

**Borough of Matawan
Public Session
February 19, 2019**

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 February 19, 2019, 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 Asbury Park Press on January 8, 2019, by sending notice to The Independent, 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 7:03 PM, requesting a roll call.

On roll call the following members responded present:

Yes: Councilman Nicolas Reeve
Councilwoman Josi Salvatore
Councilwoman Stephanie Buckel
Councilman Brett Cannon – 7:05 PM Arrival
Councilwoman Deana Gunn
Councilman David Vergaretti

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

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

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

Mayor Altomonte announced Resolution 19-02-48 will be held pending receipt of funding.

Recreation Commission Presentation of Awards to Turkey Trot Vendors

Daria Dieterle, Recreation Director, offered a brief background on the annual 5K event and explained that the net proceeds from the race are allocated back into the community towards future projects that the Recreation Commission provides, such as helping to beautify Matawan with new benches, banners, decorative bows for the light posts along Main Street plus landscaping, and the installation of a handicap picnic table at Terhune Park. She thanked the vendors, expressing the Borough's appreciation for all their support; she introduced Councilwoman Salvatore to assist in the presentation of the plaques to the sponsors who offered generous contributions to help sponsor the 2018 Turkey Trot: BC Hankook Tire, Calta Tax Financial, Interglobal Construction, Najarian Associates, Ross Maghan Insurance, Serpico Pyrotechnics, Solterra Recycling Solutions, T&M Associates, The Menna Law Firm and Town Tire Service.

Discussion Item – 2019 Parade Routes

Mayor Altomonte related two large parades scheduled: The annual Memorial Day Parade on May 26, and the 150th Anniversary of the Washington Engine Firehouse on June 22. Both parades are scheduled to begin at St. Clements Church and end at Memorial Park, disrupting traffic along Main Street (Route 79) and Route 34. The concern with the parades is that disruption within a short timeframe. It is Police Chief Falco's contention the disruption should be minor. Mayor Altomonte opened the floor for public comment. There were no comments. Councilman Cannon included the March 15 Washington Engine Fire Co. Annual Shortest St. Patrick's Day Parade on Jackson Street.

Privilege of the Floor – Agenda Items Only

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

There were no comments.

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Mayor Altomonte requested a motion to close the Privilege of the Floor for Agenda Items Only. Councilwoman Gunn made the motion, seconded by Councilman Cannon. Council agreed. Motion passed.

Public Hearing for the Person-to-Person Transfer of Plenary Retail Consumption License from Yios GRK, Inc. to Ginkaku, LLC

Mayor Altomonte read by title Resolution 19-02-28: Person-to-Person Transfer of Plenary Retail Consumption License from Yios GRK, Inc. to Ginkaku, LLC – #1329-33-001-010. Mayor Altomonte requested a motion to open the Public Hearing. Councilwoman Gunn made the motion, seconded by Councilman Cannon. Mayor Altomonte requested a voice vote. Council agreed. Motion passed. Mayor Altomonte requested comments. There were no comments. Mayor Altomonte requested a motion to close the Public Hearing. Councilwoman Gunn made the motion, seconded by Councilman Cannon. Mayor Altomonte requested a voice vote. Council agreed. Motion passed. Mayor Altomonte requested a motion to adopt Resolution 19-02-28: Person-to-Person Transfer of Plenary Retail Consumption License from Yios GRK, Inc. to Ginkaku, LLC – #1329-33-001-010. Councilwoman Gunn made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 19-02-28
PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE FROM
YIOS GRK, LLC TO GINKAKU, LLC
#1329-33-001-010**

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1329-33-001-010, heretofore issued to Yios GRK, LLC, LLC, trade name The Black Fig, for premises located at 787 Route 34, Matawan, New Jersey 07747; and

WHEREAS, Ginkaku, LLC submitted application form is deemed complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business.

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan does hereby approve, effective February 19, 2019, the Person-to-Person Transfer of the aforesaid Plenary Retail Consumption License held by Yios GRK, LLC, trade name The Black Fig, to Ginkaku, LLC, 787 Route 34, Matawan, New Jersey 07747, and does hereby direct the Borough Clerk/ABC Board Secretary to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Ginkaku, LLC, effective February 19, 2019."

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Finance, Police as well as Ginkaku, LLC, Yios GRK, LLC, Zhou Wang, Esq., Andrew I. Radmin, Esq. of Carkhuff & Radmin, PC as well as the NJS Division of Alcohol Beverage Control.

Approval of Minutes

Mayor Altomonte requested a motion to approve the minutes of the February 5, 2019 Council Meeting. Councilman Reeve made a motion, seconded by Councilwoman Buckel. Council agreed. Motion passed.

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Clerk's Report

The Clerk's Office issued the following new business licenses for the end of January and month of February 2019:

- Pride of the Sea Restaurant
- NY/NJ Baykeeper AKA Raritan Baykeeper
- Justin's Barbershop

The installation of the MMCC Main Meeting Room Audio Recording System began last Monday, completed Friday, and in use this evening.

Mayor's Report

The Mayor reported a February 15 meeting between the Borough and the County on the dam, with negotiations ongoing.

Administrator's Report

Mr. Ferrara stated his report has been electronically transmitted.

Attorney's Report

No report.

Engineer's Report

No report.

Finance, Historic Sites

Councilman Reeve requested that the Treasurer's Report for the month of December 2018 be entered into the record.

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

CURRENT ACCOUNT	INVESTORS	\$6,131,620.12	\$6,131,620.12
TAX COLLECTOR TRUST FUND	INVESTORS	\$0.00	\$0.00
WATER & SEWER ACCOUNT	INVESTORS	\$1,608,434.41	\$1,608,434.41
WATER & SEWER-Certificate of Deposit	INVESTORS	\$501,627.13	\$501,627.13
BOROUGH CAPITAL ACCOUNT	INVESTORS	\$486,621.26	\$486,621.26
UTILITY CAPITAL ACCOUNT	INVESTORS	\$778,678.92	\$778,678.92
BOROUGH TRUST ACCOUNT	INVESTORS	\$1,351,992.08	\$1,351,992.08

BORO TRUST SUMMARY-INVESTORS BANK AS OF: DECEMBER 30, 2018		CASH BALANCES
FIRE SAFETY		\$24,792.98
FIRE PREVENTION/DEDICATED PENALTY		\$4,097.26
ESCROW		\$119,262.54
TAX REDEMPTIONS		\$47,608.15
POAA		\$0.00
DONATION		\$2,742.49
PREMIUMS		\$1,098,875.00
OFF DUTY POLICE		\$35,008.24
K-9 FUND		\$9,546.25
RECYCLING TRUST		\$1,886.01
PUBLIC DEFENDER		\$8,173.16
TOTAL		\$1,351,992.08

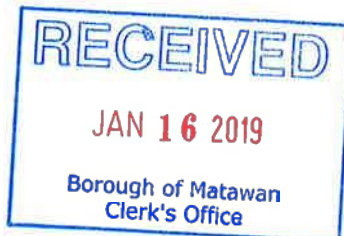
DOG TAX TRUST ACCOUNT	INVESTORS	\$579.80	\$579.80
UNEMPLOYMENT INSURANCE ACCOUNT	INVESTORS	\$31,036.99	\$31,036.99
RECREATION SPECIAL ACCOUNT	INVESTORS	\$37,624.39	\$37,624.39

RECREATION TRUST SUMMARY-INVESTORS BANK AS OF: DECEMBER 30, 2018		CASH BALANCES
TURKEY TROT		\$17,671.29
SUMMER RECREATION		-\$455.57
SUMMER RECREATION TRIPS		\$11,907.96
MATAWAN DAY		-\$69.50
BASKETBALL TOURNAMENT		\$0.00
CANOE RENTALS		\$3,026.65
MEN'S OVER 30 B'BALL		\$85.00
NNO VENDER		\$976.00
YOGA/KICKBOXING		\$1,784.05
DOG'S NIGHT OUT		\$0.00
FIREWORKS DONATIONS		-\$1,725.00
CAPITAL IMPROVEMENTS		\$4,423.51
TOTAL		\$37,624.39

DEVELOPERS ESCROW ACCT	INVESTORS	\$177,571.41	\$177,571.41
LAW ENFORCEMENT ACCOUNT	INVESTORS	\$7,505.82	\$7,505.82
RAILROAD PARKING LOT TRUST	INVESTORS	\$342,434.17	\$342,434.17

TOTAL

RESPECTFULLY,
Monica Antista
TREASURER



\$11,455,726.50 \$11,455,726.50

1/16/2019

Approved by Council at
its February 19, 2019 Mtg
[Signature]

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Police, ADA, Recreation

No report.

DPW, Property Maintenance, Recyling & Sanitation

Councilwoman Buckel reported two minor weather events with high winds scattered recycling which the DPW helped to recover throughout the Borough. The DPW has been the painting the MMCC side lobby entranceway, miscellaneous aesthetic upgrades, installing new shades and blinds at 150 Main Street. They will assist in the upcoming expansion of the Police and Fire Department MMCC gym as well as the installation of the interior molding for the windows at 150 Main Street.

Fire, Personnel

Councilman Cannon reported he and Mayor Altomonte have worked diligently with regard to upgrading the fire trucks for the Borough of Matawan, as the trucks currently in use are from 1992 or older. He stated that they have met with vendors and they hope to come to Council with the proposals within the next few month. He noted that in 2019, he hoped to come to Council shortly with a proposal for a new position at the Borough, specifically looking for someone to spearhead the Borough’s websites and social media, along with anything that involves technology and communication.

Economic Business Development, Environmental, Main Street Development, Planning/Zoning,

Councilwoman Gunn reported on the successful first meeting of the Economic Business Development Commission with some ideas presented to support local businesses within the Borough, such as ‘Small Business Saturday’ (the Saturday after Thanksgiving). As this is the same day as the Turkey Trot, she looks to work with Recreation Department in encouraging people to run and then shop in Matawan.

Animal Welfare, Construction, Shade Tree

Councilman Vergaretti provided Construction Report for January 2019:

Description	Current Month	Year-to-Date
Permit Income/Certificate	\$10,927.00	\$ 10,927.00
Business CCOs/Misc Fees	\$395.00	\$ 395.00
State Permit Surcharge Fees	\$438.00	\$ 438.00
Penalties	0	\$ 0
TOTAL	\$11,760.00	\$ 11,760.00
Paid to Matawan General Fund	\$11,760.00	\$ 11,760.00
Paid to State Quarterly Payment	0	0
Value of Construction Work	\$ 280,297.00	\$ 280,297.00
Permits Issued	40	40

Arbor Day is April 26 with the Borough’s celebration scheduled for April 27. A tree will be planted on the grounds of the MMCC building. 200 seedling trees will be handed out to the event attendees with a posting contest from March 1 to April 1 with the theme, ‘Trees are Worth It’. Borough children grades K-3, are eligible to enter. A flyer will be distributed to the schools, explaining the theme, the rules and regulations. The submissions will be displayed at the Borough and winners will be chosen prior to the Arbor Day event. Councilman Vergaretti related his and Councilwoman Gunn attendance a workshop for municipal officials encompassing cyber security, election basics, and information on the various grants available to the municipalities.

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Consent Agenda

Mayor Altomonte read by title Resolutions 19-02-29 through and including 19-02-45, requesting a motion to approve en masse. Councilwoman Salvatore made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 19-02-29
REDEMPTION OF TAX SALE CERTIFICATE
FIG CAPITAL INV NJ13, LLC - CERTIFICATE #16-00055**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #16-00055 was sold to FIG Capital Inv NJ13, LLC, MTAG Cust for FIG Capital Inv, NJ13, 1000 Riverside Ave., Ste 400, Jacksonville, FL 32204; and

WHEREAS, the Certificate has been paid and fully redeemed for the property owner, Block 69, Lot 3.0416, otherwise known as 500 Cliffwood Ave. #D-16.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$5,460.33, and a Premium of \$300.00, for the redemption of Tax Sale Certificate #16-00055.

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

**RESOLUTION 19-02-30
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR PC7 FIRST TRUST - CERTIFICATE #17-00058**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #17-00058 was sold to US Bank Cust for PC7 First Trust, 50 S. 16th St., Suite 2050, Philadelphia, PA 19102; and

WHEREAS, the Certificate has been paid and fully redeemed for the property owner, Block 65.03, Lot 9, otherwise known as 5 Colonial Dr.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$18,686.94, and a Premium of \$17,000.00, for the redemption of Tax Sale Certificate #17-00058.

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

**RESOLUTION 19-02-31
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR PC7 FIRST TRUST - CERTIFICATE #18-00009**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #18-00009 was sold to US Bank Cust for PC7 First Trust, 50 S. 16th St., Suite 2050, Philadelphia, PA 19102; and

WHEREAS, the Certificate has been paid and fully redeemed for the property owner, Block 13, Lot 2, otherwise known as 29 Johnson Ave.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$980.69 for the redemption of Tax Sale Certificate #18-00009.

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

**RESOLUTION 19-02-32
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR PC7 FIRST TRUST - CERTIFICATE #18-00016**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #18-00016 was sold to US Bank Cust for PC7 First Trust, 50 S. 16th St., Suite 2050, Philadelphia, PA 19102; and

WHEREAS, the Certificate has been paid and fully redeemed for the property owner, Block 31, Lot 8, otherwise known as 27 Orchard St.

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NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,077.67, and a Premium of \$100.00, for the redemption of Tax Sale Certificate #18-00016.

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

**RESOLUTION 19-02-33
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR PC7 FIRST TRUST - CERTIFICATE #18-00024**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #18-00024 was sold to US Bank Cust for PC7 First Trust, 50 S. 16th St., Suite 2050, Philadelphia, PA 19102; and

WHEREAS, the Certificate has been paid and fully redeemed for the property owner, Block 41, Lot 2, otherwise known as 256 Main St.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,266.11 for the redemption of Tax Sale Certificate #18-00024.

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

**RESOLUTION 19-02-34
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR PC7 FIRST TRUST - CERTIFICATE #18-00029**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #18-00029 was sold to US Bank Cust for PC7 First Trust, 50 S. 16th St., Suite 2050, Philadelphia, PA 19102; and

WHEREAS, the Certificate has been paid and fully redeemed for the property owner, Block 47.02, Lot 3, otherwise known as 6 Kourtney Lane.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,536.03, and a Premium of \$100.00, for the redemption of Tax Sale Certificate #18-00029.

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

**RESOLUTION 19-02-35
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR PC7 FIRST TRUST - CERTIFICATE #18-00030**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #18-00030 was sold to US Bank Cust for PC7 First Trust, 50 S. 16th St., Suite 2050, Philadelphia, PA 19102; and

WHEREAS, the Certificate has been paid and fully redeemed for the property owner, Block 49, Lot 14, otherwise known as 315 Main St.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,448.90, and a Premium of \$100.00, for the redemption of Tax Sale Certificate #18-00030.

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

**RESOLUTION 19-02-36
REDEMPTION OF TAX SALE CERTIFICATE
ACTF II NEW JERSEY, LLC CERTIFICATE #18-00043**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #18-00043 was sold to ACTF II New Jersey, LLC, Tax Service Cust., PO Box 54972, New Orleans, LA 70154; and

WHEREAS, the Certificate has been paid and fully redeemed for the property owner, Block 69, Lot 3.0416 otherwise known as 500 Cliffwood Ave. #D-16.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby

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authorize payment in the amount of \$760.77, and a Premium of \$1,100.00, for the redemption of Tax Sale Certificate #18-00043.

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

**RESOLUTION 19-02-37
REDEMPTION OF TAX SALE CERTIFICATE
DSHC ENTERPRISES, LLC - CERTIFICATE #18-00045**

***WHEREAS**, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #18-00045 was sold to DSHC Enterprises, LLC, PO Box 524, Plainsboro, NJ 08536; and*

***WHEREAS**, the Certificate has been paid and fully redeemed for the property owner, Block 70, Lot 8.05, otherwise known as 61 Middlesex Rd.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$457.05, and a Premium of \$1,100.00, to the above for the redemption of Tax Sale Certificate #18-00045.*

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

**RESOLUTION 19-02-38
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR PC7 FIRST TRUST - CERTIFICATE #18-00051**

***WHEREAS**, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #18-00051 was sold to US Bank Cust for PC7 First Trust, 50 S. 16th St., Suite 2050, Philadelphia, PA 19102; and*

***WHEREAS**, the Certificate has been paid and fully redeemed for the property owner, Block 90, Lot 1, otherwise known as 7 Oakland St.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,197.78, and a Premium of \$100.00, for the redemption of Tax Sale Certificate #18-00051.*

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

**RESOLUTION 19-02-39
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR PC7 FIRST TRUST - CERTIFICATE #18-00059**

***WHEREAS**, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #18-00059 was sold to US Bank Cust for PC7 First Trust, 50 S. 16th St., Suite 2050, Philadelphia, PA 19102; and*

***WHEREAS**, the Certificate has been paid and fully redeemed for the property owner, Block 113, Lot 8, otherwise known as 12 Elm Pl.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$916.71, and a Premium of \$100.00, for the redemption of Tax Sale Certificate #18-00059.*

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

**RESOLUTION 19-02-40
PREMIUM ESCHEAT DUE TO FORECLOSURE
BEECH INVESTMENTS LLC - CERTIFICATE #15-00014**

***WHEREAS**, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #15-00014 was assigned to Beech Investments LLC; and*

***WHEREAS**, Certificate #15-00014, sold on December 16, 2015, for Block 12 Lot 5 otherwise known as 80 Atlantic Ave; and*

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WHEREAS, in accordance with NJSA 54:5-33: Any premium payments shall be held by the collector and returned to the purchaser of the fee if and when redemption is made. If redemption is not made within five years from date of sale or the lien is foreclosed on, the premium payment shall be turned over to the treasurer of the municipality and become part of the funds of the municipality.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize the Chief Financial Officer to accept the premium in the amount of \$7,800 for the above premium of Tax Sale Certificate #15-00014.

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

**RESOLUTION 19-02-41
APPROVAL OF TAXI DRIVER LICENSE RENEWAL
KEITH D. CHANDLER**

WHEREAS, Keith D. Chandler, has passed the required Police Department background checks; and

WHEREAS, Keith D. Chandler, has filed the proper documentation with the Borough Clerk's office.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the following new taxi driver license: Applicant: Keith D. Chandler

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

**RESOLUTION 19-02-42
APPROVAL OF TAXI DRIVER LICENSE RENEWAL
ROSAURA MARQUEZ**

WHEREAS, Rosaura Marquez, has passed the required Police Department background checks; and

WHEREAS, Rosaura Marquez, has filed the proper documentation with the Borough Clerk's office.

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

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

**RESOLUTION 19-02-43
APPROVAL OF NEW TAXI DRIVER LICENSE
GABRIELA GARCIA-HABANA**

WHEREAS, Gabriela Garcia-Habana, has passed the required Police Department background checks; and

WHEREAS, Gabriela Garcia-Habana, has filed the proper documentation with the Borough Clerk's office.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the following new taxi driver license: Applicant: Gabriela Garcia-Habana

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

**RESOLUTION 19-02-44
RELEASE OF ESCROW FUNDS
MICHAEL AND CINTHIA KANE
212 WASHINGTON AVENUE – BLOCK 74, LOT 5.01**

WHEREAS, Michael and Cinthia Kane posted escrow in association with an application for an in-ground swimming pool located at Block 74, Lot 5.01, otherwise known as 212 Washington Avenue, Matawan, New Jersey; and

WHEREAS, the Borough Engineer and Borough of Matawan Construction Office have certified any and all outstanding issues and billing have been satisfied, and have recommended the release of all remaining escrow.

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan hereby approves the release of all remaining escrow in the account to Michael and Cinthia Kane for 212 Washington Avenue – Block 74, Lot 5.01 – Matawan, New Jersey.

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***BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Construction, Finance, as well as the Borough Engineer and Michael and Cinthia Kane.*

**RESOLUTION 19-02-45
RESOLUTION IN SUPPORT OF THE
CURRENT LEVEL OF STATEWIDE LIBRARY DELIVERY SERVICES**

***WHEREAS**, the Borough of Matawan recognizes that public libraries are essential to the functioning of a democratic society and provide a crucial benefit to the residents of the State of New Jersey by providing a place where all are welcome to engage in the pursuit of life-long learning; and*

***WHEREAS**, the Borough of Matawan recognizes the value and cost savings of libraries forming partnerships to share resources and increase the availability of materials to library patrons; and*

***WHEREAS**, the physical delivery of library materials is an essential cornerstone of facilitating these shared services; and*

***WHEREAS**, the New Jersey State Library is obligated to provide and/or oversee delivery services to and between public libraries; and*

***WHEREAS**, the New Jersey State Library and its subsidiaries have been providing full delivery services, comprised of multi-day, direct, on-site delivery to multi-type libraries in New Jersey for over 25 years; and*

***WHEREAS**, the delivery service provided to public libraries by the New Jersey State Library and its subsidiaries is one of the only services it provides to public libraries that cannot be replicated without inequitably and wastefully shifting costs onto the Borough of Matawan; and*

***WHEREAS**, the potential elimination or reduction in delivery service to public libraries would cripple the cost-effective shared services operations of the Borough of Matawan; and*

***WHEREAS**, it is imperative that the New Jersey State Library and its subsidiaries budget accordingly to directly provide to public libraries delivery service indefinitely at the level that New Jersey residents have become accustomed to starting no later than July 1, 2019.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that a failure by the New Jersey State Library to continue funding and providing delivery service to public libraries and their respective residents at the present levels would eliminate New Jersey residents' ability to secure items from different libraries and would be a gross disservice to the residents of the Borough of Matawan, as well as an onerous expense for the public library that serves them.*

New Business

Mayor Altomonte read by title Resolution 19-02-46: Authorizing the Borough Administrator to Solicit Bids for Borough of Matawan Energy Savings Improvement Program Project – CHP, HVAC Upgrades and New Energy Management System. Mayor Altomonte requested a motion. Councilwoman Gunn made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 19-02-46
AUTHORIZING THE BOROUGH ADMINISTRATOR TO SOLICIT BIDS FOR BOROUGH OF MATAWAN
ENERGY SAVINGS IMPROVEMENT PROGRAM PROJECT
CHP, HVAC UPGRADES AND NEW ENERGY MANAGEMENT SYSTEM**

***WHEREAS**, the Borough Administrator has determined the need to solicit bids for the Borough of Matawan Energy Savings Improvement Program HVAC Upgrades and New Energy Management System including a new hot water*

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heating distribution system, new hot water unit ventilators, and a new energy management system through the entire complex.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Matawan accepts the recommendation of, and authorizes the Borough Administrator to solicit the receipt of bids for the Energy Savings Improvement Program Project.

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

Mayor Altomonte read by title Resolution 19-02-47: Authorizing T&M Associates to Provide Professional Services for Biennial Contract for Electrical Maintenance and Repair Service 2019-2020. 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: Councilman Nicolas Reeve
Councilwoman Josi Salvatore
Councilwoman Stephanie Buckel
Councilman Brett Cannon
Councilwoman Deana Gunn
Councilman David Vergaretti

Motion passed.

RESOLUTION 19-02-47

**AUTHORIZING T&M ASSOCIATES TO PROVIDE PROFESSIONAL SERVICES FOR BIENNIAL CONTRACT
FOR ELECTRICAL MAINTENANCE AND REPAIR SERVICE
2019 - 2020**

WHEREAS, the Mayor and Council of the Borough of Matawan received an estimate from T&M Associates for professional services for the 2019 Biennial Contract for Electrical Maintenance and Repair Services.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Matawan hereby awards the contract for professional services to T&M Associates as outlined in the attached proposal to prepare specifications for said work and advertise the proposal for the purpose of receiving and reviewing bids for a biennial contract for Electrical Maintenance and Repair Service in an amount not to exceed Six Thousand Dollars and No Cents (\$6,000.00).

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Finance, Public Works as well as 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 9-01-20-165-200 Budget of the Borough of Matawan for T&M Associates associated with the preparation and advertisement of the 2019-2020 biennial contract for the Electrical Maintenance and Repair Services in an amount not to exceed Six Thousand Dollars and No Cents (\$6,000.00).

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: February 19, 2019

**Borough of Matawan
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YOUR GOALS. OUR MISSION.

MATNOH-16002

February 14, 2019
Via Email and Mail

Louis Ferrara, Borough Administrator
Borough of Matawan
201 Broad Street
Matawan, New Jersey 07747

**Re: 2019 Biennial Contract for Electrical Maintenance and Repair Service
Authorization to Prepare Contract Documents and Advertise**

Dear Mr. Ferrara:

T&M Associates is seeking authorization to prepare and advertise the 2019 Biennial Contract for Electrical Maintenance and Repair Service.

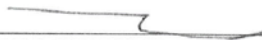
The 2019 Biennial Contract for Electrical Maintenance and Repair Service will enable the Borough to secure a Contractor with contractual costs per hour for equipment and labor in order to provide personnel, equipment, and material for routine maintenance and emergency service for general electrical work, repair within the Borough.

T&M Associates will prepare contract documents, advertise the project, receive and review bids, and make a recommendation for award for an anticipated fee of \$6,000.00. Please advise as to proceeding with the above.

Should you have any questions or require any additional information, please do not hesitate to contact me.

Very truly yours,

T&M ASSOCIATES


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

RRK:CFH:lkc

cc: Karen Wynne, Borough Clerk
Monica Antista, CFO, Borough of Matawan
Jake Applegate, Superintendent of Water Department

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T&M ASSOCIATES, 11 Tindall Road, Middletown, NJ 07748

P 732.671.6400 F 732.671.7365 W tandmassociates.com

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Mayor Altomonte read by title Resolution 19-02-49: Authorizing the Award of Quote for 2018 Road Improvement Program Sanitary Sewer Cleaning and Video Inspection – Oswald Enterprises, Inc. Mayor Altomonte requested a motion. Councilwoman Salvatore made the motion, seconded by Councilman Vergaretti. Mayor Altomonte requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 19-02-49
AUTHORIZING THE AWARD OF QUOTE FOR
2018 ROAD IMPROVEMENT PROGRAM SANITARY SEWER CLEANING AND VIDEO INSPECTION
OSWALD ENTERPRISES, INC.**

WHEREAS, the Borough of Matawan previously authorized the receipt of quotes for Sanitary Sewer Cleaning and Video Inspection in association with the Borough of Matawan’s 2018 Road Improvement Program; and

WHEREAS, pursuant to law the Borough of Matawan solicited quotes for the Sanitary Sewer Cleaning and Video Inspection; and

WHEREAS, the Borough of Matawan received three (3) quotes for the aforesaid contract; and

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Matawan upon recommendation of T&M Associates, Borough Engineer, hereby awards contract for the Sanitary Sewer Cleaning and Video Inspection to Oswald Enterprises, Inc., 161 East Road, PO Box 126, Belford, New Jersey 07718 in an amount not to exceed Five Thousand Sixty Two Dollars and Seventy Five Cents (\$5,062.75).

BE IT FURTHER RESOLVED said contract is performed in accordance with all quote specifications, contracts and documents, and subject to certification by the Chief Financial Officer that funds are available, review and approval of quote documents by the Borough Attorney and approval of the New Jersey Department of Labor, Division of Wage and Hour Compliance, and the Mayor is hereby authorized to execute any necessary documents to implement the aforesaid award of contract.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Finance, Public Works as well as the Borough Engineer and Oswald Enterprises, Inc.

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 in the W-06-55-515-100 Budget of the Borough of Matawan (T&M Project No. MATN-04136) to Oswald Enterprises, Inc. for the Sanitary Sewer Cleaning and Video Inspection in association with the Borough of Matawan 2018 Road Improvement Program in an amount not to exceed Five Thousand Sixty Two Dollars and Seventy Five Cents (\$5,062.75).

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: February 19, 2019

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YOUR GOALS. OUR MISSION.

MATN-04136

February 11, 2019
(via Email & U.S. Mail)

Louis Ferrara, Borough Administrator
Borough of Matawan
201 Broad Street
Matawan, New Jersey 07747

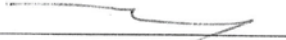
**Re: Recommendation of Award
2018 Road Program
Sanitary Sewer Cleaning and Video Inspection
Borough of Matawan, NJ**

Dear Mr. Ferrara:

We requested proposals from three (3) contractors for the cleaning and television video inspection of approximately 3,500 linear feet (LF) of sanitary sewer within the Borough along Edgemere Drive and Vermont Court. All three contractors responded with proposals. Based on the attached summary of quotes received, the lowest quotation was provided by Oswald Enterprises, Inc. located in Belford, NJ. Therefore, we recommend the Borough authorize the work to be performed by Oswald Enterprises, Inc. in the amount of \$5,062.75.

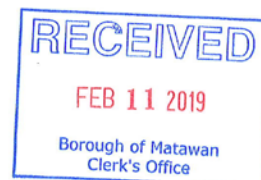
If you have any questions or require additional information, please call.

Very truly yours,


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

RRK:RRS:scb
Attachment

cc: Joseph Altomonte, Mayor
Karen Wynne, Borough Clerk (w/enclosure)
Pasquale Menna, Borough Attorney
Monica Antista, CFO, Borough of Matawan



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BOROUGH OF MATAWAN
2018 ROAD PROGRAM - SANITARY SEWER CLEANING AND TV INSPECTION
QUOTE SUMMARY: FEBRUARY 11, 2019

MATN-04136

Item	Description	Unit	Contract Quantity	ENGINEER'S ESTIMATE		OSWALD ENTERPRISE, INC PO BOX 126, 161 EAST ROAD BELFORD, NJ 07718		NORTH AMERICAN PIPELINE SERV. LLC 210 BENNETT ROAD FREEHOLD, NJ 07728		NATIONAL WATER MAIN CLEANING CO. 1806 NEWARK TURNPIKE KEARNY, NJ 07032	
				Unit Price	Amount	Unit Price	Amount Bid	Unit Price	Amount Bid	Unit Price	Amount Bid
1	8" SEWER CLEANING	LF	2,800	\$1.00	\$2,800.00	\$0.80	\$2,240.00	\$2.30	\$6,440.00	\$2.25	\$6,300.00
2	8" SEWER TV INSPECTION	LF	2,800	\$1.50	\$4,200.00	\$0.65	\$1,820.00	\$1.00	\$2,800.00	\$1.00	\$2,800.00
3	10" SEWER CLEANING	LF	675	\$1.00	\$675.00	\$0.80	\$540.00	\$2.30	\$1,552.50	\$2.25	\$1,518.75
4	10" SEWER TV INSPECTION	LF	675	\$1.50	\$1,012.50	\$0.65	\$438.75	\$1.00	\$675.00	\$1.00	\$675.00
5	REVERSE SETUPS (IF & WHERE DIRECTED)	UN	3	\$50.00	\$150.00	\$1.00	\$3.00	\$1.00	\$3.00	\$25.00	\$75.00
6	BYPASS PUMPING (IF & WHERE DIRECTED)	HR	20	\$60.00	\$1,200.00	\$1.00	\$20.00	\$1.00	\$20.00	\$10.00	\$200.00
7	MAINTENANCE AND PROTECTION OF TRAFFIC	LS	1	N/A	\$2,000.00	N/A	\$1.00	N/A	\$0.00	N/A	\$750.00
TOTAL AMOUNT					\$12,037.50	\$5,062.75		\$11,490.50		\$12,318.75	

Mayor Altomonte read by title Resolution 19-02-50: Authorizing Execution of Employment Agreement Between the Borough of Matawan and Borough Administrator Louis C. Ferrara. Mayor Altomonte requested a motion. Councilman Reeve made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a roll call. A roll call vote was taken.

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

Motion passed.

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**RESOLUTION 19-02-50
AUTHORIZING EXECUTION OF EMPLOYMENT AGREEMENT BETWEEN
THE BOROUGH OF MATAWAN AND BOROUGH ADMINISTRATOR LOUIS C. FERRARA**

WHEREAS, the Mayor and Council herewith approves the attached Terms and Conditions for Louis C. Ferrara in his position as Borough Administrator;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Matawan that pursuant to NJSA 40A:9-136 and 137, Louis C. Ferrara is the Borough Administrator, said term of service at the pleasure of the Governing Body.

BE IT FURTHER RESOLVED, Louis C. Ferrara shall receive a salary and benefits per attached agreement to perform all duties required of the position of Borough Administrator.

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: Clerk, Finance, Payroll Officer as well as Louis C. Ferrara.

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 9-01-20-100-100 Budget (Salary & Wages) of the Borough of Matawan.

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: February 19, 2019

**Employment Agreement
Between the Borough of Matawan and Louis Ferrara**

Introduction

This Agreement is made and entered into on this 19th day of February, 2019 by and between the Borough of Matawan, a municipal corporation, (hereinafter called “Employer”) and Louis Ferrara hereinafter called “Employee”), both of whom agree as follows:

Section 1: Term

This agreement shall remain in full force and effect from January 1, 2019 to December 31, 2019 or until terminated by Employer or Employee as provided in Section 9, 10 or 11 of this Agreement.

The Borough hereby retains and reserves unto itself all powers, rights, authority, duties, and responsibilities conferred upon and vested in it prior to the signing of this agreement by the laws and Constitution of the State of New Jersey and of the United States, except those limited by the specific and express terms of this Agreement, and then only to the extent that such specific and express terms hereof are in conformance with the Constitution and the laws of New Jersey and of the United States.

Section 2: Duties and Authorities

Employer agrees to employee Louis Ferrara as Borough Administrator and Qualified Purchasing Agent to perform the functions and duties specified in the Ordinances of the Borough of Matawan and to perform such other legally permissible and proper duties and functions as authorized and directed by Matawan Borough Council and N.J.S.A. 40A:9-136.

Pursuant to state law, the Ordinances of the Borough and the regulations and policies established by the office of the Mayor, the responsibilities of the appointed Borough Administrator shall include the responsibility to:

- 1) Conduct and manage the day-to-day operations of the Borough of Matawan;*
- 2) Administer and enforce rules, regulations and special emergency directives regarding the disposition and discipline of the employees of the Borough of Matawan and personnel;*

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3) *Delegate such of his or her authority as (s)he may deem necessary for the efficient operation of the Borough's employees to be exercised under his or her direction and supervision;*

4) *Prescribe the duties and assignments of all subordinates and other personnel; and*

5) *Report at least weekly to the Mayor, or the Mayor's designee in such other form as the Borough shall require, as to the operation of the Borough and its employees during the preceding week.*

Section 3: Compensation

A. *Base Salary: Employer agrees to pay Employee an annual base salary of \$136,000.00 per annum for calendar year 2019, payable in installments in accordance with the Employer's usual payroll schedule.*

B. *This Agreement shall be automatically amended to reflect any salary adjustments that are authorized by Resolution of the Matawan Borough Council.*

Section 4: Health, Disability and Life Insurance Benefits

A. *The Employer agrees to provide health, hospitalization, surgical, vision, dental and comprehensive medical insurance benefits for the Employee and his legal dependents equal to that which is provided to all other non-collective bargaining unit employees of the Borough of Matawan.*

B. *The Employer agrees to provide and to make the required premium payments for long-term disability coverage for the Employee in the same fashion as all other non-collective bargaining Borough employees.*

C. *Employee is automatically entitled to any other standard benefits available to non-collective bargaining unit employees of the Borough as may now exist or be made available during the term of this contract.*

D. *Notwithstanding the benefits set forth in this section, the Borough Administrator, as a condition of the within employment will receive the additional benefit of employment:*

If the Employee is still employed by the Borough of Matawan at the time of retirement from the position of Borough Administrator, and assuming that the retirement is in good standing and pursuant to normal rules of retirement, that the Borough shall be responsible for and does agree to undertake the payment of his supplemental health insurance plan, which will only be a Supplemental plan in addition to the Employee's Medicare Benefits, once he assumes Medicare upon retirement. This benefit shall only be available to and paid on behalf of the Employee if the Employee is still an employee in good standing at the time of retirement at age 65 and further that the Employee has been accepted and has applied for and is receiving ordinary Medicare eligibility benefits from the Federal Government. It is the intent and the agreement of the parties that the Borough shall only pay for the Supplemental health insurance component that will be a secondary source of insurance to the Employee's or former Employee's medical benefit under Medicare. The within benefit shall not be applicable in the event that the Employee is terminated for cause, or resigns prior to his participation of and with the eligibility component of the Federal Medicare Benefits Law.

Section 5: Vacation and Sick Leave

A. *The Employee shall be credited with 20 days of vacation per calendar year.*

B. *The Employee is entitled to accrue all unused sick and vacation leave, in accordance with personnel policies for non-collective-bargaining employees in effect at the time of employment, except in the event that the Employee's employment is terminated, either voluntarily or involuntarily, the Employee shall be compensated for all accrued leave as provided for in section 10.*

C. *Employee is automatically entitled to any other standard leave available to non-bargaining-unit employees of the Borough as may now exist or be made available during the term of this contract.*

Section 6: Retirement

A. *The Employer agrees to enroll the Employee in the Public Employee's Retirement System (PERS) and to make all the appropriate employer contributions on the Employee's behalf from the date of employment.*

Section 7: General Business Expenses

A. *Employer agrees to pay for travel and subsistence expenses of Employee for professional and official travel, meetings, and occasioned only as authorized by prior approval of the Governing Body.*

B. *The Borough Administrator shall be permitted to attend and be compensated for, at his regular salary, any school, seminar or retraining session conducted or sponsored by the State of New Jersey Division of Local Government Services, professional association or group of Municipal Business Administrators, or any other education program or a management or supervisory nature of the same type. All expenses, such as travel, room, food, tuition, special clothing,*

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books, or any other charges connected with the educational program shall be borne by the Borough as long as the charges have been previously approved by the Mayor.

C. The Borough agrees to grant time off, including travel time, and pay all associated and reasonable expenses for the Borough Administrator to attend the annual New Jersey League of Municipalities Convention.

D. The Borough agrees to grant time off and pay all expenses incurred by the Borough Administrator in attending any meeting of the above-named associates, as long as such meetings are held within the State of New Jersey.

Section 8: Termination

For the purpose of this agreement, termination shall occur if:

A. Two-thirds (2/3) of the Governing Body votes to terminate the Employee at a duly authorized public meeting after proceedings held in accordance with N.J.S.A. 40A:9-138.

B. The Employer, citizens or state legislature acts to amend any provision of the Charter of the Borough of Matawan or Matawan Codified Ordinances pertaining to the role, powers, duties, authority or responsibilities of the Employee's position that substantially changes the administrative organization of the Borough Government and eliminates the position of Borough Administrator.

C. The Employer reduces the base salary, compensation or any other financial benefit of the Employee, unless it is applied in no greater percentage than the average reduction of all department heads.

D. The Employee resigns following a request to resign made by a representative of or representatives of the majority of the Borough Council.

Section 9: Severance

If the Employee is terminated, the Employer shall provide payment to the Employee as set forth in N.J.S.A. 40A:9-138. This payment shall be paid over the normal course of pay cycles.

The Employee shall also be compensated for accrued earned sick leave, vacation time, and all paid holidays as allowed in the Borough Personnel Policies at the time of employment up to the date of adoption of the Resolution of Termination.

For a period of three months following the date of the adoption of the Resolution of Termination, or until such time as equivalent benefits are available through a new employer, whichever comes first, the Employer shall pay the costs to continue the following benefits:

- 1. Health insurance for the employee and all dependents as provided in Section 4A;*

If the Employee is terminated because of a conviction of a felony, then the Employer is not obligated to pay severance or any other benefits under this section or pursuant to the Policy and Procedures Manual of the Borough of Matawan.

Section 10: Resignation

In the event that the Employee voluntarily resigns his position with the Employer, the Employee shall provide the Employer with not less than 45 days advance written notice of his resignation, unless the parties agree otherwise. The employer will have no obligation for the payment of severance or any other benefits of any type upon a resignation.

Section 11: Performance Evaluation

Employer, through the Personnel Committee of the Borough Council, shall annually review the performance of the Employee. The evaluation process, at a minimum, shall include the opportunity for both parties to: (1) prepare a written evaluation, (2) meet and discuss the evaluation, and (3) present a written summary of the evaluation results. The final written evaluation should be completed and delivered to the Employee within 30 days of the evaluation meeting.

Section 12: Hours of Work

It is expected that the Employee will typically work during normal Borough Hall office hours. However, it is recognized that the Employee must devote a great deal of time outside those normal office hours on business for the Employer. Accordingly, and to that end, Employee may establish his own work schedule, subject to reasonable direction by Employer. Employee is not eligible for overtime or paid or accrued compensatory hours. The Borough Administrator shall spend sufficient time at his or her job to insure the smooth and responsible operation of the Borough of Matawan, over which (s)he has supervisory control. The Borough Administrator shall work at least thirty-five (35) hours per week.

Section 13: Outside Activities

The employment provided for by this Agreement shall be the Employee's sole employment. Recognizing that certain outside consulting or teaching opportunities provide indirect benefits to the Employer and the community, the Employee

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may elect to accept limited teaching, consulting or other business opportunities as long as such arrangements do not interfere with or cause a conflict of interest with Employee’s responsibilities pursuant to this Agreement, and as long as same is disclosed to the Governing Body.

Section 14: Indemnification

Employer shall defend, save harmless and indemnify Employee against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of and arising out of the course and scope of Employee’s duties as Borough Administrator, or resulting from the exercise of judgment or discretion in connection with the performance of the duties or responsibilities of the Borough Administrator, unless the act or omission involved willful or wanton conduct. Legal representation, provided by Employer for Employee, shall extend until a final determination of the legal action, including any appeals brought by either party. The Employer shall indemnify Employee against any and all losses, damages, judgments, interest, settlements, fines, court costs, and other reasonable costs and expenses of legal proceedings, including attorney’s fees and any other liabilities incurred by, imposed upon, or suffered by such Employee in connection with or resolution from any claim, action, suit, or proceeding, actual or threatened, arising out of or in connection with the performance of his duties and occurring with the course and scope of his employment. Any settlement of any claim must be made with prior approval of the Employer in order for indemnification, as provided in this Section, to be available.

Employer agrees to pay Employee’s reasonable litigation expenses, including travel expense, throughout the pendency of any litigation to which the Employee is a party or witness. Such expense payments shall continue beyond Employee’s service to the Employer as long as the litigation is pending.

Section 15: Bonding

Employer shall bear the full cost of any fidelity or other bonds required of the Employee under any law or ordinance, and professional liability insurance.

Section 16: Other Terms and Conditions of Employment

The Employer, upon agreement with Employee, may provide for such other terms and conditions of employment as it may determine from time to time relating to the performance and duties of the Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the Charter of the Borough of Matawan, or applicable law.

Section 17: Notices

Notice pursuant to this Agreement shall be given by depositing in the custody of the United States Postal Service, postage prepaid, addressed as follows:

<i>EMPLOYER:</i>	<i>EMPLOYEE:</i>
<i>Borough of Matawan</i>	<i>Louis Ferrara</i>
<i>c/o Borough Clerk</i>	
<i>201 Broad Street</i>	
<i>Matawan, NJ 07747</i>	

Alternatively, notice required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as the date of deposit of such written notice in the course of transmission in the United States Postal Service.

Section 18: General Provisions

- A. Integration. This Agreement sets forth and establishes the entire understanding between the Employer and the Employee relating to the employment of the Employee by the Employer. Any prior discussions or representations by or between the parties are merged into and rendered null and void by this Agreement. The parties by mutual written agreement may amend any provision of this Agreement during the life of the Agreement. Such amendments shall be incorporated and made a part of this Agreement.*
- B. Binding Effect. This Agreement shall be binding on the Employer and the Employee, as well as their heirs, assigns, executors, personal representatives and successors in interest.*
- C. Effective Date. This Agreement shall become effective on February 19, 2019.*
- D. Severability. The invalidity of any portion of this Agreement will not affect the validity of any other provision. In the event that any provision of this Agreement is held to be invalid, the remaining provisions shall be deemed to be in full force and effect as if they have been executed by both parties.*

Adopted and approved by the Matawan Borough Council on this 19th day of February, 2019.

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Witness

Louis Ferrara

Date: _____

Date: _____

Karen Wynne, RMC
Municipal Clerk

Mayor Joseph Altomonte

Date: _____

Date: _____

Mayor Altomonte read by title Ordinance 19-02: Bond Ordinance of the Borough of Matawan Appropriating \$500,000 to Supplement Section 3(b) of Bond Ordinance No. 05-11 Finally Adopted on May 17, 2005, as Amended by Bond Ordinance No. 07-22 Finally Adopted on August 21, 2007, as Amended and Supplemented by Bond Ordinance No. 17-07 Finally Adopted on April 18, 2017, and as Amended and Supplemented by Bond Ordinance No. 18-05 Finally Adopted on May 1, 2018 in Order to Revise the Amounts Referred to Therein, and Authorizing the Issuance of \$476,000 Bonds or Notes of the Borough to Finance Part of the Appropriation, and Amending the Amount Provided for Items of Expense Pursuant to NJSA 40A:2-20. Mayor Altomonte requested a motion to introduce. Councilwoman Salvatore made the motion, seconded by Councilwoman Buckel. Council agreed. Mayor Altomonte requested a roll call. A roll call vote was taken.

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

Motion passed.

ORDINANCE 19-02

BOND ORDINANCE OF THE BOROUGH OF MATAWAN APPROPRIATING \$500,000 TO SUPPLEMENT SECTION 3(b) OF BOND ORDINANCE NO. 05-11 FINALLY ADOPTED ON MAY 17, 2005, AS AMENDED BY BOND ORDINANCE NO. 07-22 FINALLY ADOPTED ON AUGUST 21, 2007, AS AMENDED AND SUPPLEMENTED BY BOND ORDINANCE NO. 17-07 FINALLY ADOPTED ON APRIL 18, 2017, AND AS AMENDED AND SUPPLEMENTED BY BOND ORDINANCE NO. 18-05 FINALLY ADOPTED ON MAY 1, 2018 IN ORDER TO REVISE THE AMOUNTS REFERRED TO THEREIN, AND AUTHORIZING THE ISSUANCE OF \$476,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE APPROPRIATION, AND AMENDING THE AMOUNT PROVIDED FOR ITEMS OF EXPENSE PURSUANT TO NJSA 40A:2-20

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. Section 3(b) of Bond Ordinance No. 05-11 of the Borough of Matawan, a municipal corporation of the State of New Jersey (the “Borough”) finally adopted on May 17, 2005, as amended by Bond Ordinance No. 07-22 finally adopted on August 21, 2007, as amended and supplemented by Bond Ordinance No. 17-07 finally adopted on April 18, 2017, and as amended and supplemented by Bond Ordinance No. 18-05 finally adopted on May 1, 2018 (collectively, the “Prior Ordinance”) is hereby supplemented as set forth within this bond ordinance. The improvement or purpose described in Section 3 of this bond ordinance has been authorized 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, including the sum of \$24,000 as the additional down payment required by the Local Bond Law (such sums being in addition to the amounts appropriated and set forth as a down payment by the Prior Ordinance). 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 improvements or purposes 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 pursuant to the Local Bond Law (such sum being in addition to the amount of bond and/or notes authorized by the Prior Ordinance). 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.

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Section 3. (a) Section 3 of the Prior Bond Ordinance is hereby amended and supplemented to read as follows (with the respective supplemental appropriation and authorizations being more specifically described in subsections (b) through (d) of this Section 3 below):

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

(a) Various capital improvements to Lakefront Recreation Area - Phase II and sidewalks and lighting on Ravine Avenue, and recreation improvements at various locations in the Borough, including all work and materials necessary therefor and incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$534,200 (including a \$85,000 grant from the County of Monmouth)	\$427,810	15 years

(b) Various capital improvements at Gravelly Brook Park (Phase 1 and Phase 2) in the Borough, including all work and materials necessary therefor and incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$1,480,800 (including two grants from the County of Monmouth in the aggregate amount of \$350,000)	\$1,076,690	15 years

<u>TOTAL APPROPRIATION</u>	<u>TOTAL BOND AUTHORIZATION</u>	<u>AVERAGE PERIOD OF USEFULNESS</u>
\$2,015,000	\$1,504,500	15 years”.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose authorized in this bond ordinance, supplementing Section 3(b) of the Prior Bond Ordinance is \$1,076,690, which is the aggregate amount of the additional \$476,000 authorized in this bond ordinance and the \$600,690 authorized in Section 3(b) of the Prior Bond Ordinance.

(c) The estimated additional cost of the improvement or purpose authorized in this bond ordinance, supplementing Section 3(b) of the Prior Bond Ordinance is \$1,480,800, which is the aggregate amount of \$500,000 appropriated in this bond ordinance and \$980,800 appropriated in Section 3(b) of the Prior Bond Ordinance.

(d) As set forth in Section 3(a) of this bond ordinance for ease of reference, new total appropriation for the projects set forth in the Prior Ordinance (as supplemented by this bond ordinance) is \$2,015,000 (which is the aggregate amount of the supplemental appropriation set forth in this bond ordinance and the appropriation set forth in the Prior Ordinance), and the new total bond/note authorization for the projects set forth in the Prior Ordinance (as supplemented by this bond ordinance) is \$1,504,500 (which is the aggregate amount of the supplemental authorization set forth in this bond ordinance and the authorization set forth in the Prior 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 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 ordinance to the extent of any inconsistency herewith.

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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 improvements or purposes 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. However, since this bond ordinance is amending a section of a multipurpose bond ordinance, the average period of usefulness set forth in Section 6(b) of the Prior Ordinance is hereby amended to read 15 years
- (c) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under NJSA 40A:2-20 is included in the estimated cost of the improvement or purpose set forth in Section 3 of this bond ordinance. The amount set forth pursuant to this Section 6 (c) is in addition to the amount set forth in the Prior Ordinance for items of expense listed in and permitted under NJSA 40A:2-20.
- (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

The Clerk announced the Public Meeting will take place at 7:00 PM on March 5, 2019.

Mayor Altomonte read by title Resolution 19-02-51: Payment of Bills. Mayor Altomonte requested a motion. Councilman Reeve made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 19-02-51
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	\$260,589.48
Water & Sewer	\$49,107.11
Borough Capital	\$26,054.00
Grant	\$1,171.28
Borough Trust	\$64,995.81
Developers Escrow Account	\$424.50
Recreation Trust	\$119.31
Total	\$402,461.49

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.

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Privilege of the Floor

Mayor Altomonte opened the Privilege of the Floor.

There were no comments.

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.

Mayor Altomonte announced there is no Executive Session after the Council Meeting.

Adjourn

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

Meeting recessed at 7:34 PM.

(Signature on File)

Karen Wynne, RMC
Municipal Clerk