2018 Road Maintenance Program, including: the design and construction of an underdrain and sump pump tie-in along Oak Road; striping of various roads throughout the Borough; road reconstruction and water main replacement along Harding Boulevard from Liberty Street to the NW Terminus; road reconstruction work along Washington Avenue from Roberts Street to Union Avenue; road improvements for Vermont Court from Route 79 to its Terminus; road improvements for Edgemere Drive from Lakeland Avenue to Schenk Drive; road improvements for Villanova Place from Victoria Drive to the northern cul-de-sac; Broad Street Water Main Replacements (Phase 1) from Route 34 to Church Street; crack sealing for various Borough roads; and all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$2,900,000 (including a grant in the amount of \$350,000 expected to be received from the State Department of Transportation)	\$2,428,500	20 years

(b) Capital improvements pursuant to the Borough’s 2018 Sanitary Sewer Rehabilitation Program, including the design, repair and rehabilitation of various sanitary sewers throughout the Borough, including, but not limited to, Ravine Drive from Grant Street to Wyckoff Street; Siphon between Beachwood Terrace and Ravine Drive; Abandoned Treatment Plant/Matawan Pump Station to Union Street; Harding Boulevard from Liberty Street to NW Terminus; Washington Street (near Main Street); and all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$350,000	\$350,000	40 years
<u>TOTAL APPROPRIATION</u>	<u>TOTAL BOND AUTHORIZATION</u>	<u>AVERAGE PERIOD OF USEFULNESS</u>
\$3,250,000	\$2,778,500	22.52 years

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation 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 the bond anticipation notes issued pursuant to this bond ordinance, and the Chief Financial Officer’s signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell a part, or all, of the bond anticipation 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, if any, from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale of bond anticipation notes issued pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation 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 bond ordinance to the extent of any inconsistency herewith.

**Borough of Matawan
Public Session
August 21, 2018**

Section 6. The following additional matters are hereby determined, declared, recited and stated:

- (a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby. The improvement or purpose described in Section 3(b) of this bond ordinance is not a current expense. It is an improvement or purposes that the Borough may lawfully undertake as a self-liquidating purpose of a municipal public utility and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.
- (b) The period of usefulness of the improvement or purpose described in Section 3 of this bond ordinance, computed on the basis of the amount of obligations authorized for the improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 22.52 years.
- (c) An aggregate amount not exceeding \$600,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost of the improvement or purpose set forth in Section 3 of this bond ordinance.
- (d) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and submitted to the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough is increased by \$2,778,500 (the amount of the authorization of the obligations provided for in this bond ordinance), but that the net debt of the Borough determined as provided in the Local Bond Law is only increased by \$2,428,500 as \$350,000 of the obligations authorized herein are deemed self-liquidating and thus are deductible from the gross debt of the Borough. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.
- (e) Section 3(b) of this Bond Ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized in said Section 3(b) ree to be issued for a purposes that is deemed 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. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the 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 real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. 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 Resolution 18-08-25: Payment of Bills. Mayor Altomonte requested a motion. Councilwoman Salvatore made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a roll call. A roll call vote was taken.

- Yes: Councilwoman Josi Salvatore
 Councilwoman Stephanie Buckel
 Councilman Brett Cannon
 Councilwoman Deana Gunn
 Councilman David Vergaretti

Motion passed.

**RESOLUTION 18-08-25
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	\$215,238.40
Water & Sewer	\$59,116.23
Borough Capital	\$47,357.04
Water Capital	\$264,925.24
Grant	\$2,587.32
Borough Trust	\$38,776.17
Developers Escrow Account	\$1,765.00
Dog Tax Trust	\$2.40

**Borough of Matawan
Public Session
August 21, 2018**

<i>Railroad Parking Trust</i>	<i>\$120.00</i>
<i>Recreation Trust</i>	<i>\$11,730.78</i>
<i>Total</i>	<i>\$641,618.58</i>

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

Privilege of the Floor

Mayor Altomonte opened the Privilege of the Floor.

Chris Lambros, Matawan Borough Fire Department. Mr. Lambros invited the Mayor and Council, and the public, to the 17th annual commemoration of the anniversary of ‘911’, to be held at the ‘911 Memorial’ in Memorial Park at 6:00 PM on September 11, 2018.

Mayor Altomonte requested a motion to close the Privilege of the Floor. Councilwoman Salvatore made the motion, seconded by Councilwoman Buckel. Council agreed. Motion passed.

Adjourn

Mayor Altomonte requested a motion to adjourn. Councilwoman Gunn made the motion, seconded by Councilwoman Salvatore. Council agreed. Motion passed.

The meeting adjourned at 7:20 PM.

(Signature on File)

Robin Klinger
Deputy Clerk