

**Borough of Matawan
Workshop Session
October 1, 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 October 1, 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 7:10 PM requesting a roll call.

On roll call the following members responded present:

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

Absent: Councilman Nicolas Reeve

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

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

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

Public Hearing

Mayor Altomonte requested a motion to open the public hearing for Resolution 19-10-01: Person-to-Person Transfer of Plenary Retail Consumption License From Gatti & Ruggiero, Inc. to Salute 74 Main, LLC #1329-33-006-005. Councilwoman Salvatore made the motion, seconded by Councilwoman Buckel. Council agreed.

There were no comments.

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

Mayor Altomonte requested a motion to adopt Resolution 19-10-01: Person-to-Person Transfer of Plenary Retail Consumption License From Gatti & Ruggiero, Inc. to Salute 74 Main, LLC #1329-33-006-005. Councilwoman Buckel made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 19-10-01
PERSON-TO-PERSON TRANSFER OF
PLENARY RETAIL CONSUMPTION LICENSE FROM
GATTI & RUGGIERO, INC. TO SALUTE 74 MAIN, LLC
#1329-33-006-005**

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***WHEREAS**, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1329-33-006-005, heretofore issued to Gatti & Ruggiero, Inc., trade name Bart's Restaurant, for premises located at 74 Main Street, Matawan, New Jersey 07747; and*

***WHEREAS**, Salute 74 Main, 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 October 1, 2019, the Person-to-Person Transfer of the aforesaid Plenary Retail Consumption License held by Gatti & Ruggiero, Inc., trade name Bart's Restaurant, to Salute 74 Main, LLC, 74 Main Street, 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 Salute 74 Main, LLC, effective October 1, 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 Salute 74 Main, LLC, Gatti & Ruggiero, Inc., Mark Breitman, Esq., Salvatore Alfieri, Esq. as well as the NJS Division of Alcohol Beverage Control.*

Privilege of the Floor for Agenda Items Only

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

Linda Clifton, 25 Crescent Place, Matawan. Ms. Clifton requested clarification on Ordinance 19-16. Mr. Ferrara related the Borough's participation in the County PILOT program and the cost savings to the Borough with a drawn down of 1/5 the cost every year.

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

Approval of Minutes

Mayor Altomonte requested a motion to approve the minutes of the September 17, 2019 Council Meeting. Councilwoman Buckel made the motion, seconded by Councilwoman Salvatore. Council agreed. Motion passed.

Old Business

Mayor Altomonte read by title Resolution 19-07-15: Renewal of 2018-2019 ABC Liquor License – Kamal, Inc. - #1329-44-008-005. Councilwoman Buckel made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 19-07-15
RENEWAL OF 2018-2019 ABC LIQUOR LICENSE
KAMAL, INC.
#1329-44-008-005**

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***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:*

<u>LICENSE #</u>	<u>NAME</u>	<u>Plenary Retail Distribution License</u> <u>\$950.00</u>	<u>ADDRESS</u>
1329-44-008-005	Kamal, Inc.	60 Main St.	Matawan, NJ 07747

Mayor Altomonte read by title Ordinance 19-14: Amending Ordinance 12-14: An Ordinance Revising Chapter 4-9: Massage Parlors; Masseurs and Masseuses of the Revised General Ordinances of the Borough of Matawan, County of Monmouth, State of New Jersey. Mayor Altomonte requested a motion to open the public hearing. Councilwoman Buckel made the motion, seconded by Councilwoman Salvatore. Council agreed. Motion passed. Mayor Altomonte requested comments. There were no comments. Mayor Altomonte requested a motion to close the public hearing. Councilwoman Salvatore made the motion, seconded by Councilwoman Buckel. Council agreed. Motion passed. Mr. Menna explained the process on how the Borough numbers the ordinances. Mayor Altomonte read by title Ordinance 19-14: Amending Ordinance 12-14: An Ordinance Revising Chapter 4-9: Massage Parlors; Masseurs and Masseuses of the Revised General Ordinances of the Borough of Matawan, County of Monmouth, State of New Jersey, requesting a motion to adopt. Councilwoman Buckel made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call. A roll call vote was taken.

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

Motion passed.

**ORDINANCE 19-14
AMENDING ORDINANCE 12-14
AN ORDINANCE REVISING
CHAPTER 4-9: MASSAGE PARLORS; MASSEURS AND MASSEUSES OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF MATAWAN, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY**

***BE IT ORDAINED** by the Governing Body of the Borough of Matawan that the following revisions to Chapter 4-9: Massage Parlors; Masseurs and Masseuses is hereby revised as follows due to superseding New Jersey Statutes that regulate the business.*

1. General Provisions

1.1 Purpose.

The purpose of this Ordinance is to administer the local operation of therapeutic massage establishments in order to promote the public health, safety, and general welfare.

1.2 Severability.

In the event that any section or portion of this Ordinance shall be declared by any competent court to be invalid for any reason, such declaration shall be deemed to not affect the validity of any other section, subsection or portion of this Ordinance.

2. Definitions

2.1 Massage

Massage therapy is a manual therapy that manipulates a person’s muscles and tissues, which also affects the nervous system to provide relief from stress, muscle tension, muscle pain, stiffness, joint aches and pain, headaches, increasing circulation, helps recovery before and after joint surgery and the list goes limitless.

2.2 Therapeutic Massage Establishment

Any business, including but not limited to sole proprietorship, in which the business operation consists of providing or making available massage in the Borough of Matawan for consideration or with the expectation of receiving

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consideration or any gratuity whether or not the business has a fixed place of business within the limits of the Borough.

2.3 *Massage Therapist*

Any person who performs massage for consideration or gratuity or with the expectation of receiving consideration or any gratuity.

2.4 *Patron*

Any person who receives a massage.

2.5 *Person*

Any individual, partnership, corporation, or other entity.

3. *Maintenance and Cleaning*

3.1 *Every person who conducts or operates a therapeutic massage establishment shall keep the same at all times in a clean and sanitary condition. All instruments, supplies and devices of any kind, or parts thereof, that come into contact with the human body shall be kept clean by a modern and approved method of cleaning.*

3.2 *All sheets and towels provided patrons in massage facilities shall be clean and laundered after each use and stored in a sanitary manner.*

3.3 *Wet and dry heat rooms, shower compartments and toilet rooms shall be thoroughly cleaned each day the facility is in operation. Bathtubs or showers shall be thoroughly cleaned after each use.*

4. *Prohibited Activities*

4.1 *No massage therapist shall administer a massage to a patron whose genitals are exposed.*

4.2 *No massage therapist shall administer or agree to administer a massage to the genitals or anus of a patron.*

4.3 *No massage therapist shall administer a massage unless he or she is fully clothed with non-transparent clothing of the type customarily worn by massage therapists while administering a massage.*

4.4 *No alcoholic beverages or intoxicating liquor or non-intoxicating beer shall be sold, nor the consumption thereof by the client or any other person, shall be permitted on the premises pursuant to this ordinance.*

5. *Closing Hours*

5.1 *No massage establishments shall be kept open for business purposes between the hours of 10 p.m. and 7 a.m., provided that any massage begun before 10 p.m. may be completed.*

6. *Supervision*

6.1 *At all times when open for business, the licensed establishment shall have upon the premises a licensed massage therapist or person who possesses a combination massage establishment/massage therapist license who shall be available to supervise the operation of the establishment and assure that no violations of this Ordinance occur.*

7. *List of employees*

7.1 *The establishment shall keep a written list of the names and current addresses of all employees, both on duty and off duty. Such list shall be shown to the Chief of Police, the Police Department's authorized representative, the Borough Clerk, or the Clerk's representative, upon request.*

7.2 *All massage therapists shall be clean and wear clean clothes. Provisions for a separate massage therapist/employee dressing room for each sex must be available on the premises with individual lockers for each massage therapist and employee. Doors to such dressing rooms shall open inward.*

8. *Grounds for Suspension or Revocation*

8.1 *Any license may be suspended or revoked upon a determination that the licensee:*

- A. failed to notify the Borough Clerk of any change in material facts set forth in the Application for such license; or*
- B. violated any provision of this Ordinance.*

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- 8.2 *In addition to the provisions of subsection 13.1, either a Therapeutic Massage Establishment license or massage therapist license may be suspended or revoked upon a determination that the licensee:*
- A. *permitted any person to perform massage without a valid license to do so;*
 - B. *permitted or allowed an employee, massage therapist or to violate any provision of this Ordinance on the premises of the establishment or in the course of conduct of the business of the establishment.*

9. *Inspections, immediate right of entry*

9.1 *The Matawan Police Department or County Health officials may from time to time inspect a licensed massage facility to determine compliance with any provisions of this ordinance. It shall be unlawful for any person holding a massage facility business license, a massage therapist business license or an employee of such licensee to refuse such inspection officer immediate access to the premises or to hinder such officer in any manner; such refusal or hindrance on the part of any license holder or employee shall be grounds for the issuance of summons for the revocation of the Business License and complaints issued for the violations of this Ordinance.*

10. *Application Fees*

10.1 *The fees are payable at the time of application for the Business License are non-refundable.*

11. *Penalty*

11.1 *The violation of any provision of this Ordinance shall be punished by a fine of not less than two hundred fifty dollars (\$250.00) nor more than five hundred dollars (\$500.00) for each offense. Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense. In addition to such penalty, the Borough may enjoin or abate any violation of this Ordinance by appropriate action.*

Mayor Altomonte read by title Ordinance 19-15: Amending Ordinance 19-03: An Ordinance to Fix and Determine the Salaries and Wages of Officers, Management, Supervisory Personnel and General Employees Not Represented by an Organized Bargaining Unit and Employed by the Borough of Matawan, Monmouth County, NJ. Mayor Altomonte requested a motion to open the public hearing. Councilwoman Buckel made the motion, seconded by Councilwoman Salvatore. Council agreed. Motion passed. Mayor Altomonte requested comments. There were no comments. Mayor Altomonte requested a motion to close the public hearing. Councilwoman Buckel made the motion, seconded by Councilwoman Salvatore. Council agreed. Motion passed. Mayor Altomonte read by title Ordinance 19-15: Amending Ordinance 19-03: An Ordinance to Fix and Determine the Salaries and Wages of Officers, Management, Supervisory Personnel and General Employees Not Represented by an Organized Bargaining Unit and Employed by the Borough of Matawan, Monmouth County, NJ, requesting a motion to adopt. Councilwoman Buckel made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call. A roll call vote was taken.

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

Motion passed.

**ORDINANCE 19-15
AMENDING ORDINANCE 19-03**

AN ORDINANCE TO FIX AND DETERMINE THE SALARIES AND WAGES OF OFFICERS, MANAGEMENT, SUPERVISORY PERSONNEL AND GENERAL EMPLOYEES NOT REPRESENTED BY AN ORGANIZED BARGAINING UNIT AND EMPLOYED BY THE BOROUGH OF MATAWAN, MONMOUTH COUNTY, NJ

Be it ordained by the Mayor and Council of the Borough of Matawan, in the County of Monmouth, NJ as follows;

Section 1. The annual salaries or compensations of the officers, management, supervisory personnel and general employees of the Borough of Matawan not covered by any organized bargaining unit, effective January 1, 2019, shall be as follows;

<u>DEPARTMENT/TITLE</u>	<u>STATUS</u>	<u>PAYMENT CATEGORY</u>	<u>RANGE FROM</u>	<u>TO</u>
<u>Administration and Executive</u> Mayor	Elected	Annual	\$4,000.00	\$6,000.00

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<i>Council</i>	<i>Elected</i>	<i>Annual</i>	<i>\$3,000.00</i>	<i>\$5,000.00</i>
<i>Administrator Assistant</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$30,000.00</i>	<i>\$60,000.00</i>
<i>Business Administrator</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$48,000.00</i>	<i>\$150,000.00</i>
<i>Borough Clerk</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$35,000.00</i>	<i>\$65,000.00</i>
<i>Deputy Borough Clerk</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$30,000.00</i>	<i>\$40,000.00</i>
<i>Part Time Hourly Employee Clerical</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$25.00</i>
<i>Borough Attorney</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$25,000.00</i>	<i>\$50,000.00</i>
<i>Elections Clerk</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$1,000.00</i>	<i>\$4,000.00</i>
<i>Deputy Elections Clerk</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$200.00</i>	<i>\$600.00</i>
<i>Downtown Redevelopment Coordinator</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$10,000.00</i>	<i>\$20,000.00</i>
<i>Information Officer</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$6,000.00</i>	<i>\$20,000.00</i>
<i>Information Officer</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$28.00</i>	<i>\$50.00</i>
<i>Systems Coordinator</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$4,000.00</i>	<i>\$15,000.00</i>
<i>Clerical-Starting Salary All Departments</i>	<i>Full-Time</i>	<i>Annual</i>	<i>\$30,000.00</i>	<i>\$35,000.00</i>
<i>Registrar</i>	<i>Part-Time</i>	<i>Annual</i>	<i>\$3,000.00</i>	<i>\$5,000.00</i>
<i>Deputy Registrar</i>	<i>Part-Time</i>	<i>Annual</i>	<i>\$1,000.00</i>	<i>\$2,000.00</i>

Construction, Inspections & Property Maintenance Offices

<i>Construction Official/ Zoning Officer/Bldg Insp.</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$30,000.00</i>	<i>\$55,000.00</i>
<i>Construction Official/Zoning Officer/Bldg Insp.</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$50,000.00</i>	<i>\$75,000.00</i>
<i>Bldg Sub-Code Official or Building Inspector</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$28.00</i>	<i>\$50.00</i>
<i>Plumbing Sub-Code Official</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$5,000.00</i>	<i>\$15,000.00</i>
<i>Plumbing Inspector</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$5,000.00</i>	<i>\$15,000.00</i>
<i>Plumbing Sub-Code Official or Plumbing Insp.</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$5,000.00</i>	<i>\$20,000.00</i>
<i>Plumbing Sub-Code Official or Plumbing Insp.</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$28.00</i>	<i>\$50.00</i>
<i>Electrical Sub-Code Official</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$5,000.00</i>	<i>\$15,000.00</i>
<i>Electrical Inspector</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$5,000.00</i>	<i>\$15,000.00</i>
<i>Electrical Sub-Code Official or Electrical Insp.</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$28.00</i>	<i>\$50.00</i>
<i>Fire Sub-Code Official</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$5,000.00</i>	<i>\$15,000.00</i>
<i>Fire Inspector</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$5,000.00</i>	<i>\$15,000.00</i>
<i>Fire Sub-Code Official or Fire Inspector</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$28.00</i>	<i>\$50.00</i>
<i>Technical Assistant</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$30,000.00</i>	<i>\$65,000.00</i>
<i>Clerk/Typist Construction/Zoning/Fire Prev.</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$30,000.00</i>	<i>\$45,000.00</i>
<i>Property Maintenance Officer</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$8,000.00</i>	<i>\$20,000.00</i>
<i>Property Maintenance Officer</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$5,000.00</i>	<i>\$20,000.00</i>
<i>Assistant Property Maintenance Officer</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$6,000.00</i>	<i>\$10,000.00</i>
<i>Assistant Property Maintenance Officer</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$28.00</i>	<i>\$50.00</i>

Fire Prevention Bureau

<i>Fire Prevention Officer/Inspector</i>	<i>Part-Time</i>	<i>Annual</i>	<i>\$10,000.00</i>	<i>\$42,000.00</i>
<i>Fire Prevention Inspector</i>	<i>Part-Time</i>	<i>Annual</i>	<i>\$6,000.00</i>	<i>\$15,000.00</i>

Finance/Tax Offices

<i>CFO/Treasurer</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$60,000.00</i>	<i>\$110,000.00</i>
<i>CFO</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$50.00</i>	<i>\$100.00</i>
<i>Tax Assessor</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$10,000.00</i>	<i>\$35,000.00</i>
<i>Revenue Collector/Assessing Clerk</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$30,000.00</i>	<i>\$45,000.00</i>
<i>Tax Collector</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$35,000.00</i>	<i>\$50,000.00</i>
<i>Tax Collector</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$20,000.00</i>	<i>\$40,000.00</i>
<i>Tax Collector</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$35.00</i>	<i>\$55.00</i>

Finance/Tax Offices (continued)

<i>Deputy Tax Collector</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$25,000.00</i>	<i>\$50,000.00</i>
<i>Supervisor/Payroll, Personnel & Accounting Services</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$35,000.00</i>	<i>\$75,000.00</i>
<i>Bookkeeper/Staff Assistant</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$25,000.00</i>	<i>\$40,000.00</i>
<i>Bookkeeper</i>	<i>Part-time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$30.00</i>

Municipal Court

<i>Court Administrator</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$35,000.00</i>	<i>\$60,000.00</i>
<i>Deputy Court Administrator</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$25,000.00</i>	<i>\$35,000.00</i>
<i>Deputy Court Administrator</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$30.00</i>
<i>Magistrate</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$12,000.00</i>	<i>\$35,000.00</i>
<i>Prosecutor</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$8,000.00</i>	<i>\$25,000.00</i>
<i>Public Defender</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$4,000.00</i>	<i>\$20,000.00</i>

Public Safety

<i>Chief of Police</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$79,000.00</i>	<i>\$150,000.00</i>
<i>Captain of Police</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$79,000.00</i>	<i>\$150,000.00</i>
<i>Lieutenant of Police</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$69,000.00</i>	<i>\$140,000.00</i>
<i>Police Matron</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$25.00</i>
<i>School Crossing Guard (based on 10 Months)</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$7,500.00</i>	<i>\$12,000.00</i>

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School Crossing Guard	Part Time	Per Post	\$15.00	\$30.00
Substitute School Crossing Guard	Part Time	Per Post	\$23.00	\$30.00
Police Secretary	Full Time	Annual	\$30,000.00	\$45,000.00
Police Records Clerk	Full Time	Annual	\$30,000.00	\$50,000.00
Class Two Specials	Part-Time	Hourly	\$15.00	\$30.00
Class One Specials	Part-Time	Hourly	\$15.00	\$30.00
Emergency Management Coordinator	Part Time	Annual	\$500.00	\$4,500.00
Emergency Management 1st Deputy Coordinator	Part Time	Annual	\$500.00	\$2,000.00
Emergency Management 2nd Deputy Coordinator	Part Time	Annual	\$2,000.00	\$500.00
Emergency Management Secretary	Part Time	Annual	\$200.00	\$1,000.00
Railroad Parking Enforcement Officer	Part Time	Hourly	\$15.00	\$25.00
OEM CERT Coordinator	Part Time	Hourly	\$500.00	\$800.00

Public Works

Superintendent of Public Works	Full Time	Annual	\$60,000.00	\$125,000.00
Recycling Coordinator	Part Time	Annual	\$2,000.00	\$10,000.00
Clean Communities Coordinator	Part Time	Annual	\$3,000.00	\$10,000.00

<u>DEPARTMENT/TITLE</u>	<u>STATUS</u>	<u>PAYMENT CATEGORY</u>	<u>RANGE FROM</u>	<u>TO</u>
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Recreation

Summer Program Director	Part Time	Annual	\$1,700.00	\$6,000.00
Assistant Summer Program Director	Part Time	Annual	\$1,260.00	\$4,500.00
Canoe Renter-1 st Year	Seasonal/PT	Hourly	\$8.60	\$20.00
Canoe Renter-2nd Year	Seasonal/PT	Hourly	\$9.10	\$20.00
Canoe Renter-Substitute	Seasonal/PT	Hourly	\$9.10	\$20.00
Director	Part Time	Annual	\$10,000.00	\$25,000.00
Apprentice Summer Counselors	Seasonal/PT	Hourly	\$8.60	\$10.00
Junior Summer Counselors	Seasonal/PT	Hourly	\$9.10	\$12.00
Senior Summer Counselors	Seasonal/PT	Hourly	\$9.60	\$14.00

Sewer

Licensed Waste Water Personnel	Part Time	Annual	\$1,000.00	\$15,000.00
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Water

Licensed Water Plant Operator	Full Time	Annual	\$50,000.00	\$150,000.00
N-1 Licensed Water Personnel	Full Time	Annual	\$1,000.00	\$15,000.00
Water/Sewer Clerk	Part Time	Hourly	\$15.00	\$22.00

Boards

Board, Commission and Agency Secretary	Part Time	Per Meeting	\$100.00	\$250.00
Planning/ Zoning Board Attorney	Part Time	Annual	\$5,000.00	\$15,000.00

Section 2. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance shall be and the same are hereby repealed.

Section 3. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

Section 4. This ordinance shall take effect upon final passage and publication as provided by law.

Mayor Altomonte read by title Ordinance 19-16: Authorizing Special Appropriation for the Preparation and Complete Reassessment of Real Property Pursuant to NJSA 40A:4-53. Mayor Altomonte requested a motion to open the public hearing. Councilwoman Buckel made the motion, seconded by Councilwoman Salvatore. Council agreed. Motion passed. Mayor Altomonte requested comments. There were no comments. Mayor Altomonte requested a motion to close the public hearing. Councilwoman Buckel made the motion, seconded by Councilwoman Salvatore. Council agreed. Motion passed. Mayor Altomonte read by title Ordinance 19-16: Authorizing Special Appropriation for the Preparation and Complete Reassessment of Real Property Pursuant to NJSA 40A:4-53, requesting a motion to adopt. Councilwoman Buckel made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Josi Salvatore
Councilwoman Stephanie Buckel

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Councilman Brett Cannon
Councilwoman Deana Gunn
Councilman Brian Livesey

Motion passed.

**ORDINANCE 19-16
AUTHORIZING SPECIAL APPROPRIATION FOR THE PREPARATION AND COMPLETE
REASSESSMENT OF REAL PROPERTY PURSUANT TO NJSA 40A:4-53**

***BE IT ORDAINED**, by the Borough Council of the Borough of Matawan, County of Monmouth, State of New Jersey, as follows:*

- SECTION 1.** ***Purpose.** The purpose of this ordinance is to finance the cost of the preparation of a complete reassessment of property and associated cost.*
- SECTION 2.** ***Appropriation.** The authorization for this special Emergency appropriation is \$75,000.00. At least one-fifth of such appropriation shall be included in each annual budget until the appropriation has been fully provided for.*
- SECTION 3.** *This ordinance repeals any inconsistent ordinance or ordinances or parts thereof.*
- SECTION 4.** *This ordinance shall take effect immediately upon its final passage and publication as required by law.*

Mayor Altomonte read by title Ordinance 19-18: Amending and Supplementing the Code of the Borough of Matawan, Chapter XIII – Building and Construction, Section 13-1.8 – Waiver of Construction Department Fees to Promote Renovation of Existing Non-Residential Vacant Commercial Structures/Units in the Area in Need of Rehabilitation of the Borough of Matawan. Mayor Altomonte requested a motion to open the public hearing. Councilwoman Buckel made the motion, seconded by Councilwoman Salvatore. Council agreed. Motion passed. Mayor Altomonte requested comments. Councilman Cannon explained the need for this ordinance, indicating that it was an effort to promote small business growth along Main Street. There were no further comments. Mayor Altomonte requested a motion to close the public hearing. Councilwoman Buckel made the motion, seconded by Councilwoman Salvatore. Council agreed. Motion passed. Mayor Altomonte read by title Ordinance 19-18: Amending and Supplementing the Code of the Borough of Matawan, Chapter XIII – Building and Construction, Section 13-1.8 – Waiver of Construction Department Fees to Promote Renovation of Existing Non-Residential Vacant Commercial Structures/Units in the Area in Need of Rehabilitation of the Borough of Matawan, requesting a motion to adopt. Councilwoman Buckel made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call. A roll call vote was taken.

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

Motion passed.

**ORDINANCE 19-18
AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF MATAWAN,
CHAPTER XIII – BUILDING AND CONSTRUCTION, SECTION 13-1.8 – WAIVER OF
CONSTRUCTION DEPARTMENT FEES TO PROMOTE RENOVATION OF EXISTING
NON-RESIDENTIAL VACANT COMMERCIAL STRUCTURES/UNITS IN THE AREA IN
NEED OF REHABILITATION OF THE BOROUGH OF MATAWAN**

***WHEREAS**, the Borough of Matawan is undergoing a review of its Planning and Zoning Regulations in an effort to increase the viability of the Borough's Downtown, and also increase its partnership with the business community in an effort to revitalize and sustain a healthy economic growth for employment opportunities, business, and a sense of neighborhood; and*

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***WHEREAS**, in furtherance thereto, the Borough recognizes that governmental programs may be of assistance in the forward progress of the relationship between business and government to stabilize communities; and*

***WHEREAS**, on June 18, 2019, the Borough of Matawan by operation of Resolution 19-06-33, created An Area In Need of Rehabilitation Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et. seq, between an area of the Borough of Matawan fronting on or in proximity to Main Street, between Broad Street and Washington Street; and*

***WHEREAS**, the Borough's designation of the Area In Need of Rehabilitation was pursuant to a "Report of Findings of the Area in Need of Rehabilitation for the Main Street Study Area" prepared by ARH Associates, dated April 17, 2019, referenced herewith as Exhibit A, which report was accepted by the Governing Body; and*

***WHEREAS**, on July 8, 2019, the State of New Jersey Department of Community Affairs, by letter of said date, accepted the Borough of Matawan's Area in Need of Rehabilitation and formally approved the designation of the Area in Need of Rehabilitation, and further included the Lot and Block numbers set forth in the letter of July 8, 2019 by the State of New Jersey, or properties included in the Designated Area in Need of Rehabilitation;*

***NOW, THEREFORE, BE IT ORDAINED**, by the Municipal Council of the Borough of Matawan that Chapter 13 of the Building and Construction Ordinance of the Borough of Matawan Section 13-1.8 et. seq. be and is amended as follows:*

***Section 13-1.8** Building and Construction- "Waiver of Construction Department Fees to promote renovation of existing Non-Residential Vacant Commercial Structures/Units in the Area in Need of Rehabilitation of the Borough of Matawan" be adopted.*

13.1.8

a. No person shall be charged a Borough construction fee or enforcing agency fee for any construction, alteration and improvement designed and undertaken solely to renovate a previously occupied and currently vacant wholly commercial structure or currently vacant commercial unit within an existing commercial structure for the purpose of obtaining a certificate of occupancy in the designated Area in Need of Rehabilitation of the Borough of Matawan. The waiver of fees shall not include Uniform Construction Code Surcharge Fees as applicable or fees mandated by any Federal, State or New Jersey Administrative Agency.

b. For purposes of this section, the structure or the commercial unit within a structure that is being renovated for commercial use shall be required to be vacant for 12 months prior to the permit application in order to be eligible for the waiver of the within fees. The applicant shall be required to establish that the structure, or the unit within the structure, has been vacant to the satisfaction of the Construction Official for a period of one year prior to the application. A waiver shall be limited to a renovation or alteration of units of less than 5,000 square feet. For purposes of calculating square footage, a vacant commercial unit of 5,000 square feet or less shall qualify for the waiver of fees if the unit existing prior to and after renovations is equal to or less than 5,000 square feet, regardless of the total size of the structure. Commercial units that exceed 5,000 square feet prior to or after renovation shall not qualify for the waiver of fees.

1. The within Ordinance shall not be applicable to any building or structure which is currently or proposed to be a residential or mixed residential and commercial structure. The Ordinance provision for exemption do not apply to renovating or improvements of any residential structures or units, even if said unit is within a commercial building. No residential units are permitted to apply for said exemption, including single and multifamily units; single room occupancy or efficiency units; motel/or hotel units and residential transitory structures of any type.

c. For purposes of this section, no waiver of fee shall be provided to any commercial structure or commercial unit within a structure if the commercial property has outstanding property taxes due to the Borough of Matawan or outstanding property maintenance violations which fines and penalties have not been paid by the party who has an interest in the property. For purposes of this Ordinance, it is the legal obligation of the Owner of the property to have any outstanding obligation paid by it prior to the application for the within exemption.

d. This section shall expire on December 31, 2020, unless extended by Resolution by the Borough Council of the Borough of Matawan.

e. The within Ordinance and the Fee Waiver is only applicable to the properties that are referenced by Lot and Block numbers that are commercial properties identified in a letter dated July 8, 2019, from the State of New Jersey, Department of Community Affairs, attached to the within Ordinance and made a part hereof by reference.

***BE IT FURTHER ORDAINED** if any section or part of the within Ordinance is deemed by a Court of competent jurisdiction to be illegal or unenforceable, the remaining terms and parts of the within Ordinance survive said challenge and remain legally enforceable.*

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BE IT FURTHER ORDAINED this ordinance shall take effect immediately upon following the passage, adoption and publication pursuant to law.

BE IT FURTHER ORDAINED that a true certified copy of this Ordinance shall be forwarded to the following Borough of Matawan Departments: Clerk, Construction, Property Maintenance as well as New Jersey State Department of Regulatory Affairs.

Consent Agenda

Mayor Altomonte read by title Resolutions 19-10-02 through and including 19-10-06, requesting a motion to approve en masse. Councilwoman Buckel made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 19-10-02
AMENDING RESOLUTION 19-09-14
REFUND OF TAX OVERPAYMENT DUE TO TAX APPEAL
BALMORAL ARMS – BLOCK 66, LOT 3**

WHEREAS, a State Tax Board Judgment has been favorably awarded to Balmoral Arms, Block 66, Lot 3, for the fiscal years 2016, 2017 and 2018; and

WHEREAS, such judgment has resulted in an overpayment of property taxes in the amount of \$3,726.11, \$7,465.38 and \$7,359.30, respectively.

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan, County of Monmouth, State of New Jersey, hereby authorizes the Borough Treasurer to issue a check in the amount of \$18,550.79 for said overpayment of property taxes for 2016, 2017 and 2018, to the property owner's representative.

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

**RESOLUTION 19-10-03
2019 HALLOWEEN CURFEW**

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

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

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

- Tuesday, October 29th from 7:30 PM until 5:00 AM the following day
- Wednesday, October 30th from 7:30 PM until 5:00 AM the following day
- Thursday, October 31st from 8:30 PM until 5:00 AM the following day

NOW, THEREFORE, BE IT RESOLVED that a curfew be set for persons 16 years of age and under to be off the streets on October 29 and 30, 2019 from 7:30 PM to 5:00 AM the following day and on October 31, 2019 from 8:30 PM to 5:00 AM the following day, unless accompanied by an adult (18 years or older) or traveling to or from place of employment.

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

**RESOLUTION 19-10-04
FAIR AND OPEN REQUEST FOR QUALIFICATION FOR PROFESSIONAL SERVICES AND TO DIRECT
THE CLERK TO ADVERTISE FOR 2020 REQUESTS FOR QUALIFICATIONS UNDER THE FAIR AND
OPEN PROCESS**

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

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

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

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

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

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

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

**RESOLUTION 19-10-05
APPLICATION FOR RETAIL ALCOHOLIC BEVERAGE LICENSE
PLENARY RETAIL DISTRIBUTION LICENSE
EXTENSION TO RECEIVER
RH DEMBLING REALTY SERVICES, LLC RECEIVER FOR KAMAL, INC.
#1329-44-008-005**

***WHEREAS**, an application has been filed for the Extension of Plenary Retail Distribution License, 1329-44-008-005, to the Receiver appointed by the State of New Jersey, RH Dembling Realty Services, LLC heretofore issued to Kamal, Inc., t/a Wine Chateau, for premises located at 60 Main Street, Matawan, New Jersey 07747; and*

***WHEREAS**, RH Dembling Realty Services, LLC submitted application form is deemed complete in all respects, and the license has been properly renewed for the 2018-2019 license term; and*

***WHEREAS**, NJS Treasury has confirmed that Treasury issued tax clearance to renew the above license for the receiver, RH Dembling Realty Services, LLC, subject to the condition that at sale both the outstanding taxes and outstanding fines get paid; 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.*

***NOW, THEREFORE, BE IT RESOLVED** the Council of the Borough of Matawan does hereby approve nunc pro tunc, to June 30, 2019, the Application for Extension to Receiver of the aforesaid Plenary Retail Consumption License held by Kamal, Inc., t/a Wine Chateau, to RH Dembling Realty Services, LLC, 60 Main Street, 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 extended to RH Dembling Realty Services, LLC, Receiver for Kamal, Inc., effective June 30, 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 Sean E. Regan, Esq. as well as the NJS Division of Alcohol Beverage Control and NJS Treasury.*

**RESOLUTION 19-10-06
RENEWAL OF 2019-2020 ABC LIQUOR LICENSE
RH DEMBLING REALTY SERVICES, LLC
#1329-44-008-005**

***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:*

<u>LICENSE #</u>	<u>NAME</u>	<u>ADDRESS</u>
	<u>Plenary Retail Distribution License</u>	
	<u>\$950.00</u>	
1329-44-008-005	RH Dembling Realty Services, LLC 60 Main St.	Matawan, NJ 07747

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New Business

Mayor Altomonte read by title Resolution 19-10-07: Grant Agreement between the Borough of Matawan and the State of New Jersey by and for the Department of Environmental Protection – Grant Identifier: FS20-010 – Governing Body Resolution. Councilwoman Buckel made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 19-10-07
GRANT AGREEMENT BETWEEN THE BOROUGH OF MATAWAN AND THE STATE OF NEW JERSEY
BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION
GRANT IDENTIFIER: FS20-010
GOVERNING BODY RESOLUTION**

***WHEREAS**, the Governing Body of the Borough of Matawan desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$3,000.00 to fund the following project: Green Communities Grant.*

***NOW, THEREFORE, BE IT RESOLVED** that Joseph Altomonte or the successor to the office of Mayor is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$0.00 and not more than \$3,000.00, and (c) to execute any amendments thereto which do not increase the Grantee's obligations.*

The Matawan Borough Council authorizes and hereby agrees to match 50% of the Total Project Amount, in compliance with the match requirements of this agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. Up to 100% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).

The Grantee agrees to comply with all applicable Federal, State and municipal laws, rules, and regulations in its performance pursuant to the agreement.

Mayor Altomonte read by title Resolution 19-10-08: Award of Bid for the Washington Avenue Reconstruction Project – Brennan Brothers Contracting, LLC. Councilwoman Buckel made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 19-10-08
AWARD OF BID FOR THE WASHINGTON AVENUE RECONSTRUCTION PROJECT
BRENNAN BROTHERS CONTRACTING, LLC**

***WHEREAS**, the Borough of Matawan previously authorized the receipt of bids for the Washington Avenue Reconstruction Project; and*

***WHEREAS**, pursuant to law the Borough of Matawan solicited bids for this Project; and*

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

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***WHEREAS,** Brennan Brothers Contracting, LLC has submitted a base bid in the amount of Two Hundred Eighty Three Thousand, Six Hundred Thirty Two Dollars and No Cents (\$283,632.00); and*

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

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that the contract for the Washington Avenue Reconstruction Project be and is hereby awarded to Brennan Brothers Contracting, LLC, 28 Maple Street, Old Bridge, New Jersey 08857, 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.*

***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 Remington & Vernick Engineers and Brennan Brothers Contracting, LLC.*

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 W-06-55-519-101 Budget of the Borough of Matawan to Brennan Brothers Contracting, Inc. (RVE File No. 1331-T-001) for the Borough of Matawan Washington Avenue Reconstruction Project in an amount not to exceed Two Hundred Eighty Three Thousand, Six Hundred Thirty Two Dollars and No Cents (\$283,632.00)

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)

*Nicole Horvath, CMFO
Dated: October 1, 2019*

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

September 12, 2019

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



**Re: Washington Avenue Improvements (RVE)
Recommendation of Award
Our File: 1331-T-001**

Dear Mr. Ferrara:

On September 12, 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. Brennan Brothers Contracting, LLC
Old Bridge, NJ | Base Bid Amount: | \$283,632.00 |
| 2. S. Brothers, Inc.
South River, NJ | Base Bid Amount: | \$298,007.43 |

Our review of the above referenced bids indicates that the total from S Brothers Inc. is mathematically correct. The bid from Brennan Brothers Contracting, LLC contained a mathematical error which caused their bid to decrease having no impact to the lowest bidder. The bids appear to contain all required documentation and, we believe, were properly executed in accordance with the requirements of the bid specifications.

We will reach out to Brennan Brothers Contracting, LLC to confirm that they are in agreement with the adjusted price.

We recommend that the contract for the adjusted Base Bid in the amount of \$283,632.00 be awarded to Brennan Brothers Contracting, LLC upon the Borough Solicitor's review and the availability of funds.

We are familiar with Brennan Brothers Contracting, LLC'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.

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Washington Avenue Improvements (RVE)
Recommendation of Award

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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.

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BID TABULATION

PROJECT NAME:
Washington Avenue Improvements (RVE)
PROJECT NUMBER:
1331-T-001
CLIENT:
Borough of Matawan

Brennan Brothers Contracting, LLC
28 Maple Street
Old Bridge, NJ 08857
Ph: 732-360-9990

S. Brothers Inc.
P.O. Box 317
South River, NJ 08852
Ph: 732-446-3390

Construct Connect
30 Technology Parkway, Suite 100
Norcross, GA 30092
Ph: 800-364-2059

Base Bid				Brennan Brothers Contracting, LLC		S. Brothers Inc.		Construct Connect	
#	DESCRIPTION	QUANTITY & UNITS		UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Inlet Protection	3	UN	\$1.00	\$3.00	\$0.01	\$0.03	\$0.00	\$0.00
2	Soil Erosion	1	LS	\$1.00	\$1.00	\$1.00	\$1.00	\$0.00	\$0.00
3	Traffic Cones	40	UN	\$1.00	\$40.00	\$1.00	\$40.00	\$0.00	\$0.00
4	Drums	40	UN	\$1.00	\$40.00	\$1.00	\$40.00	\$0.00	\$0.00
5	Construction Signs	2	UN	\$1.00	\$2.00	\$1.00	\$2.00	\$0.00	\$0.00
6	Traffic Directors, Flaggers	240	MH	\$85.00	\$20,400.00	\$0.01	\$2.40	\$0.00	\$0.00
7	Police Officers and Vehicles	1	Allowance	\$35,000.00	\$35,000.00	\$35,000.00	\$35,000.00	\$0.00	\$0.00
8	Asphalt Adjustment	1	Allowance	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$0.00	\$0.00
9	Fuel Adjustment	1	Allowance	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$0.00	\$0.00
10	Clearing Site	1	LS	\$28,570.00	\$28,570.00	\$58,840.00	\$58,840.00	\$0.00	\$0.00
11	Milling, 3" Average Depth	2050	SY	\$5.00	\$10,250.00	\$6.00	\$12,300.00	\$0.00	\$0.00
12	Hot Mix Asphalt Surface Course, Mix 12.5M64, 3" Thick	400	TNS	\$100.00	\$40,000.00	\$130.00	\$52,000.00	\$0.00	\$0.00
13	Base Repair (As Directed)	100	SY	\$53.00	\$5,300.00	\$0.01	\$1.00	\$0.00	\$0.00
14	Tack Coat, MC 70	225	GAL	\$9.00	\$2,025.00	\$6.00	\$1,350.00	\$0.00	\$0.00
15	9" x 18" Concrete Curb complete with all items per plan detail	800	LF	\$41.00	\$32,800.00	\$32.00	\$25,600.00	\$0.00	\$0.00
16	Driveway Repair - Asphalt	26	SY	\$80.00	\$2,080.00	\$30.00	\$780.00	\$0.00	\$0.00
17	Concrete Driveway Repair, 6" Thick complete with all items per plan detail	5	SY	\$165.00	\$825.00	\$86.00	\$430.00	\$0.00	\$0.00
18	Replace Existing inlet grates with Bicycle Safe Grates	2	UN	\$285.00	\$570.00	\$360.00	\$720.00	\$0.00	\$0.00
19	Replace Existing Type 'B' inlet head piece with Type 'N' Eco headpiece	2	UN	\$290.00	\$580.00	\$400.00	\$800.00	\$0.00	\$0.00
20	Watermain Abandon 6" ACP and Replacement - 8" DIP Class 52 Cement Line	350	LF	\$130.00	\$45,500.00	\$165.00	\$57,750.00	\$0.00	\$0.00
21	Water Service Replacement - 1" Services, complete with all items per plan detail	8	UN	\$3,000.00	\$24,000.00	\$2,400.00	\$19,200.00	\$0.00	\$0.00
22	6" X 8" Wet Tap, including tapping sleeve, 8" Gate Valve, and Valve Box	1	UN	\$9,000.00	\$9,000.00	\$11,000.00	\$11,000.00	\$0.00	\$0.00
23	DIP Fittings (As Directed)	500	LB	\$3.00	\$1,500.00	\$0.01	\$5.00	\$0.00	\$0.00
24	Install 8" Gate Valve and Valve Box	1	UN	\$2,400.00	\$2,400.00	\$8,000.00	\$8,000.00	\$0.00	\$0.00
25	Sewer Service Replacement (As Directed)	8	UN	\$1.00	\$8.00	\$200.00	\$1,600.00	\$0.00	\$0.00
26	Removal and Disposal of Regulated Material (As Directed)	400	CY	\$20.00	\$8,000.00	\$0.01	\$4.00	\$0.00	\$0.00
27	Test Pit	5	UN	\$500.00	\$2,500.00	\$500.00	\$2,500.00	\$0.00	\$0.00
28	Manhole Riser Ring, 1"-3"	1	UN	\$180.00	\$180.00	\$250.00	\$250.00	\$0.00	\$0.00
29	Valve Box Riser Ring, 1"-3"	2	UN	\$19.00	\$38.00	\$10.00	\$20.00	\$0.00	\$0.00
30	Traffic Stripes, 4" Wide, Reflective Epoxy	200	LF	\$2.00	\$400.00	\$3.00	\$600.00	\$0.00	\$0.00
31	Pavement Markings, Thermoplastic	64	SF	\$55.00	\$3,520.00	\$8.00	\$512.00	\$0.00	\$9.00
32	Regulatory Warning Signs	2	UN	\$300.00	\$600.00	\$580.00	\$1,160.00	\$0.00	\$0.00
BASE BID TOTAL:					\$283,632.00		\$298,007.43	No Bid Submitted	

Mayor Altomonte announced Resolution 19-10-09 will be held.

Mayor Altomonte read by title Resolution 19-10-10: Authorizing the Hiring of Part-Time Hourly Railroad Parking Enforcement Officer – Cory Nusbaum. Councilwoman Buckel made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call vote. A roll call vote was taken.

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

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Motion passed.

**RESOLUTION 19-10-10
AUTHORIZING THE HIRING OF
PART-TIME HOURLY RAILROAD PARKING ENFORCEMENT OFFICER
CORY NUSBAUM**

***WHEREAS**, the Mayor and Council has been advised that there is a need for Part-Time Hourly Railroad Parking Enforcement Officer within the Borough of Matawan; and*

***WHEREAS**, applications have been received, said applications have been reviewed and applicants were duly screened pursuant to law.*

***NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Matawan that the Matawan Borough authorizes the hiring of Cory Nusbaum as Part-Time Hourly Railroad Parking Enforcement Officer, at the rate of compensation of \$18.00 per hour, effective October 1, 2019 through December 31, 2019, in an amount not to exceed \$3,000.*

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

CERTIFICATION AS TO AVAILABLE FUNDING

I, Nicole Horvath, Chief Financial Officer of the Borough of Matawan do hereby certify that as of the date of this certification funds are available from the 9-01-26-291-180 Budget of the Borough of Matawan to Cory Nusbaum as Part Time Hourly Railroad Parking Enforcement Officer for the Borough of Matawan in an amount not to exceed Three Thousand Dollars and No Cents (\$3,000.00).

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)

Nicole Horvath, CMFO

Dated: October 1, 2019

Mayor Altomonte read by Ordinance 19-19: Amending Ordinance 19-09: Amending and Supplementing the Code of the Borough of Matawan Chapter 21 Streets, Sidewalks, Curbs, Driveways, Section 21-1, Street, Sidewalks, Curb and Driveway Openings. Mayor Altomonte requested a motion to introduce Councilwoman Buckel made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call. A roll call vote was taken.

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

Motion passed.

**ORDINANCE 19-19
AMENDING ORDINANCE 19-09
AMENDING AND SUPPLEMENTING THE CODE OF THE
BOROUGH OF MATAWAN CHAPTER 21
STREETS, SIDEWALKS, CURBS, DRIVEWAYS, SECTION 21-1, STREET, SIDEWALKS, CURB AND
DRIVEWAY OPENINGS**

***WHEREAS**, the Administrator and Borough Engineer have recommended the adoption of this revision to Chapter 21 – Streets, Sidewalks Curbs, Driveways, Section 21-1, Street, Sidewalks, Curb and Driveway Openings.*

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***NOW, THEREFORE, BE IT ORDAINED** by the Council of the Borough of Matawan that it herewith amends and supplements Chapter 21 – Streets, Sidewalks Curbs, Driveways, Section 21-1, Street, Sidewalks, Curb and Driveway Openings as follows:*

Chapter 21, Section 21-1.2 – Is hereby amended and supplemented as follows:

21-1.2 Permit Required; Fees.

No person shall make an excavation or place any form of construction in, over or upon any public road, street or right of way, curb, sidewalk or driveway under the jurisdiction of the Borough without first making application for and obtaining a written permit from the Borough Engineer on the prescribed forms and upon the minimum payment of the application fee of one ~~six~~ hundred dollars (\$100.00) ~~(\$600.00)~~.

Permission to make an opening in or tear up the surface, curb or sidewalk of a road or street shall not carry with it any right to make drainage, sewer, water, gas, oil, steam, electric or telephone connections. A separate permit to make such connections must be obtained from the proper officials having jurisdiction thereof. The applicant shall make application for and obtaining a written permit from the Borough Engineer, or appropriate official, on the prescribed forms and upon the minimum initial payment of the ~~application~~ review fee of six hundred dollars (\$600.00). Additional review fees may be required by the Borough Engineer if determined to be necessary.

If necessary and desirable in the opinion of the Borough Engineer, the permittee shall submit plans and specifications, in duplicate, which plans will indicate the extent of the proposed work within the Borough. The permittee shall promptly submit a copy of the permit to the Chief of Police. The Chief of Police shall notify the appropriate volunteer fire companies and first aid squads.

All work shall be performed and paid for by the person obtaining the permit.

Chapter 21, Section 21-1.3(d) – Is hereby amended and supplemented as follows:

21-1.3(d) Inspection Fee Escrow.

d. Inspection Fee Escrow. The applicant shall post an escrow with the Borough Clerk to defray the cost of inspection of the street opening and paving restoration by the Borough Engineer. The fee shall be equal to ten percent (10%) of the cash performance guarantee amount with a five hundred dollar (\$500.00) minimum. The applicant shall notify the Borough seven (7) days prior to commencement of work and at the completion of the work. Additional inspection fees may be required by the Borough Engineer if determined to be necessary.

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

***BE IT FURTHER ORDAINED**, if any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.*

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

The Clerk announced the Public Hearing will be held 7:00 PM on October 15, 2019.

Mayor Altomonte read by title Resolution 19-10-11: Payment of Bills. Councilwoman Buckel made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 19-10-11
PAYMENT OF BILLS**

***BE IT RESOLVED** by the Mayor and Council of the Borough of Matawan, New Jersey. That the following numbered vouchers be paid to the persons therein respectively and hereinafter named, for the amounts set opposite their respective names, and endorsed and approved on said vouchers and that warrants be issued*

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therefore, directed to the Borough Collector signed by the Mayor and attested by the Borough Clerk as required by law.

<i>Current</i>	<i>\$1,762,459.02</i>
<i>Water & Sewer</i>	<i>\$108,259.83</i>
<i>Borough Capital</i>	<i>\$1,039.55</i>
<i>Water Capital</i>	<i>\$1,791.00</i>
<i>Grant</i>	<i>\$214.58</i>
<i>Borough Trust</i>	<i>\$38,456.10</i>
<i>Railroad Parking Trust</i>	<i>\$11,500.00</i>
<i>Total</i>	<i>\$1,923,720.08</i>

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

Proclamation for “Put the Brakes on Fatalies Day”

Mayor Altomonte read the Proclamation for Put the Brakes on Fatalities Day.

Privilege of the Floor

Mayor Altomonte opened the Privilege of the Floor.

Brian Livesey, 154 Broad Street, Matawan. Councilman Livesey thanked the Shade Tree Commission and Matt Schoffel for their assistance with the green communities grant, approved by Resolution 19-10-07. He explained the grant helps the Borough put together a comprehensive tree program. Councilman Cannon thanked Councilman Livesey and the Shade Tree volunteers for their dedication.

Mr. Menna related a class-action lawsuit against the drug companies regarding the opioid crisis. He noted the Borough of Matawan is part of it because it’s the safe thing to do. He explained the Court has issued an order to reaffirm it. If the Borough doesn’t want to be a part of the lawsuit, the Borough will have to issue a resolution by next week. He recommended that the Borough remain. The only alternative is for the town to do its own litigation, which is cost prohibitive. Council agreed.

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.

Adjournment

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

Meeting adjourned at 7:29 PM.

(Signature on File)

Karen Wynne, RMC
Municipal Clerk