

**Borough of Matawan  
Workshop Session  
August 7, 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 August 7, 2019, with Council President Cannon, presiding. Mayor Joseph Altomonte was in attendance via telephone. 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. Council President Cannon called the meeting to order at 7:00 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  
                        Councilwoman Deana Gunn  
                        Councilman Brian Livesey

Mayor Altomonte participated by telephone.

Mr. Ferrara the Borough Administrator was absent. Also present was Pasquale Menna, Esq., Borough Attorney.

Council President Cannon asked everyone to stand for a Salute to the Flag.

Council President Cannon asked everyone to stand for a Moment of Silence, requesting that those present keep in their thoughts the victims of shootings in El Paso, Texas and Dayton, Ohio.

Council President Cannon announced Ordinance 19-12 is added to the agenda, and Resolution 19-08-10 will be held.

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

Council President Cannon opened the Privilege of the Floor for Agenda Items Only.

There were no comments.

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

**Approval of Firefighter**

Council President Cannon requested a motion to approve Borough of Matawan Fire Police, Michelle Madden and Volunteer Firefighter Applicant, Bode Rasheed. Councilwoman Salvatore made the motion, seconded by Councilwoman Gunn. Council agreed. Motion passed.

**Approval of Minutes**

Council President Cannon requested a motion to approve the minutes of the June 24, 2019 Council Meeting. Councilwoman Gunn made a motion, seconded by Councilwoman Salvatore. Council agreed. Motion passed.

Council President Cannon requested a motion to approve the minutes of the July 2, 2019 Council Meeting. Councilman Livesey made a motion, seconded by Councilwoman Buckel. Council agreed. Motion passed.

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Council President Cannon requested a motion to approve the minutes of the July 16, 2019 Council Meeting. Councilwoman Salvatore made a motion, seconded by Councilwoman Buckel. Council agreed. Motion passed.

**Consent Agenda**

Council President Cannon read by title Resolutions 19-08-01 through and including 19-08-06, requesting a motion to approve en masse. Councilwoman Buckel made the motion, seconded by Councilman Reeve. Council President Cannon requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 19-08-01  
REDEMPTION OF TAX SALE CERTIFICATES  
CERTIFICATE #17-00016  
CERTIFICATE #18-00025**

<u>Certificate #</u>	<u>Company Sold To</u>	<u>Block</u>	<u>Lot</u>	<u>Address of Property</u>	<u>Payment</u>	<u>Premium</u>
17-00016	Christiana Trust as Cust GSRAN-Z, LLC Deposit Acct	28	10	1 Fountain Avenue	\$29,206.23	\$15,200.00
18-00025	US Bank Cust for PC7 First Trust	41	3	258 Main Street	\$1,683.68	\$0.00

**WHEREAS**, the Borough of Matawan Tax Collector has reported that the above Tax Sale Certificates were sold; and

**WHEREAS**, the Certificates has been paid and fully redeemed for the property owners.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan, that they hereby authorize payments in the amounts, plus any Premiums indicated, for the redemption of the Tax Sale Certificates listed above.

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

**RESOLUTION 19-08-02  
APPROVAL OF TAXI DRIVER LICENSE RENEWAL  
BRIAN CRAWFORD**

**WHEREAS**, Brian Crawford, has passed the required Police Department background checks; and

**WHEREAS**, Brian Crawford, 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: Brian Crawford

**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 19-08-03  
RENEWAL OF 2019-2020 ABC LIQUOR LICENSE  
SPECIAL ASSET REO1, LLC**

**BE IT RESOLVED** by the Borough Council of the Borough of Matawan that the following liquor licenses be renewed, subject however to the rules, regulations, receipt of Tax Clearance Certificates, statutes and ordinances affecting the same, said licenses to expire June 30, 2019:

<u>LICENSE #</u>	<u>NAME</u>	<u>ADDRESS</u>
	<b><u>Plenary Retail Consumption License</u></b> \$1,600.00	
1329-33-010-006	Special Asset REO1, LLC	Pocket License

**RESOLUTION 19-08-04  
MONMOUTH MUNICIPAL JOINT INSURANCE FUND  
MEMBERSHIP RENEWAL**

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*WHEREAS, the Borough of Matawan is a member of the Monmouth Municipal Joint Insurance Fund; and*

*WHEREAS, said renewed membership terminates as of December 31, 2019 unless earlier renewed by agreement between the Municipality and the Fund; and*

*WHEREAS, the Municipality desires to renew said membership.*

*NOW THEREFORE, be it resolved as follows:*

- i. The Borough of Matawan agrees to renew its membership in the Monmouth Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.*
- ii. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part of hereof and to deliver same to the Monmouth Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.*

**AGREEMENT TO RENEW MEMBERSHIP  
IN THE MONMOUTH MUNICIPAL JOINT INSURANCE FUND**

*WHEREAS, the Monmouth Municipal Joint Insurance Fund (hereinafter the Fund) is a duly chartered Municipal Insurance Fund as authorized by NJSA 40A:10-36 et seq.; and*

*WHEREAS, the Borough of Matawan is currently a member of said Fund; and*

*WHEREAS, effective December 31, 2019, said membership will expire unless earlier renewed; and*

*WHEREAS, the Mayor and Council of the Borough of Matawan has resolved to renew said membership;*

*NOW THEREFORE, it is agreed as follows:*

- 1. The Borough of Matawan hereby renews its membership in the Monmouth Municipal Joint Insurance Fund for a three (3) year period, beginning January 1, 2020 and ending December 31, 2022\*.*
- 2. The Borough of Matawan hereby ratifies and reaffirms the Indemnity and Trust Agreement, Bylaws and other organizational and operational documents of the Monmouth Municipal Joint Insurance Fund as from time to time amended and altered by the Department of Insurance in accordance with the Applicable Statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.*
- 3. The Borough of Matawan agrees to be a participating member of the Fund for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.*

*(Signature on File)*

*Honorable Joseph Altomonte, Mayor*

*Attested by:*

*(Signature on File)*

*Karen Wynne, RMC  
Municipal Clerk*

*\*12:01 A.M.*

**RESOLUTION 19-08-05  
AWARD OF BID FOR THE  
2018 ROAD IMPROVEMENT PROGRAM CONTRACT 1S. BROTHERS, INC.**

*WHEREAS, the Borough of Matawan previously authorized the receipt of bids for the 2018 Road Improvement Program Contract 1; and*

*WHEREAS, pursuant to law the Borough of Matawan solicited bids for the 2018 Road Improvement Program; and*

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

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**WHEREAS**, *S. Brothers, Inc. has submitted a bid in the total amount of Two Million, Two Hundred Fifty Three Thousand, Fifty Three Dollars and No Cents (\$2,253,053.00); and*

**WHEREAS**, *Robert R. Keady, Jr. of T&M Associates has reviewed, approved and recommended the bid of S. Brothers, Inc. for the aforesaid bid.*

**NOW, THEREFORE, BE IT RESOLVED** *by the Council of the Borough of Matawan that the contract for the 2018 Road Improvement Program Contract 1 be and is hereby awarded to S. Brothers, Inc., PO Box 317, South River, New Jersey 08882, for the amount as indicated above and in accordance with all bid specifications, contracts and documents, commencing twenty (20) days after publication, and subject to certification by the Chief Financial Officer that funds are available, review and approval of bid documents by the Borough Attorney and approval of the New Jersey Department of Labor, Division of Wage and Hour Compliance, approval of the New Jersey Department of Transportation and the Mayor is hereby authorized to execute any necessary documents to implement the aforesaid award of contract, commencing twenty (20) days after publication.*

**CERTIFICATION AS TO AVAILABLE FUNDING**

*I, Nicole Horvath, Chief Financial Officer of the Borough of Matawan, County of Monmouth, and State of New Jersey, do hereby certify that as of the date of this certification funds are available from the C-04-55-918-101 Budget of the Borough of Matawan to S. Brothers, Inc. (T&M Project No. MATN-04136) for the Borough of Matawan 2018 Road Improvement Program Contract 1 in an amount not to exceed Two Million, Two Hundred Fifty Three Thousand, Fifty Three Dollars and No Cents (\$2,253,053.00).*

*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)*

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*Nicole Horvath, CMFO*

*Dated: August 7, 2019*

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August 2, 2019  
Via email and First Class Mail

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

**Re: 2018 Road Program  
Review of Bids and Recommendation of Award**

Dear Mr. Ferrara:

On Thursday, August 1, 2019, bids were received for the above referenced rebid project. A detailed bid summary is attached. Three bids were received as summarized below:

Bidders	Proposal A	Proposal B	Total A + B
S. Brothers	\$582,334.80	\$1,670,718.20	\$2,253,053.00
James R. Ientile	\$602,434.00	\$1,751,737.00*	\$2,354,171.00*
Black Rock Enterprises	\$620,289.80	\$1,801,278.40	\$2,421,568.20
Engineer's Estimate	\$532,457.80	\$1,429,576.80	\$1,962,034.60
*calculated amount			

Though the low bid exceeds the engineer's estimate, we recommend awarding the bid to S. Brothers, Inc. of 16 Sobecho Road, P.O. Box 317, Manalapan, New Jersey 07726 for the amount of \$2,253,053.00 subject to availability of funds. T&M has had experience with S Brothers, Inc. on numerous road projects over the years and found their work to be satisfactory. Any award would also be made subject to the concurrence of the NJDOT and the approval of the Borough Attorney and NJ Department of Labor, Office of Wage and Hour Compliance.

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

Very truly yours,

T&M ASSOCIATES

  
WILLIAM S. CHAPIN, P.E. for

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

RRK:WSC:lkc  
Enclosures

c: Mayor and Council  
Karen Wynne, Clerk (via email with copies of 2 low bid packages)  
Pasquale Menna, Attorney (via email with copies of 2 low bid packages)  
Nicole Horvath, CFO via email  
Robin Klinger, Deputy Clerk



G:\Projects\MATN04136\Correspondence\Ferrara\_RRK\_2018 Road Program\_Rec of Award 08-02-2019\_DRAFT.doc

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

732.671.6400 732.671.7365 tandmassociates.com

**RESOLUTION 19-08-06  
AWARD OF BID FOR THE  
2018 ROAD IMPROVEMENT PROGRAM CONTRACT 2  
S. BROTHERS, INC.**

*WHEREAS, the Borough of Matawan previously authorized the receipt of bids for the 2018 Road Improvement Program Contract 2; and*

*WHEREAS, pursuant to law the Borough of Matawan solicited bids for the 2018 Road Improvement Program Contract 2; and*

*WHEREAS, the Borough of Matawan received two (2) bids for the aforesaid contract; and*

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**WHEREAS**, *S. Brothers, Inc. has submitted a base bid in the amount of Four Hundred Fifty Thousand, Six Hundred Fifty One Dollars and Fifty Five Cents (\$450,651.55); and*

**WHEREAS**, *Terence Vogt of Remington & Vernick Engineers has reviewed, approved and recommended the bid of S. Brothers, Inc. for the aforesaid bid.*

**NOW, THEREFORE, BE IT RESOLVED** *by the Council of the Borough of Matawan that the contract for the 2018 Road Improvement Program Contract 2 be and is hereby awarded to S. Brothers, Inc., PO Box 317, South River, New Jersey 08882, for the amount as indicated above and in accordance with all bid specifications, contracts and documents, commencing twenty (20) days after publication, and subject to certification by the Chief Financial Officer that funds are available, review and approval of bid documents by the Borough Attorney and approval of the New Jersey Department of Labor, Division of Wage and Hour Compliance, approval of the New Jersey Department of Transportation and the Mayor is hereby authorized to execute any necessary documents to implement the aforesaid award of contract, commencing twenty (20) days after publication.*

**CERTIFICATION AS TO AVAILABLE FUNDING**

*I, Nicole Horvath, Chief Financial Officer of the Borough of Matawan, County of Monmouth, and State of New Jersey, do hereby certify that as of the date of this certification funds are available from the C-04-55-918-101 Budget of the Borough of Matawan to S. Brothers, Inc. (RVE File No. 1331-T-001) for the Borough of Matawan 2018 Road Improvement Program Contract 2 in an amount not to exceed Four Hundred Fifty Thousand, Six Hundred Fifty One Dollars and Fifty Five Cents (\$450,651.55).*

*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)*

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*Nicole Horvath, CMFO*

*Dated: August 7, 2019*

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3 Jocama Boulevard, Suite 300-400  
Old Bridge, NJ 08857  
O: (732) 955-8000  
F: (732) 591-2815

July 31, 2019

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

Re: **2018 Road Program – Phase II (RVE)  
Recommendation of Award  
Our File: 1331-T-001**



Dear Mr. Ferrara:

On July 31, 2019, the Borough of Matawan received bids for the above referenced project. A tabulation of the bids is included for your review. The following bids have been received and reviewed by our office:

1. S. Brothers, Inc. South River, NJ	<b>Base Bid Amount:</b>	<b>\$450,651.55</b>
	Alternate A:	\$420,865.80
	Alternate B:	\$117,238.01
	Alternate C:	\$21,070.00
	Alternate D:	<u>\$20,980.25</u>
	Total:	\$1,030,805.61
2. James R. Ientile, Inc. Marlboro, NJ	<b>Base Bid Amount:</b>	<b>\$474,149.00</b>
	Alternate A:	\$367,663.00
	Alternate B:	\$85,425.00
	Alternate C:	\$10,761.00
	Alternate D:	<u>\$18,074.75</u>
	Total:	\$956,072.75

Our review of the above referenced bids indicates that the totals from S. Brothers Inc, and James R. Ientile, Inc. are mathematically correct. The bids appear to contain all required documentation and, we believe, were properly executed in accordance with the requirements of the bid specifications.

As the Borough may be aware, recent Borough Construction bids have been coming in above Engineer's estimates.

As a result, we structured our bid to identify Harding Boulevard as the Base Bid, and Washington Avenue (Alternate A) and other elements of the Road Program (Alternate B, C, and D) as alternate bids.

This method gave the Borough the opportunity to evaluate the respective pricing for various elements of the Road Program, and to award part or all of this bid based on bid prices and available monies.

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2018 Road Program – Phase II (RVE)  
Recommendation of Award

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Per review of the bid prices for the Base bid and Alternate Contracts provided by both bidders, we **recommend that the Base Bid will be awarded to S. Brothers Inc. as low responsive bidder**, in the amount of \$450,651.55. Our recommendation is contingent upon the Township Solicitor's review (and monies available).

We are familiar with S. Brothers, Inc.'s work performance and find their work to be satisfactory.

Under separate cover, copies of the all bids will be forwarded to the Solicitor for review and comment.

Should you have any questions regarding these bid results, please contact our Old Bridge office at (732) 955-8000.

Sincerely,  
**REMINGTON & VERNICK ENGINEERS**



Terence M. Vogt, P.E., P.P., C.M.E.  
Principal, Regional Manager

TMV/tg

Enclosure

cc: Mayor Joseph Altomonte  
Pasquale Menna, Esq., w/enc.  
Nicole A. Horvath, CFO, w/enc.  
Karen Wynne, Borough Clerk, w/enc.  
Jeff Fedorchak, PE, CME  
George Allan, Chief Inspector, w/enc.

**New Business**

Council President Cannon read by Ordinance 19-12: Bond Ordinance Appropriating \$2,600,000 to Provide for Improvements to the Lake Lefferts Dam and Bridge MA-9 for the Borough of Matawan, Including a Grant in the Amount of \$5,000,000 Expected to be Received From the State of New Jersey and Authorizing the Issuance of \$2,100,000 Bonds or Notes to Finance Part of the Cost Therof. Council President Cannon requested a motion to introduce. Councilwoman Salvatore made the motion, seconded by Councilwoman Buckel. Council agreed. Council President Cannon requested a roll call. A roll call vote was taken.

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Yes: Councilman Nicolas Reeve  
Councilwoman Josi Salvatore  
Councilwoman Stephanie Buckel  
Councilman Brett Cannon  
Councilwoman Deana Gunn  
Councilman Brian Livesey

Motion passed.

**ORDINANCE 19-12**

***BOND ORDINANCE APPROPRIATING \$2,600,000 TO PROVIDE FOR IMPROVEMENTS TO THE LAKE LEFFERTS DAM AND BRIDGE MA-9 FOR THE BOROUGH OF MATAWAN, INCLUDING A GRANT IN THE AMOUNT OF \$500,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$2,100,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF***

*WHEREAS, the Borough of Matawan, a municipal corporation of the State of New Jersey (the "Borough") and the County of Monmouth, a body corporate and politic of the State of New Jersey (the "County") have agreed that the public interest requires improvements to the Lake Lefferts Dam and Bridge MA-9 on County Route 6A (Ravine Drive) in the Borough (the "Original Project"); and*

*WHEREAS, the County and Borough have agreed that the Original Project should be advanced as a joint County/Borough project with the County serving as lead agency as stipulated in a certain, executed Interlocal Agreement by and between the County and the Borough dated July 5, 2011 (the "Interlocal Agreement"); and*

*WHEREAS, pursuant to preliminary engineering studies performed by consultant design engineer French & Parello Associates of Wall, New Jersey, the County and Borough have determined that the Interlocal Agreement must be amended as the construction of a previously proposed temporary bypass along County Route 6A (Ravine Drive) (the "Bypass") is no longer needed and instead traffic will be diverted along Aberdeen Road and Bridge MA-11 in the Borough (the "Detour Route"); and*

*WHEREAS, certain additional improvements for the Detour Route must be completed before traffic from the Original Project can be diverted to the Detour Route (the "Amendment Improvements", and collectively with the Original Project, the "Project"); and*

*WHEREAS, the County, by Resolution No. 2019-0567 adopted on July 11, 2019 has authorized and approved an amendment to the Interlocal Agreement (the "IA Amendment") to eliminate the construction of Bypass, and to authorize the Amendment Improvements as part of the Project; and*

*WHEREAS, the IA Amendment will formally add the design, permitting and construction phases of the Amendment Improvements to the Project and Interlocal Agreement and eliminate the construction of the Bypass; and*

*WHEREAS, the estimated cost for all phases of the Project, including the Amendment Improvements, is \$14,700,000 (the "Project Costs"); and*

*WHEREAS, the County and Borough have agreed that the Borough's Cost of the Project shall be \$2,600,000 (the "Borough Costs"), with the County being responsible for the balance of the Project Costs; and*

*WHEREAS, pursuant to a resolution of the Borough Council adopted on August 7, 2019, the Borough has consented to and approved the IA Amendment to the Interlocal Agreement; and*

*WHEREAS, pursuant to the Local Bond Law, the Borough Costs of the Project may be financed through an appropriate program of the New Jersey Department of Environmental Protection Environmental Infrastructure Trust (the "NJEIT"); and*

*WHEREAS, the Borough has or will authorize the preparation and filing of an application (the "Application") for an appropriate loan in the amount of \$2,100,000 from the NJEIT to cover the Borough Costs of the Project (the "NJEIT Loan"), and 1) has or will authorize its professionals, including its Engineer, Auditor, and Borough Bond Counsel to prosecute the Application on the Borough's behalf; and 2) has or will designate the Mayor and Borough Council to act as the Authorized Representatives of the Borough in connection with the NJEIT Loan; and*

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*WHEREAS, it is the intention of the Borough to use the proceeds of the NJEIT Loan to Reimburse itself for monies expended for the development of the Plan.*

**NOW, THEREFORE, 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 as a general improvement. For the improvement or purpose described in Section 3 of this bond ordinance, there is hereby appropriated the sum of \$2,600,000, including a grant in the amount of \$500,000 expected to be received from the State of New Jersey. No down payment is required pursuant to the provisions of N.J.S.A. 40A:2-11(c) as such improvement or purpose is an environmental infrastructure project funded by loan(s) from the New Jersey Environmental Infrastructure Trust Program (the "NJEIT").*

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 \$2,100,000 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 or notes are to be issued is improvements to the Lake Lefferts Dam and MA-9 Bridge on County Road 6A (Ravine Drive) in the Borough, and related detour route improvements to Aberdeen Road and Bridge MA-11 in the Borough, including all work and materials necessary therefor or incidental thereto. As noted in Section 1 hereof, said improvements/purposes are to be financed through the NJEIT.*

(b)        *The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 of this bond ordinance.*

(c)        *The estimated cost of the improvement or purpose is equal to the amount of the appropriation stated in Section 1 of this 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 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.*

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 \$260,000 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 \$2,100,000 (the amount of the authorization of the obligations provided for in*

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*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. The Borough hereby declares its intent to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 8 is a declaration of intent within the meaning and for purposes of Treasury Regulation §1.150-2 or any successor provisions of federal income tax law.*

*Section 9. 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 Hearing will be held at 7:00 PM, August 20, 2019.

Mayor Altomonte thanked Freeholder, Tom Arnone, for his bipartisan work with regards to the agreement with the dams. Mayor Altomonte left the meeting and disconnected at 7:06 PM. Council President Cannon continued, thanking Mayor Altomonte for all his work with regard to negotiating the reduction of the Borough of Matawan's portion of the cost to redevelop the dams. He also thanked Senator Vin Gopal and Governor Phil Murphy for their assistance with the State grant citing the cost savings to Matawan residents.

Council President Cannon read by title Resolution 19-08-07: Resolution of the Borough of Matawan to Enter into a Collective Agreement with the County of Monmouth to an Amendment to a Contract Pertaining to Improvements to the Lake Lefferts Dam, in the Borough of Matawan. Councilwoman Buckel made the motion, seconded by Councilwoman Buckel. Mr. Menna informed the Resolution amends the Interlocal Agreement made with the County of Monmouth, originally entered into on July 5, 2011. This Resolution is in line with the recently passed County Resolution authorizing the changes to the original Agreement. Council President Cannon requested a roll call vote. A roll call vote was taken.

Yes: Councilman Nicolas Reeve  
Councilwoman Josi Salvatore  
Councilwoman Stephanie Buckel  
Councilman Brett Cannon  
Councilwoman Deana Gunn  
Councilman Brian Livesey

Motion passed.

**RESOLUTION 19-08-07**

**RESOLUTION OF THE BOROUGH OF MATAWAN TO AMEND THE INTERLOCAL AGREEMENT OF JULY 5, 2011 AND ENTER INTO A COOPERATIVE AGREEMENT WITH THE COUNTY OF MONMOUTH PERTAINING TO IMPROVEMENTS TO THE LAKE LEFFERTS DAM, AND RELATED ROADWAY IMPROVEMENTS IN THE BOROUGH OF MATAWAN**

*WHEREAS, the County of Monmouth and the Borough of Matawan acknowledge that the public interest requires improvements to the Lake Lefferts Dam and further that it is beneficial for public safety to undertake improvements to the said Dam; and*

*WHEREAS, the County and the Borough have agreed that the Lake Lefferts Dam and Bridge MA-9 improvements should be advanced as a joint County/Borough project with the County serving as the lead agency as stipulated in the executed Interlocal Agreement dated July 5, 2011; and*

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***WHEREAS**, the New Jersey Department of Environmental Protection has, through the Division of Dam Safety, identified the said Dam as in need of extensive upgrade and improvements for public safety; and*

***WHEREAS**, based on preliminary engineering studies performed by the designated Consulting Design Engineering firm of French & Parello Associates of Wall, NJ, the County and the Borough wish to amend the July 5, 2011 Agreement to eliminate the construction of the previously contemplated temporary bypass road along County Route 6A (Ravine Drive), and instead detour traffic to a municipal road, Aberdeen Road, and County Bridge MA-11; and*

***WHEREAS**, Aberdeen Road and Bridge MA-11 need to be improved before traffic from the Lake Lefferts Dam and Bridge MA-9 project can be diverted to the proposed detour route; and*

***WHEREAS**, the amendment to the July 5, 2011 Agreement will add the design, permitting and construction phases of the Aberdeen Road and Bridge MA-11 improvements to the original Lake Lefferts Dam and Bridge MA-9 project and eliminate the construction of the County Route 6A (Ravine Drive) temporary bypass road; and*

***WHEREAS**, the estimated cost for all phases of the amended project has been revised to \$14,700.000.00; and*

***WHEREAS**, the Funding for the improvement project is part of a comprehensive funding plan that will be provided from the Federal Government as allocated through the State of NJ Department of Environmental Protection's Environmental Infrastructure Trust (NJEIT), and made available as a low interest loan to the municipality and county; and*

***WHEREAS**, the County and Borough have agreed that the Borough of Matawan's cost share towards the total amended project costs, which includes Improvements to the Lake Lefferts Dam and Bridge MA-9 Improvements, the Aberdeen Road and Bridge MA-11 Improvements, shall be limited to \$2,600.000.00 with the County being responsible for the balance of the project costs in excess thereof, which funding shall be through the Federal funds allocated for such purposes and committed for the municipality; and*

***WHEREAS**, the Municipality's contribution is specifically and expressly contingent upon the receipt of the NJEIT funding established for said purposes.*

***NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Matawan, County of Monmouth that the Mayor of the Borough of Matawan, on behalf of the Borough may effectuate the modified agreement dated July 5, 2011 with the County of Monmouth.*

***BE IT FURTHER RESOLVED** that the Mayor of the Borough of Matawan is hereby authorized to execute any and all documents reasonably necessary to effectuate the full intent and purpose of the within Resolution to enter into a Revised Agreement with the county of Monmouth.*

***BE IT FURTHER RESOLVED** that the Resolution is specifically conditioned upon the introduction and passage of an Ordinance by the Borough of Matawan regarding the NJEIT Funds once received for the Municipality's contribution to the within Lake Lefferts Dam Improvement Capital project, which Ordinance is introduced with the within Resolution concurrently with the within Resolution.*

***BE IT FURTHER RESOLVED** that the Clerk of the Borough of Matawan shall forward a certified true copy of the within Resolution to the Clerk of the Board of Chosen Freeholders, the Monmouth County Counsel, County Engineer; T & M Associates, as Borough Engineers, Matawan Borough Attorney, Bond Counsel of the Borough, The Borough Auditor and the CFO of Matawan, and the Dam Safety Division of the Department of Environmental Protection of the State of New Jersey.*

Council President Cannon read by title Resolution 19-08-08: A Resolution of the Borough of Matawan, New Jersey Approving the Form and Authorizing the Execution and Delivery of a Letter of Representation and a Continuing Disclosure Agreement in Connection With the Issuance and Delivery of the Monmouth County Improvement Authority's Capital Equipment Pooled Lease Revenue Bonds, Series 2019 and Authorizing an Authorized Municipal Representative to do all other Things Deemed Necessary or Advisable in Connection With the Issuance, Sale and Delivery of Such Bonds. Councilman Reeve made the motion, seconded by Councilman Buckel. Council President Cannon requested a roll call vote. A roll call vote was taken.

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Yes: Councilman Nicolas Reeve  
Councilwoman Josi Salvatore  
Councilwoman Stephanie Buckel  
Councilwoman Deana Gunn  
Councilman Brian Livesey

Abstained: Councilman Brett Cannon

Motion passed.

**RESOLUTION 19-08-08**

**A RESOLUTION OF THE BOROUGH OF MATAWAN, NEW JERSEY APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LETTER OF REPRESENTATION AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE ISSUANCE AND DELIVERY OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY'S CAPITAL EQUIPMENT POOLED LEASE REVENUE BONDS, SERIES 2019 AND AUTHORIZING AN AUTHORIZED MUNICIPAL REPRESENTATIVE TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS**

**WHEREAS**, the Borough of Matawan, New Jersey (the "Municipality") desires to lease and permanently finance the cost of acquisition of certain capital equipment (the "Equipment") from The Monmouth County Improvement Authority (the "Authority"); and

**WHEREAS**, the Authority will provide for the financing of the cost of the acquisition of the Equipment by the issuance of its Capital Equipment Lease Revenue Bonds, Series 2019 (Matawan Project) (the "Bonds") payable from rentals by the Municipality pursuant to a Lease and Agreement by and between the Municipality and the Authority (the "Lease"); and

**WHEREAS**, in order to induce the Authority to issue and deliver the Bonds and its Capital Equipment Pooled Lease Revenue Bonds, Series 2019, there has been prepared and submitted to the Municipality a Letter of Representative in the form attached hereto as Exhibit A; and

**WHEREAS**, there has been prepared and submitted to the Municipality a Continuing Disclosure Agreement in the form appended hereto as Exhibit B for execution by the Municipality if the Authority shall determine that the Municipality is or will be an "obligated person" with respect to the Authority's Capital Equipment Lease Revenue Bonds, Series 2019 within the meaning of Rule 15c2-12 of the United States Securities and Exchange Commission (an "Obligated Person");

**NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF MATAWAN AS FOLLOWS:**

Section 1. That the Letter of Representation, in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative (as that term is defined in the Lease) is hereby authorized to, and one of such officers shall execute the Letter of Representation, with such additions, deletions or modifications as such officer shall approve, and to deliver the same to the addressees designated on such Letter of Representation, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 2. That the Continuing Disclosure Agreement in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative is hereby authorized to, and one of such officers shall execute the Continuing Disclosure Agreement, with such additions, deletions or modifications as such officer shall approve, and to deliver the same upon the determination by the Authority that the Municipality is or will be an Obligated Person, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 3. That any Authorized Municipal Representative is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or property for carrying out the sale, issuance and delivery of the Bonds, the Authority's Capital Equipment Pooled Lease Revenue Bonds, Series 2019 and all related transactions contemplated by this Resolution.

Section 4. All Resolutions or proceedings or parts thereof, in conflict with the provisions of this Resolution are to the extent of such conflict hereby repealed.

Section 5. This Resolution shall become effective immediately.  
Exhibits are attached to the Original Resolution on file in the Office of the Borough Clerk.

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Council President Cannon read by title Resolution 19-08-09: Resolution Approving the Form and Authorizing the Execution and Delivery of a Letter of Representation and a Continuing Disclosure Agreement in Connection With the Issuance and Delivery of the Monmouth County Improvement Authority's Capital Equipment Pooled Lease Revenue Bonds, Series 2019 and Authorizing an Authorized Municipal Representative to do all Other Things Deemed Necessary or Advisable in Connection With the Issuance, Sale and Delivery of Such Bonds. Councilwoman Salvatore made the motion, seconded by Councilwoman Buckel. Council President Cannon requested a roll call vote. A roll call vote was taken.

Yes: Councilman Nicolas Reeve  
Councilwoman Josi Salvatore  
Councilwoman Stephanie Buckel  
Councilman Brett Cannon  
Councilwoman Deana Gunn  
Councilman Brian Livesey

Motion passed.

**RESOLUTION 19-08-09**

**RESOLUTION APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LETTER OF REPRESENTATION AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE ISSUANCE AND DELIVERY OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY'S CAPITAL EQUIPMENT POOLED LEASE REVENUE BONDS, SERIES 2019 AND AUTHORIZING AN AUTHORIZED MUNICIPAL REPRESENTATIVE TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS**

**WHEREAS**, the Matawan Aberdeen Regional School District (the "Board") desires to lease and permanently finance the cost of acquisition of certain capital equipment (the "Equipment") from The Monmouth County Improvement Authority (the "Authority"); and

**WHEREAS**, the Authority will provide for the financing of the cost of the acquisition of the Equipment by the issuance of its Capital Equipment Lease Revenue Bonds, Series 2019 (Matawan Aberdeen Regional School District Project) (the "Bonds") payable from rentals by the Board pursuant to a Lease and Agreement by and between the Board and the Authority (the "Lease"); and

**WHEREAS**, in order to induce the Authority to issue and deliver the Bonds and its Capital Equipment Pooled Lease Revenue Bonds, Series 2019, there has been prepared and submitted to the Borough of Matawan, New Jersey (the "Municipality") a Letter of Representation in the form attached hereto as Exhibit A; and

**WHEREAS**, there has been prepared and submitted to the Municipality a Continuing Disclosure Agreement in the form appended hereto as Exhibit B for execution by the Municipality if the Authority shall determine that the Municipality is or will be an "obligated person" with respect to the Authority's Capital Equipment Lease Revenue Bonds, Series 2019 within the meaning of Rule 15c2-12 of the United States Securities and Exchange Commission (an "Obligated Person");

**NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF MATAWAN, AS FOLLOWS:**

Section 1. That the Letter of Representation, in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative (as that term is defined in the Lease) is hereby authorized to, and one of such officers shall execute the Letter of Representation, with such additions, deletions or modifications as such officer shall approve, and to deliver the same to the addressees designated on such Letter of Representation, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 2. That the Continuing Disclosure Agreement, in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative is hereby authorized to, and one of such officers shall execute the Continuing Disclosure Agreement, with such additions, deletions or modifications as such officer shall approve, and to deliver the same upon the determination by the Authority that the Municipality is or will be an Obligated Person, such approval to be conclusively evidenced by the execution and delivery thereof.

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*Section 3. That any Authorized Municipal Representative is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the sale, issuance and delivery of the Bonds, the Authority's Capital Equipment Pooled Lease Revenue Bonds, Series 2019 and all related transactions contemplated by this Resolution.*

*Section 4. All Resolutions or proceedings, or parts thereof, in conflict with the provisions of this Resolution are to the extent of such conflict hereby repealed.*

*Section 5. This Resolution shall become effective immediately.*

*Exhibits are attached to the Original Resolution on file in the Office of the Borough Clerk.*

Council President Cannon read by title Resolution 19-08-11: Authorizing PM Consultants to Provide Professional Services for Financial Consultant Services. Councilwoman Buckel made the motion, seconded by Councilman Reeve. Council President Cannon requested a roll call vote. A roll call vote was taken.

Yes: Councilman Nicolas Reeve  
Councilwoman Josi Salvatore  
Councilwoman Stephanie Buckel  
Councilman Brett Cannon  
Councilwoman Deana Gunn  
Councilman Brian Livesey

Motion passed.

**RESOLUTION 19-08-11  
AUTHORIZING PM CONSULTANTS TO PROVIDE PROFESSIONAL SERVICES FOR  
FINANCIAL CONSULTANT SERVICES**

*WHEREAS, the Mayor and Council of the Borough of Matawan received an estimate from PM Consultants for professional services for certified municipal finance officer.*

*NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Matawan hereby awards the contract for professional services to PM Consultants as outlined in the attached proposal effective August 7, 2019 through December 31, 2019 in an amount not to exceed Ten Thousand Dollars and No Cents (\$10,000.00).*

*BE IT FURTHER RESOLVED, by the Council of the Borough of Matawan that the Mayor be and is hereby authorized as signatory on behalf of the Borough of Matawan.*

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

Council President Cannon read by title Resolution 19-08-12: Payment of Bills. Councilwoman Salvatore made the motion, seconded by Councilman Reeve. Council President Cannon requested a roll call vote. A roll call vote was taken.

Yes: Councilman Nicolas Reeve  
Councilwoman Josi Salvatore  
Councilwoman Stephanie Buckel  
Councilman Brett Cannon  
Councilwoman Deana Gunn  
Councilman Brian Livesey

Motion passed.

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**RESOLUTION 19-08-12  
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.*

<i>Current</i>	<i>\$1,266,274.55</i>
<i>Water &amp; Sewer</i>	<i>\$124,691.28</i>
<i>Borough Capital</i>	<i>\$170,573.50</i>
<i>Grant</i>	<i>\$289.58</i>
<i>Borough Trust</i>	<i>\$24,276.33</i>
<i>Developers Escrow Account</i>	<i>\$613.75</i>
<i>Dog Tax Trust</i>	<i>\$204.00</i>
<i>Railroad Parking Trust</i>	<i>\$11,500.00</i>
<i>Recreation Trust</i>	<i>\$25,947.09</i>
<b>Total</b>	<b>\$1,624,370.08</b>

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

**Privilege of the Floor**

Council President Cannon opened the Privilege of the Floor.

Linda Clifton, 25 Crescent Place, Matawan. Ms. Clifton questioned why Lake Matawan wasn't included in the dam agreement. Council President Cannon informed the original Agreement did not include Lake Matawan. She disagreed. She then noted Aberdeen Road was to get completely redone at the time of the original agreement. Council President Cannon disagreed and offered copy of the original agreement. Ms. Clifton stated there was \$2.1M in surplus when she left office and questioned why the project is to be bonded asking if the surplus has been depleted. Councilwoman Gunn replied, no; the Borough is using a low interest rate 2% loan from the State. Council President Cannon stated infrastructure should not be paid with cash. Ms. Clifton requested clarification of Resolution 19-08-11. Council President Cannon and Councilwoman Gunn informed to assist the new CFO in the interim of the hiring of a full-time bookkeeper.

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

**Adjournment**

Council President Cannon requested a motion to adjourn. Councilwoman Gunn made the motion, seconded by Councilman Reeve. Council agreed. Motion passed.

Meeting recessed at 7:17 PM.

(Signature on file)

\_\_\_\_\_  
Karen Wynne, RMC  
Municipal Clerk