

**Borough of Matawan
Public Session
February 15, 2022**

A regular meeting of the Council of the Borough of Matawan, New Jersey, was held at the Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey on February 15, 2022, 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, 2022, 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 7:01 PM, requesting a roll call.

On roll call the following members responded present:

Yes: Councilwoman Deana Gunn
Councilman Brian Livesey
Councilwoman Stephanie Buckel
Councilman Brett Cannon
Councilwoman Melanie S. Wang
Councilman Charlie Ross

Also present were Scott Carew, Borough Administrator, Pasquale Menna, Esq., Borough Attorney, and Robert R. Keady, Jr. of T&M Associates, Borough Engineer.

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

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

Proclamations and Award Presentations for Retirees

Mayor Altomonte presented both John J. Applegate and Glenn Turner with a Proclamation and Award in recognition of their retirement.

Mayor Altomonte read by title Resolution 22-02-10: Acceptance of Retirement of Full-Time Department of Public Works Superintendent, John J. Applegate. Mayor Altomonte requested a motion. Councilman Livesey made the motion, seconded by Councilman Cannon. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 22-02-10
ACCEPTANCE OF RETIREMENT
FULL-TIME DEPARTMENT OF PUBLIC WORKS SUPERINTENDENT JOHN J. APPLGATE**

WHEREAS, Full-Time Department of Public Works Superintendent John J. Applegate, has given over 42 years of valued service to the residents of the Borough of Matawan; and

WHEREAS, Full-Time Department of Public Works Superintendent John J. Applegate has submitted notice of retirement to the State of New Jersey Division of Pension and Benefits effective March 1, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan accepts the retirement, effective March 1, 2022, of Full-Time Department of Public Works Superintendent John J. Applegate, subject to the terms and conditions as outlined in the Policies and Procedures Manual of the Borough of Matawan.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Finance, Payroll as well as NJS DCA and DEP, and John J. Applegate.

Mayor Altomonte read by title Resolution 22-02-11: Acceptance of Retirement of Part-Time Fire Prevention Official & Inspector, Glenn Turner. Mayor Altomonte requested a motion. Councilman Livesey made the motion, seconded by Councilwoman Gunn. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**Borough of Matawan
Public Session
February 15, 2022**

**RESOLUTION 22-02-11
ACCEPTANCE OF RETIREMENT
PART-TIME ANNUAL FIRE PREVENTION OFFICIAL & INSPECTOR GLENN TURNER**

WHEREAS, Part-Time Annual Fire Prevention Official & Inspector Glenn Turner, has given 26 years of valued service to the residents of the Borough of Matawan; and

WHEREAS, Part-Time Annual Fire Prevention Official & Inspector Glenn Turner has submitted notice of retirement to the State of New Jersey Division of Pension and Benefits effective March 1, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan accepts the retirement, effective March 1, 2022, of Part-Time Annual Fire Prevention Official & Inspector Glenn Turner, subject to the terms and conditions as outlined in the Policies and Procedures Manual of the Borough of Matawan.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Finance, Payroll as well as NJS DCA Division of Fire Safety and Glenn Turner.

Police Department Oath of Office

Mayor Altomonte read by title Resolution: 22-02-12: Authorizing the Promotion of Charles Henry III to the Rank of Sergeant for the Matawan Police Department. Mayor Altomonte requested a motion. Councilwoman Gunn made the motion, seconded by Councilman Cannon. Mayor Altomonte voice vote. Council agreed.

**RESOLUTION 22-02-12
AUTHORIZING THE PROMOTION OF CHARLES HENRY III
TO THE RANK OF SERGEANT FOR THE MATAWAN POLICE DEPARTMENT**

WHEREAS, it is the desire of the Mayor and Council to act upon the recommendations of the Chief of Police to maintain the supervisory structure of the Police Department as a result of vacancies within the supervisory ranks of the department by the appointment of a Sergeant of Police for the Borough of Matawan Police Department; and

WHEREAS, the Borough Ordinances established the eligibility requirements and the testing process for promotion to the rank of Sergeant; and

WHEREAS, the promotion process was conducted on the basis of merit, experience, education, demonstrated ability, competitive written and oral examinations and interview; and;

WHEREAS, Det. Charles Henry III. has successfully completed all phases of the promotional process and;

WHEREAS, Chief Thomas J. Falco, Jr. has recommended Det. Charles Henry III to the Mayor and Council for promotion to the rank of Sergeant.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Matawan hereby authorizes the promotion of Det. Charles Henry III to the rank of Sergeant of the Matawan Police Department with all the rights and responsibilities attendant thereto effective February 16, 2022 at the rate of compensation in accordance with the current Collective Negotiations Agreement between the Matawan Policeman's Benevolent Association #179 and the Borough of Matawan.

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

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 2-01-25-240-180 Budget of the Borough of Matawan for the promotion of Charles Henry III to Sergeant of the Matawan Police Department at a rate of compensation per annum as indicated in and in accordance with the current Collective Negotiations Agreement between Matawan Policemen's Benevolent Association Local #179 and the Borough of Matawan.

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

**Borough of Matawan
Public Session
February 15, 2022**

Chief Financial Officer

(Signature on File)

Nicole Horvath, CMFO

Dated: February 15, 2022

Mayor Altomonte administered the Oath of Office to Sergeant Charles Henry, III.

Approval of Firefighter

Mayor Altomonte requested a motion to approve Borough of Matawan Volunteer Firefighter, James N. DiGiacomo. Councilman Cannon made the motion, seconded by Councilman Livesey. Council agreed. Motion passed.

Fire Department Presentation of Awards

Fire Chief Ed Lee presented plaques to individuals who assisted and supported the Matawan Volunteer Fire Department during the year 2021: Councilman Brett Cannon, Borough Administrator Scott Carew, CFO & Treasurer Nicole Horvath and Borough Clerk Karen Wynne. Chief Lee presented plaques on behalf of the Borough of Matawan Board of Fire Officers to Jake Applegate and Glenn Turner.

Privilege of the Floor – Agenda Items Only

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

There were no comments.

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

Clerk's Report

The Clerk reported on the issuance of new business licenses to:

- 1) Candelaria Coffee, coffee shop
- 2) Home Care for You, Inc., community support services
- 3) John Vincent Scalia Home for Funerals and Cremation Services, Inc.
- 4) Sal Lopez Boxing Club, boxing, fitness, bullying prevention

The Clerk informed she will be on vacation February 16 with a scheduled return on February 23, and is available by cell, referring them to Deputy Clerk, Robin Klinger in her absence.

Mayor's Report

Mayor Altomonte reported Monmouth County and their engineering company, French & Perrillo, are tentatively scheduled to attend Council's March 15 meeting to discuss the proposed raising of Aberdeen Road and the two dam projects.

Administrator's Report

Mr. Carew informed his report was electronically transmitted to Council. He cited the relocation of the Construction, Zoning and Fire Prevention Offices is complete with the Police Department Records Office soon to be in their place. He thanked the Public Works Department for their hard work with these relocations. Mr. Carew explained the two 2022 Road Program bond ordinances being introduced at the meeting: One for streets and roads, one for water/sewer.

**Borough of Matawan
Public Session
February 15, 2022**

Attorney's Report

Mr. Menna announced there is no scheduled executive session tonight. Also, Resolution 22-02-26 will need to be tabled as it needs to be reviewed with DLGS.

Engineer's Report

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

- 2021 Road Program – Overhill Road will be paved once the bad weather breaks. The sanitary sewer portion of the contract is in process and work is currently being done on Johnson Avenue. This work will continue for the next 2-3 weeks, as they are performing spot repairs to the sewer and then they will be lining the sanitary/sewer.
- Ravine Drive Water/Sewer Project – The plans and specifications have been provided to Monmouth County's engineer in coordination with the Lake Lefferts dam rehabilitation project. T&M is in the process of preparing the TWA for the sanitary sewer. This will then be submitted to the DEP for approval.
- Overhill Road Retaining Wall – There is a resolution on tonight's Agenda for approval to award of the project.

DPW, Planning & Zoning, Police

Councilwoman Gunn reported due to lack of Applicants, there was no Planning/Zoning Board meeting this month. The Police Department relocated is nearly finished and it is hoped all will be completed by the end of the following week. A ribbon cutting with the Governing Body will be scheduled. The public will be notified of the department's relocation via Nixle alerts, social media postings, with signage placed at the old police station (indicating the new location of the department), and both marquees will be updated. She thanked the Governing Body for their support of the promotion of Sergeant Henry. Councilwoman Gunn reported on the month's calls for service and traffic incidents. With Mr. Applegate's pending retirement, she is confident Deputy Superintendent Eric Frye is up to the challenge of his new role. Mr. Frye has his C2 License from the DEP, and officially licensed to operate the sanitary sewer collection system. The Borough still needs to hire a T3 and a W2 licensed individual, by March 1, so the Borough's water treatment plant and distribution system can be operated.

Councilwoman Gunn requested Council support for two ordinances being introduced tonight. She is proud of Council's approach to the Borough's Road Programs after the many years of deferred maintenance.

Economic Business Development, Shade Tree,

Councilman Livesey reported the EBD worked on setting goals for the year, including scheduling an introductory meeting with all the local business owners. They are also in the process of planning events and offering business mentoring. The tentative date for Matawan Day will be October 1. He announced that the Borough made the designation of Tree City, USA, for the fourth year in-a-row. There will be a new poster contest for Arbor Day, for the children attending Ravine Drive Elementary School. Councilman Dave Vergaretti began the program, and the Commission will continue his legacy. The contest winner gets to name the trees planted on Arbor Day. Also, free saplings will once again be distributed this year. Lastly, the Borough is conducting a 'Tree Planting Program' and explained that the information to contact the Commission is on the marquee.

Recreation, Recycling & Sanitation

Councilwoman Buckel thanked the Recreation Commission members who volunteered their time to review the Borough parks and to decide what revisions are needed. They will be compiling a budget for any upgrades. The Commission recommends modifying the Memorial Day Parade: Change the day from Sunday at 2:00PM to Monday, Memorial Day, at 11:00AM, and to shorten the parade route to begin at Washington Street and end at Memorial Park. This will avoid crossing Route 34 and keep the parade participants marching in closer formation. Council agreed. Councilwoman Buckel related

**Borough of Matawan
Public Session
February 15, 2022**

Resolution 22-02-17 on tonight’s Agenda: Waiver of Chair Yoga fees to the Matawan senior residents. The Commission hopes to add a Strength and Balance class at no cost to Matawan senior residents. for Council agreed. Councilwoman Buckel will present a possible solution presented by Grace Rainforth, the Clean Communities Coordinator, to address graffiti in the Borough. More information on the matter is forthcoming.

Fire, Historic Sites, Personnel

Councilman Cannon reported the requirements and certifications required to fill the position of the Superintendent of the Department of Public Works. He also reported on the need to upgrade the Fire Department radios. The radios will go out to bid as it exceeds the threshold. Councilman Cannon asked Mr. Carew for an update on the work at Burrowes Mansion. Mr. Carew informed the architect is working on the plans. Also, the Matawan Historical Society is working to submit paperwork for a grant to help pay for the work. Also, Ms. Rainforth is working on getting the Fire Department’s repeater posted onto one of the Borough’s cell towers.

ADA, Animal Welfare Advisory, Property Maintenance

Councilwoman Wang reported on her introductory discussion with Ken Mar, the Borough’s Property Maintenance Officer, Ken Marr. The Animal Welfare Advisory Committee is coordinating a meeting date and time to discuss the stray animal population in the Borough and to review the Borough’s ordinances. Council discussed the implementation of a Borough program for feline colony caretakers like that of other municipalities such as Aberdeen. This will help curb the Borough’s feral cat population.

Construction, Environmental, Finance

Councilman Ross reported the Environment Commission’s February meeting was cancelled and looks to meeting in March. The Finance Committee looks to meet the beginning of March to discuss the 2022 budget.

Councilman Ross provided Construction Report for the month of January 2022:

	Fees Collected/Paid	YTD
Permit Income/Certificate	20,673	20,673
Business CCO'S/Misc. Fees	375	375
State Permit Surcharge Fees	\$ 949	\$ 949
Penalties	\$ 250	\$ 250
Total	\$ 22,247	\$ 22,247
Paid to Matawan General Fund	\$ 22,247	\$ 22,247
Paid to State *Quarterly Payment	\$ 0	\$ 0
Value of Construction Work	\$ 572,073	\$ 572,073
Permits Issued	52	52

Consent Agenda

Mayor Altomonte read by title Resolutions 22-02-13 through and including 22-02-25, requesting a motion to approve en masse. Councilman Livesey made the motion, seconded by Councilwoman Gunn. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 22-02-13
REDEMPTION OF TAX SALE CERTIFICATE(S)
#20-00005
#21-00015**

<u>Certificate#</u>	<u>Company Sold To</u>	<u>Block</u>	<u>Lot</u>	<u>Property Address</u>	<u>Payment</u>	<u>Premium</u>
20-00005	Christiana Trust as Cust GSRAN-Z, LLC Deposit Acct	22	1	135 Main St.	\$17,871.60	\$32,000.00

**Borough of Matawan
Public Session
February 15, 2022**

21-00015 Evolve Bank & Trust 69 3.0407 500 Cliffwood Ave. #D-7 \$1,157.74 \$6,800.00

WHEREAS, the Borough of Matawan Tax Collector has reported that the above Tax Sale Certificate(s) were sold; and

WHEREAS, the Certificate(s) 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 Certificate(s) 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 22-02-14
AUTHORIZING REFUND OF TAX OVERPAYMENT
356 FOREST AVENUE – BLOCK 85, LOT 3**

WHEREAS, the following property overpaid taxes as a result of the reason(s) outlined below; and

WHEREAS, the property owner’s representative has made the payment and a refund is in order to clear the account; and

WHEREAS, the following refund has been verified as accurate by the Tax Collector.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that the Borough Tax Collector refund according to the following:

<u>Block/Lot</u>	<u>Vendor</u>	<u>Amount of Refund</u>	<u>Notation</u>
85/3	Corelogic Attn: Refunds 1 Corelogic Drive Westlake, TX 76262	\$21,395.16	Overpayment

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

**RESOLUTION 22-02-15
APPROVAL OF NEW TAXI DRIVER LICENSE
MANUEL RODRIGO PULLA PIEDRA**

WHEREAS, Manuel Rodrigo Pulla Piedra, has passed the required Police Department background checks; and

WHEREAS, Manuel Rodrigo Pulla Piedra, 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: Manuel Rodrigo Pulla Piedra

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 22-02-16
APPROVAL OF TOWING & STORAGE LICENSE RENEWAL
EXECUTIVE TOWING, LLC**

WHEREAS, Executive Towing, LLC (towing & storage contractor services) has submitted an application to be added to the Matawan Police Department tow call list; and

WHEREAS, on the condition that, Executive Towing, LLC (towing & storage contractor services) has certified that the requirements of Chapter 4 of the Code of the Borough of Matawan and all other Statutes have been met and that the independent investigation by the Police Department reveals no nonconformity.

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

Business: Executive Towing, LLC
762 Texas Road
Morganville, New Jersey 07751
Applicant: Josephine Fabbella

**Borough of Matawan
Public Session
February 15, 2022**

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

**RESOLUTION 22-02-17
FIXING RECREATION FEES AND USES
CHAIR YOGA**

BE IT RESOLVED, by the Council of the Borough of Matawan, based on the recommendation of the Recreation Commission, that the fees of the following shall be rescinded as indicated by “~~strikethrough~~” and fixed as indicated by “yellow highlight” for the year 2022 and future years.

Chair Yoga Registration Fee	\$45.00 per calendar year No Fee
Chair Yoga Registration Fee for Non-Matawan Residents	\$35.00 per session/per chair
Chair Yoga/Senior Strength & Balance Joint Registration Fee	\$75.00 per calendar year

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

**RESOLUTION 22-02-18
AUTHORIZING THE COUNTY OF MONMOUTH MOSQUITO CONTROL DIVISION TO CONDUCT
AERIAL MOSQUITO CONTROL OPERATIONS WITHIN THE BOROUGH OF MATAWAN**

WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to NJSA 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the County; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the County of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated “congested area,” the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Borough of Matawan is designated as a “congested area” by the Federal Aviation Administration and the County has requested that this Governing Body consent to its proposed aerial dispensing operations.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:
 - a. the County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies, and
 - b. such operations will be performed in compliance with applicable Federal and State regulations, and
 - c. the County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Police, Public Works as well as the County of Monmouth Mosquito Control Division.

**RESOLUTION 22-02-19
AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT
FOR ANIMAL CONTROL SERVICES BETWEEN THE BOROUGH OF MATAWAN AND
THE TOWNSHIP OF MARLBORO**

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

WHEREAS, the Township of Marlboro, a local unit, has offered to provide Shared Services for Animal Control Services to the Borough of Matawan; and

WHEREAS, it is in the best interest of this Municipality to enter into the proposed Shared Services Agreements with the Township of Marlboro.

**Borough of Matawan
Public Session
February 15, 2022**

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that the Borough Administrator be and is hereby authorized to execute the attached Shared Services Agreement for Animal Control Services with the Township of Marlboro, effective January 1, 2022 through and including December 31, 2022 in an amount not to exceed Seventeen Thousand, Three Hundred Nineteen Dollars and Sixty Cents (\$17,319.60) and the same is hereby confirmed pending receipt of Certification As To Available Funding from the Chief Financial Officer 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, Police, Public Works as well as Township Clerk of the Township of Marlboro, 1979 Township Drive, Marlboro, New Jersey 07746 and the Division of Local Government Services Attn: Shared Services.

CERTIFICATION AS TO AVAILABLE FUNDING

I, Nicole Horvath, Chief Financial Officer of the Borough of Matawan, County of Monmouth, State of New Jersey, do hereby certify that as of the date of this certification, funds are available from the 2-01-27-330-200 Budget of the Borough of Matawan to the Township of Marlboro for the Borough of Matawan Animal Control Services in an amount not to exceed Seventeen Thousand, Three Hundred Nineteen Dollars and Sixty Cents (\$17,319.60).

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: February 15, 2022

**SHARED SERVICES AGREEMENT FOR ANIMAL CONTROL SERVICES
BETWEEN
THE TOWNSHIP OF MARLBORO
AND
THE BOROUGH OF MATAWAN**

This Agreement is made this 1st day of January, 2022, by and between the Township of Marlboro ("Township"), with its principal place of business at 1979 Township Drive, Marlboro, New Jersey 07746 and the Borough of Matawan ("Matawan"), with its principal place of business at 201 Broad Street, Matawan, New Jersey 07747.

WHEREAS, the Township of Marlboro (the "Township") currently provides animal control services for the Township of Marlboro; and

WHEREAS, the Borough of Matawan ("Borough") has requested that the Marlboro Township Animal Control Officer provide animal control services including emergency response for domestic animal incidents, emergency response for sick or dangerous wildlife and enforcement of the Borough's ordinances pertaining to domestic animals; and

WHEREAS, the Township and Borough desire to enter into a Shared Services Agreement in order for the Township to provide animal control services to the Borough; and

WHEREAS, the provision of animal control services by the Township to the Borough is in the best financial interests of both entities; and

WHEREAS, resolutions authorizing this Agreement have been approved and issued by both the Township and Borough;

NOW, THEREFORE, in consideration of the mutual covenants, promises and consideration recited herein, the parties to this Agreement agree as follows:

I. Scope of Services

Animal Control Services in accordance with Marlboro's Standard Operating Procedures (Exhibit A) the Township will provide:

- A. Emergency response for domestic animal incidents.
- B. Emergency response for sick or dangerous wildlife.
- C. Transport to the contracted kennel.
- D. Enforcement of Matawan's ordinances pertaining to domestic animals.

**Borough of Matawan
Public Session
February 15, 2022**

II. Borough Responsibilities

- A. Borough agrees to reimburse Marlboro for the cost of sheltering with a local kennel to house animals that are located and trapped by the Township Animal Control Officer ("ACO").
- B. Borough agrees to reimburse Marlboro for the cost of a local veterinarian to attend to injured animals transported by the ACO.
- C. Provide a temporary shelter to keep animals after hours when a delayed response may be necessary.
- D. Collect redemption fees from owners based on ordinance.
- E. Quality control of all calls to ensure response is required.

III. Contract Term

- A. The term of this Agreement shall commence on or about January 1, 2022 and terminating on December 31, 2022.

IV. Contract Amount

- A. In consideration for the services provided pursuant to Section I of this Agreement, the Borough shall pay:
 - (1) Unlimited calls initiated Monday through Friday, 7:30 am to 3:30 pm, excluding Township holidays: \$17,319.60 (\$4,329.90 per quarter)
 - (2) Calls initiated on all other days and times to be billed at a rate of \$216.50 per call.
 - (3) Matawan's share of billing for animals sheltered.
 - (4) Matawan's share of veterinarian service provided to Matawan animals.
- B. Amounts shall be payable within forty-five (45) days of the date of invoice by the Township.

V. Termination

- A. This Agreement may be terminated as follows:
 - (1) For convenience. By either Party at any time upon twenty-one (21) days written notification to the other party.
 - (2) For cause. By either Party upon ten (10) days written notice to the other Party after the other Party has received such notice specifying the failure to perform and fails to remedy and cure such failure within ten calendar days (10) of written notification.
 - (3) By failure to extend this Agreement upon its expiration.
- B. As set forth in Section A(2), above, each Party shall have an additional ten (10) business days to cure any alleged breach after notification of same by the other party. If the cure requires more than ten (10) business days, the Parties shall immediately initiate steps which may be reasonably deemed to be sufficient to cure the alleged breach and thereafter continues and complies with all reasonable and necessary steps sufficient to produce compliance as soon as reasonably practical.

VI. Dispute Resolution

In the event of a dispute under this Agreement, the parties may enter into mediation proceedings to resolve such dispute, the cost of which shall be borne equally by both parties, and, should mediation not succeed or not be agreed to by both parties, any such dispute shall be heard in a court of competent jurisdiction venued in Monmouth County in the State of New Jersey.

VII. Indemnification

The Borough of Matawan agrees to indemnify, defend and hold harmless the Township of Marlboro, collectively and individually, as well as its agents, servants and employees, for any and all claims, suits, costs, expenses, fees (including legal fees) and from all damages of every kind and description arising out of the performance of this Agreement as set forth herein.

**Borough of Matawan
Public Session
February 15, 2022**

EXHIBIT A

MARLBORO TOWNSHIP STANDARD OPERATING PROCEDURES (SOPs)

Matawan Police Supervisors will notify Marlboro Animal Control ("Animal Control") using the appropriate protocol identified after the incident description. Animal Control will be available Monday-Friday 0730-1530 hours, and on-call during all other hours and holidays. Notification will be made to Marlboro Township Police Communications Center at 732-536-0100. All calls to be quality controlled by Matawan Police to ensure response is required.

DEFINITIONS

- A. (I) - call as soon as possible.
- B. (II) - call between 0730 and 1530 hours.
- C. (III) - notify by written report.
- D. Severe Injury-Broken skin
- E. Minor Injury-No broken skin

POLICY

- A. **Calls to be made as soon as possible (I)**
 - 1. Any dog or cat that was struck by an automobile and needs to have veterinary care.
 - 2. Any dog or cat in a trap that was set by a Marlboro Animal Control Officer.
 - 3. Any wildlife that is causing a health risk, such as rabid wild or domestic animals (foaming, walking in circles, possible rabid animal, injured with broken bones etc.).
 - 4. Any animal attack on a human or other animal causing severe injury (III).
 - 5. Bats that may have bitten or scratched a resident or person waking up and noticing a bat flying over their head. If a bat is flying around house with no exposures then the resident should be instructed to call a Wildlife Removal service after 1530 to 0730 hours.
 - 6. Possible cruelty case that cannot wait until normal working hours (i.e. police go to a call and notice 50 cats living in horrific conditions fecal, urine matter all over home, dog that has numerous open wounds on body).
 - 7. If an animal is contained by police or a resident, then the Officer in Charge may be contacted to approve the Animal Control call out.
 - 8. Loose animals roaming across a residence property that are threatening in nature. This includes coyotes, cougars, large reptiles, and any other animal that may pose a substantial risk to persons or domesticated animals.

**Borough of Matawan
Public Session
February 15, 2022**

B. Calls during regular business hours defined (II)

1. People requesting traps for cats (animals captured will be removed and taken to authorized shelter in traps that are Marlboro ACO Property and homeowner traps)
2. Barking dog complaints.
3. Questions concerning animal ordinances.
4. Any concerns regarding all domestic animals.
5. Bats in a home. ACO does not provide eradication services. ACO will evaluate in emergent instances, however, pest control contractor must be contacted for eradication services.
6. Dog at large.
7. Cats at large.
8. Trapping cats.
9. Questions on who to call for wildlife removal from homes, raccoon, skunk, groundhogs, squirrels, and animal control can explain that all wildlife should be removed from a dwelling or structure by a private company unless the animal is showing signs of sickness.
10. Summonses for animal infractions by ACO or can assist resident on signing against another resident.
11. Sick dog or cat or wildlife.
12. Any stray dog or cat which is contained by a resident in garage, leash, house.

C. Instances not to call Animal Control (excluded services)

1. Any animal in a trap that was set by a resident. The resident is responsible for the release and contact of a wildlife removal company.
2. Any deceased animal on a resident's property needs to be disposed of by that resident, unless evidence of rabies, West Nile, or other potentially dangerous disease is suspected. Evaluation to be made by Health Department.
3. Animal Control will not trap wildlife unless the wildlife is sick, potentially rabid or otherwise poses a threat to public safety. Residents will contact a wildlife removal service for any wildlife that is causing a nuisance such as groundhogs, raccoons, or squirrels in attics or under decks.
4. Animal Control will not respond to calls concerning loose animals wandering across a residence property that are non-threatening in nature (this includes fowl such as turkeys, chickens, hens, etc).

**Borough of Matawan
Public Session
February 15, 2022**

IX. Approval of Agreement

This Agreement shall be subject to approval by both the Township of Marlboro and the Borough of Matawan prior to becoming effective.

X. New Jersey Law

This Agreement shall be construed in accordance with the provisions of the laws of the State of New Jersey.


XI. Entire Agreement

This Agreement represents and contains the entire terms of the Agreement between the parties, and shall supersede and replace all prior agreements or discussion between the parties regarding the services specified herein. This Agreement may be modified or amended only by written instrument signed by the parties or their authorized agents.


IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed by

their proper officers the day and year first above written.

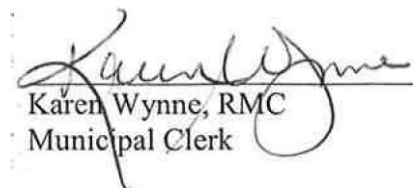
Attest:



Susan A. Branagan,
Municipal Clerk
Resolution #2021-405

TOWNSHIP OF MARLBORO

By: 
Name: Jonathan L. Hornik
Title: Mayor
Dated: 12/28/2021

Attest:


Karen Wynne, RMC
Municipal Clerk

By: 
Name: Joseph Altomonte
Title: Mayor
Dated: February 15, 2022

BOROUGH OF MATAWAN

**RESOLUTION 22-02-20
2021 SANITARY SEWER REPAIR & REHABILITATION
IN ASSOCIATION WITH THE BOROUGH OF MATAWAN'S
2020 ROAD IMPROVEMENT PROGRAM
LIMA CHARLIE CONSTRUCTION, INC.
AUTHORIZING CHANGE ORDER NO. 1**

WHEREAS, the Borough Engineer, T&M Associates, has informed the Council that Items 2 and 4 are Extra to reflect as-built quantities and field conditions in the 2021 Sanitary Sewer Repair & Rehabilitation Project, for a total Extra this Change Order No. 1 of Twenty-Five Thousand, Five Hundred Dollars and No Cents (\$25,500.00); and

WHEREAS, T&M Associates has informed the Council that Items S-1 and S-2 are Supplemental in the 2021 Sanitary Sewer Repair & Rehabilitation Project, for a total Supplement this Change Order No. 1 of One Hundred Seventy-Three Thousand, Nine Hundred Eighty-Eight Dollars and No Cents (\$173,988.00); and

WHEREAS, T&M Associates has informed the Council that Various Items are Reduced to reflect as-built quantities and field conditions in the 2021 Sanitary Sewer Repair & Rehabilitation Project, for a total reduction this Change Order No. 1 of One Hundred Ninety-Nine Thousand, Seventy Hundred Seventy Dollars and No Cents (\$199,770.00).

**Borough of Matawan
Public Session
February 15, 2022**

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan, based upon the recommendation of T&M Associates, that they hereby authorize the attached contract modification proposal, Change Order No. 1, for the 2021 Sanitary Sewer Repair & Rehabilitation Project, a Net Change This Change Order No. 1, in an amount of Zero Dollars and No Cents (\$0.00).*

***BE IT FURTHER RESOLVED** this amount reflects a total Net Change Decrease in Contract of Two Hundred, Eighty-Two Dollars and No Cents (\$282.00).*

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

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

Borough of Matawan
Public Session
February 15, 2022

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

SHEET NO. 1 OF 2
PROJECT NO. MATN-04153

CHANGE ORDER NO. 1

DATE: February 7, 2022

PROJECT: 2021 Sanitary Sewer Repair and Rehabilitation

OWNER: Borough of Matawan

CONTRACTOR: Lima Charlie Construction

DESCRIPTION OF CHANGE:

REDUCTIONS:

Items 5 (8" SDR 35 Sanitary Sewer Pipe), 6 (8" Sanitary Sewer Testing), 8 (8" Spot Repairs), 9 (Coarse Aggregate Pipe Bedding), and 10 (Borrow (I&WD)) have been reduced to reflect actual as-built/field conditions based on the work completed to date.



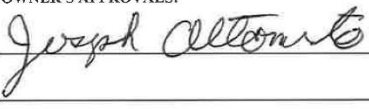
EXTRA:

Items 2 (Allowance for Police Traffic Directors) and 4 (Utility Test Pits (I&WD)) have been increased to reflect actual as-built/field conditions based on the work completed to date.

SUPPLEMENTARY:

Supplementary Item S-1: 8" Sewer Main Pipe Lining is necessary to line the existing 8" sewer main along Johnson Avenue between manholes J9.8 to J9.4, which cannot be replaced due to an existing gas main that is in close proximity to the sewer pipe.

Supplementary Item S-2: Johnson Avenue Spot Repairs is for the labor and material costs necessary to complete various spot repairs along Johnson Avenue to repair breaks of the sewer main between manholes J9.8 to J9.4 prior to lining of the sewer pipe.

APPROVAL RECOMMENDED:	SEE ATTACHED DETAIL	ADDITIONAL	REDUCTION
 ROBERT R. KEADY, JR., P.E., C.M.E.	A. TOTAL REDUCTIONS THIS C.O.	XXXXXXXXXX	\$199,770.00
ACCEPTED:	B. TOTAL EXTRAS THIS C.O.	\$25,500.00	XXXXXXXXXX
 CONTRACTOR: Lima Charlie Construction	C. TOTAL SUPPLEMENTARY THIS C.O.	\$173,988.00	XXXXXXXXXX
OWNER'S APPROVALS:	TOTALS THIS C.O.	\$199,488.00	\$199,770.00
	NET CHANGE THIS CHANGE ORDER	\$0.00	\$282.00
NOTE: All work to be done according to Contract Specifications.	PREVIOUS CHANGE ORDERS	\$0.00	\$0.00
	TOTAL CHANGE ORDERS TO DATE	\$199,488.00	\$199,770.00
	NET CHANGE IN CONTRACT	\$0.00	\$282.00
	ORIGINAL CONTRACT BID PRICE	\$765,350.00	
	CHANGE ORDERS TO DATE	(\$282.00)	
	REVISED CONTRACT PRICE	\$765,068.00	

Borough of Matawan
Public Session
February 15, 2022

CHANGE ORDER NO. 1

SHEET NO. 2 OF 2
PROJECT NO. MATN-04153

PROJECT:2021 Sanitary Sewer Repair and Rehabilitation

OWNER:Borough of Matawan

CONTRACTOR:Lima Charlie Construction

	ITEM NO.	DESCRIPTION	QUANTITY	UNIT	PRICE	AMOUNT
REDUCTIONS	R-1	Item 5 - 8" SDR 35 Sanitary Sewer Pipe	936.00	LF	\$190.00	\$177,840.00
	R-2	Item 6 - 8" Sanitary Sewer Testing	936.00	LF	\$5.00	\$4,680.00
	R-3	Item 8 - 8" Spot Repairs	1.00	Unit	\$8,000.00	\$8,000.00
	R-4	Item 9 - Coarse Aggregate Pipe Bedding	50.00	CY	\$60.00	\$3,000.00
	R-5	Item 10 - Borrow (I&WD)	250.00	CY	\$25.00	\$6,250.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
A. TOTAL REDUCTIONS						\$199,770.00
EXTRA	E-1	Item 2 - Allowance for Police Traffic Directors	1.00	Allow.	\$25,000.00	\$25,000.00
	E-2	Item 4 - Utility Test Pits (I&WD)	1.00	Unit	\$500.00	\$500.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
B. TOTAL EXTRA						\$25,500.00
SUPPLEMENTARY	S-1	8" Sewer Main Pipe Lining	936.00	LF	\$70.50	\$65,988.00
	S-2	Johnson Avenue Spot Repair	9.00	Unit	\$12,000.00	\$108,000.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
C. TOTAL SUPPLEMENTARY						\$173,988.00

RESOLUTION 22-02-21
AWARD OF CONTRACT FOR 2021 OVERBROOK LANE RETAINING WALL REPLACEMENT PROJECT
IN ASSOCIATION WITH THE BOROUGH OF MATAWAN’S 2020 ROAD IMPROVEMENT PROGRAM
TC LANDSCAPE CONSTRUCTION GROUP

WHEREAS, the Borough of Matawan previously authorized the receipt of bids for the 2021 Overbrook Lane Retaining Wall Replacement Project in association with the Borough’s 2020 Road Improvement Program; and

WHEREAS, pursuant to law the Borough of Matawan solicited bids for the 2021 Overbrook Lane Retaining Wall Replacement Project; and

WHEREAS, the Borough of Matawan received ten (10) bids for the aforesaid contract; and

**Borough of Matawan
Public Session
February 15, 2022**

***NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Matawan upon recommendation of T&M Associates, Borough Engineer, hereby awards contract for the 2021 Overbrook Lane Retaining Wall Replacement Project to TC Landscape Construction Group, 156 Grand Central Parkway, Bayville, New Jersey 08721, in an amount not to exceed One Hundred Fourteen Thousand, Five Hundred Fifty Dollars and No Cents (\$114,550.00).*

***BE IT FURTHER RESOLVED** said contract is performed in accordance with all bid specifications, contracts and documents, 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, and the Mayor is hereby authorized to execute any necessary documents to implement the aforesaid award of contract.*

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

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-04-55-920-101 Budget of the Borough of Matawan to TC Landscape Construction Group (T&M Project No. MATNOH-16002) for the Borough of Matawan 2021 Overbrook Lane Retaining Wall Replacement Project in association with the Borough of Matawan's 2020 Road Improvement Program in an amount not to exceed One Hundred Fourteen Thousand, Five Hundred Fifty Dollars and No Cents (\$114,550.00).

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: February 15, 2022

Borough of Matawan
Public Session
February 15, 2022



MATN-04160

February 9, 2022
Via email and First Class Mail

Scott Carew, Borough Administrator
Borough of Matawan
201 Broad Street
Matawan, NJ 07747

Re: Overbrook Lane Retaining Wall Replacement
Review of Bids and Recommendation of Award

Dear Mr. Carew:

On Tuesday, February 8, 2022 bids were received for the above referenced project. A detailed bid summary is attached. The ten (10) bids were received as summarized below:

Bidders	Base Bid	Base & Alternate
TC Landscape Construction	\$110,350.00	\$114,550.00
Thor Construction	\$138,150.00	\$136,150.00
Capella Construction	\$145,600.00	\$142,600.00
United Terrain Group	\$147,734.50	\$145,734.50
S. Brothers	\$148,734.50	\$150,334.50
Brennan Brothers	\$159,996.50	\$157,596.50
Lima Charlie Construction	\$163,163.00	\$159,163.00
Seacoast Construction	\$191,050.00	\$189,050.00
Berto Construction	\$233,227.50	\$233,227.50
ZN Construction	\$346,980.00	\$357,980.00

The Alternate Bid is to include a vinyl fence in place of the chain link fence with privacy slates which was part of the base bid. Awarding the alternate bid will increase the contract amount by \$4,200.

The apparent low bidder is TC Landscape Construction Group, Inc. 156 Grand Central Parkway, Bayville, NJ 08721.

Subject to the review of the Borough Attorney, we either recommend awarding the bid to TC Landscape Construction Group for either for the Base Bid amount of \$110,350.00 or the Base Bid + Alternate amount of 114,550.00. The award shall be contingent on the availability of funds, review of the Borough Attorney, review by the Department of Labor, and Office of Wage and Hour Compliance.

**Borough of Matawan
Public Session
February 15, 2022**



Re: Recommendation of Award
Overbrook Lane Retaining Wall Replacement

MATN-04160
February 9, 2022
Page 2

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

Very truly yours,

T&M ASSOCIATES


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

RRK:PB: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

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RESOLUTION 22-02-22

AUTHORIZING THE BOROUGH OF MATAWAN DEPARTMENT OF PUBLIC WORKS SEWER TO ENTER INTO AN AGREEMENT WITH THE NEW JERSEY STATE DEPARTMENT OF TRANSPORTATION FOR UTILITY ENGINEERING AND CONSTRUCTION AGREEMENT AND AMENDMENT UECA-12-RT34 CR537 TO WASHINGTON AVENUE UPC-113070

WHEREAS, the New Jersey State Department of Transportation ("State") is going to undertake the design and construction of Route 34, Northbound and Southbound, County Road 537 (CR537) to Washington Avenue located through Colts Neck, Holmdel, Marlboro and Old Bridge Townships, and the Borough of Matawan; and

WHEREAS, the State is being asked to simultaneously execute the attached an Utility Engineering and Construction Agreement (UECA), Utility Engineering and Construction Agreement Amendment (Amendment) with Exhibits 1-10, UECA-12-Rt34 CR537 to Washington Avenue UPC-113070 between the State and the Borough of Matawan Department of Public Works Sewer for the verification, design, protection and/or relocation of certain public works facilities in connection with the design and construction of this project; and

NOW, THEREFORE BE IT RESOLVED, by the Council of the Borough of Matawan that the Borough of Matawan enter into the attached Utility Engineering and Construction Agreement (UECA), Utility Engineering and Construction Agreement Amendment (Amendment) with Exhibits 1-10, UECA-12-Rt34 CR537 to Washington Avenue UPC-113070 with the New Jersey State Department of Transportation.

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, Construction, Finance, Fire Department, Fire Prevention, Police, Public Works as well as the New Jersey State Department of Transportation.

(Full copy of Agreement is on file in the Clerk's Office and available upon request.)

RESOLUTION 22-02-23

AUTHORIZING THE BOROUGH OF MATAWAN DEPARTMENT OF PUBLIC WORKS WATER TO ENTER INTO AN AGREEMENT WITH THE NEW JERSEY STATE DEPARTMENT OF TRANSPORTATION FOR UTILITY ENGINEERING AND CONSTRUCTION AGREEMENT AND AMENDMENT UECA-11-RT34 CR537 TO WASHINGTON AVENUE UPC-113070

WHEREAS, the New Jersey State Department of Transportation ("State") is going to undertake the design and construction of Route 34, Northbound and Southbound, County Road 537 (CR537) to Washington Avenue located through Colts Neck, Holmdel, Marlboro and Old Bridge Townships, and the Borough of Matawan; and

**Borough of Matawan
Public Session
February 15, 2022**

WHEREAS, the State is being asked to simultaneously execute the attached an Utility Engineering and Construction Agreement (UECA), Utility Engineering and Construction Agreement Amendment (Amendment) with Exhibits 1-10, UECA-11-Rt34 CR537 to Washington Avenue UPC-113070 between the State and the Borough of Matawan Department of Public Works Sewer for the verification, design, protection and/or relocation of certain public works facilities in connection with the design and construction of this project; and

NOW, THEREFORE BE IT RESOLVED, by the Council of the Borough of Matawan that the Borough of Matawan enter into the attached Utility Engineering and Construction Agreement (UECA), Utility Engineering and Construction Agreement Amendment (Amendment) with Exhibits 1-10, UECA-11-Rt34 CR537 to Washington Avenue UPC-113070 with the New Jersey State Department of Transportation.

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, Construction, Finance, Fire Department, Fire Prevention, Police, Public Works as well as the New Jersey State Department of Transportation.

(Full copy of Agreement is on file in the Clerk's Office and available upon request.)

**RESOLUTION 22-02-24
ACCEPTANCE OF RETIREMENT PART TIME ANNUAL LICENSED WASTEWATER PERSONNEL
CLARK WOLVERTON**

WHEREAS, Part-Time Annual Licensed Wastewater Personnel Clark Wolverton, has submitted notice of retirement to John Applegate, the Borough of Matawan Superintendent of the Department of Public Works effective December 31, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan accepts the retirement, effective December 31, 2021, of Part-Time Annual Licensed Wastewater Personnel Clark Wolverton, subject to the terms and conditions as outlined in the Policies and Procedures Manual of the Borough of Matawan.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Finance, Payroll, Public Works as well as the New Jersey State DCA and DEP, and Clark Wolverton.

**RESOLUTION 22-02-25
AUTHORIZING A 2022 STIPEND FOR LICENSED WASTEWATER PERSONNEL FOR THE
BOROUGH OF MATAWAN SANITARY SEWER COLLECTION SYSTEM
ERIC FRYE**

WHEREAS, the position of the Borough of Matawan's Licensed Waste Water Personnel for the Borough of Matawan's Sanitary Sewer Collection System has become vacant; and

WHEREAS, there exists the need for the Borough of Matawan to engage the services of a Licensed Operator with the appropriate License required for the position of Licensed Waste Water Personnel; and

WHEREAS, Eric Frye, Deputy Superintendent of the Borough of Matawan's Department of Public Works has the certification, qualifications and expertise as a Licensed Wastewater Operator needed for operational issues of the Sanitary Sewer Collection System.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that Eric Frye, Deputy Superintendent of the Borough of Matawan's Department of Public Works, shall be given a stipend of Eleven Thousand, Three Hundred Fifty-One Dollars and Sixty-One Cents (\$11,351.61) for calendar year 2022.

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 Eric Frye.

CERTIFICATION AS TO AVAILABLE FUNDING

I, Nicole Horvath, Chief Financial Officer of the Borough of Matawan, County of Monmouth, State of New Jersey, do hereby certify that as of the date of this certification, funds are available from the 2-09-55-500-100 Budget of the Borough of Matawan in an amount not to exceed Eleven Thousand, Three Hundred Fifty-One Dollars and Sixty-One Cents (\$11,351.61).

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.

**Borough of Matawan
Public Session
February 15, 2022**

Chief Financial Officer

(Signature on File)

Nicole Horvath, CMFO

Dated: February 15, 2022

New Business

Mayor Altomonte asked for a motion to table Resolution 22-02-26, for further review. Councilman Livesey made the motion, seconded by Councilman Ross. Mayor Altomonte asked for a voice vote. Council agreed. Motion passed.

Mayor Altomonte read by Ordinance 22-01: Bond Ordinance Providing for Various Water/Sewer Utility Improvements by the Borough of Matawan, Appropriating \$4,006,000 Therefor and Authorizing the Issuance of \$3,815,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof. Mayor Altomonte requested a motion to introduce. Councilwoman Gunn made the motion, seconded by Councilman Livesey. Council agreed. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Deana Gunn
Councilman Brian Livesey
Councilwoman Stephanie Buckel
Councilman Charlie Ross

Abstain: Councilman Brett Cannon
Councilwoman Melanie S. Wang

Motion passed.

ORDINANCE 22-01

BOND ORDINANCE PROVIDING FOR VARIOUS WATER/SEWER UTILITY IMPROVEMENTS BY THE BOROUGH OF MATAWAN, APPROPRIATING \$4,006,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,815,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

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

Section 1. The improvements or purposes described in Section 3 of this bond ordinance are each hereby authorized to be undertaken by the Borough of Matawan, a municipal corporation of the State of New Jersey (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 \$4,006,000, including the sum of \$191,000 as the down payment for the improvement or purpose required by the Local Bond Law. The down payment is now available by virtue of the provision for a down payment for capital improvement purposes in one or more previously adopted budgets.

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 \$3,815,000 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 improvements authorized and the purpose for the financing of which said obligations are to be issued is for various water/sewer system improvements on various streets throughout the Borough, including but not limited to: Cedar Street; Oak Street; Washington Street (Liberty to Robert); Center Street (Main to Broad); Harding Street (Liberty to Grant); Johnson Avenue (Little to Terminus); and the Spring Street Viaduct, and include, but are not limited to the installation of new water mains, service improvements, hydrant improvements and sewer repairs, as well as general sanitary sewer inspections and repairs.

(b) The estimated maximum amount of bonds or notes to be issued for the purpose of financing the cost of the improvements set forth in Section 3(a) above is \$3,815,000.

(c) The estimated cost of the improvements set forth in Section 3(a) above is \$4,006,000 which amount represents the initial appropriation made by the Borough.

**Borough of Matawan
Public Session
February 15, 2022**

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 40 years.

(c) An aggregate amount not exceeding \$743,000 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 \$3,815,000 (the amount of the authorization of the obligations provided for in this bond ordinance). The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

Section 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. This bond ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the improvements described in Section 3 hereof prior to the date that the Borough incurs debt obligations under this bond ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of expected to be issued for payment of the costs of the Improvements is \$4,006,000.

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 is scheduled for 7:00 PM, March 1, 2022.

Mayor Altomonte read by Ordinance 22-02: Bond Ordinance Providing for Various Road Improvements by the Borough of Matawan, Appropriating \$1,074,000 Therefor, Including a Grant in the Amount of \$150,000 Expected to be Received From the State Department of Transportation and Authorizing the Issuance of \$883,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof. Mayor Altomonte requested a motion to introduce. Councilwoman Gunn made the motion, seconded by Councilman Livesey. Council agreed. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Deana Gunn
Councilman Brian Livesey
Councilwoman Stephanie Buckel
Councilman Brett Cannon
Councilman Charlie Ross

**Borough of Matawan
Public Session
February 15, 2022**

Abstain: Councilwoman Melanie S. Wang

Motion passed.

ORDINANCE 22-02

BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS BY THE BOROUGH OF MATAWAN, APPROPRIATING \$1,074,000 THEREFOR, INCLUDING A GRANT IN THE AMOUNT OF \$150,000 EXPECTED TO BE RECEIVED FROM THE STATE DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE ISSUANCE OF \$883,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

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

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Matawan, a municipal corporation of the State of New Jersey (the “Borough”) as a general improvement. For the improvement or purpose described in Section 3 of this bond ordinance, there is hereby appropriated the sum of \$1,074,000, including a grant expected to be received from the State Department of Transportation in the amount of \$150,000, and the sum of \$41,000 as the down payment for the improvement or purpose required by the Local Bond Law. The down payment is now available by virtue of the provision for a down payment for capital improvement purposes in one or more previously adopted budgets.

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 \$883,000 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. The improvements or purposes hereby authorized for which bonds or notes are to be issued, the estimated cost of each improvement or purpose and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement or purpose, and the period of usefulness of each improvement or purpose are as follows:

(a) Road improvements for various streets throughout the Borough, including but not limited to, Cedar Street, Oak Street, Washington Street (Liberty to Robert), Harding Street (Liberty to Grant), Center Street (Main to Broad), Johnson Ave, outfall repairs (Aberdeen Road, Spring Street), police parking lot improvements, crack sealing and line striping, and all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$854,000	\$813,000	20 years

(b) Road improvements for Sapphire Lane in the Borough, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$220,000 (including a grant expected to be received from the State Department of Transportation in the amount of \$150,000)	\$70,000	20 years

<u>TOTAL APPROPRIATION</u>	<u>TOTAL BOND AUTHORIZATION</u>	<u>AVERAGE PERIOD OF USEFULNESS</u>
\$1,074,000	\$883,000	20 years

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the bond anticipation notes issued pursuant to this bond ordinance, and the Chief Financial Officer’s signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell a part, or all, of the bond anticipation notes from time to time at public or private sale, and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest, if any, from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale of bond anticipation notes issued pursuant to this bond ordinance is made. Such report must include

**Borough of Matawan
Public Session
February 15, 2022**

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 20 years.

(c) An aggregate amount not exceeding \$185,000 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 \$883,000 (the amount of the authorization of the obligations provided for in this bond ordinance). The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

Section 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. This bond ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the improvements described in Section 3 hereof prior to the date that the Borough incurs debt obligations under this bond ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of expected to be issued for payment of the costs of the Improvements is \$4,006,000.

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 is scheduled for 7:00 PM, March 1, 2022.

Mayor Altomonte read by title Resolution 22-02-27: Authorizing the Transfer of Unexpended Balances in Certain 2021 Appropriation Reserve Accounts. Mayor Altomonte requested a motion. Councilman Livesey made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Deana Gunn
Councilman Brian Livesey
Councilwoman Stephanie Buckel
Councilman Brett Cannon
Councilwoman Melanie S. Wang
Councilman Charlie Ross

Motion passed.

**RESOLUTION 22-02-27
AUTHORIZING THE TRANSFER OF UNEXPENDED BALANCES IN CERTAIN
2021 APPROPRIATION RESERVE ACCOUNTS**

WHEREAS, NJSA 40A:4-59 provides for the transfers within certain appropriations within the Municipal Budget during the first three months of the following year: and

WHEREAS, there are unexpended balances in certain 2021 appropriation reserve accounts; and

WHEREAS, additional funds are required in certain other 2021 appropriation reserve accounts.

**Borough of Matawan
Public Session
February 15, 2022**

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that the following transfers are authorized from and to the following accounts:

<i>Transfer From Account Number</i>	<i>Amount of Transfer</i>	<i>Transfer To Account Number</i>	<i>Amount of Transfer</i>
<i>1-01-25-240-100</i>	<i>\$ 25,000.00</i>	<i>1-01-26-290-200</i>	<i>\$ 25,000.00</i>
<i>Police</i>		<i>Streets & Roads</i>	
<i>Salary & Wage</i>		<i>Other Expense</i>	
<i>1-01-31-430-200</i>	<i>\$ 7,000.00</i>	<i>1-01-20-150-200</i>	<i>\$ 7,000.00</i>
<i>Utilities</i>		<i>Tax Assessor</i>	
<i>Other Expense</i>		<i>Other Expense</i>	

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

Mayor Altomonte read by title Resolution 22-02-28: Payment of Bills. Mayor Altomonte requested a motion. Councilwoman Gunn made the motion, seconded by Councilman Cannon. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Deana Gunn
Councilman Brian Livesey
Councilwoman Stephanie Buckel
Councilman Brett Cannon
Councilwoman Melanie S. Wang
Councilman Charlie Ross

Motion passed.

**RESOLUTION 22-02-28
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>\$443,626.48</i>
<i>Water/Sewer</i>	<i>\$47,485.62</i>
<i>Borough Capital</i>	<i>\$58,275.89</i>
<i>Water Capital</i>	<i>\$191,897.33</i>
<i>Grant</i>	<i>\$232.02</i>
<i>Borough Trust</i>	<i>\$98,812.38</i>
<i>Total</i>	<i>\$840,329.72</i>

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

Privilege of the Floor

Mayor Altomonte opened the Privilege of the Floor.

There were no comments.

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

**Borough of Matawan
Public Session
February 15, 2022**

Adjourn

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

Meeting adjourned at 8:05 PM.

Karen Wynne

Karen Wynne, RMC
Municipal Clerk