

**Borough of Matawan
Workshop Session
July 18, 2023**

Aregular 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 July 18, 2023, 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 6, 2023, by sending notice to the *Star Ledger*, and by posting. A copy of said notice is and has been made available to the public and is on file in the Office of the Borough Clerk. A copy of said notice has also been sent to such members of the public as have requested such information in accordance with the Statute. Mayor Altomonte called the meeting to order at 7:03 PM requesting a roll call.

On roll call the following members responded present:

Yes: Councilwoman Deana Gunn
 Councilman Steven Russell
 Councilwoman Stephanie Buckel
 Councilman Brian Livesey
 Councilman Charles Ross

Absent: Councilwoman Melanie S. Wang

Also present were Ryan Michelson, 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 asking everyone to keep in their thoughts Elex Judson and his family. Elex was a member of the Borough family who recently passed. Also, please send good thoughts to Annemarie McCarthy a Borough retiree who is recovering from a recent severe injury.

Proclamation for Woman's Club 60 Years

Mayor Altomonte read the Proclamation in recognition and commendation of The Woman's Club for maintaining the historic Woman's Club Church Lecture Hall building in the Borough of Matawan.

Discussion Item of the 2023 Borough of Matawan Farmers Market

Mr. Menna related the concept of a Borough Farmers Market brought to the attention of Council some months ago by Councilwoman Buckel on behalf of the Recreation Commission. There was some discussion on the Market's location. At some point and time Council considered the Matawan Municipal Community Center (MMCC) and its availability for the Market as well as hosting the Market here in conjunction with a partnership or sponsorship or at the invitation of the Recreation Commission. Evidently the Farmers Market has been taking place at MMCC on Friday afternoons. The Resolution before you permits the Farmers Market and gives that permission retroactively. Our Recreation Director is working with Here Here, the vendor coordinating the Farmers Market on behalf of the Borough. Outside vendors pay a fee to Here Here but Borough vendors do not.

After discussion Council waived any associated MMCC Use fees but any fees with the Board of Health or Fire Prevention will prevail unless waived by Council. Council authorized the Clerk and the Recreation Director to obtain any and all required documentation and certificates of insurance.

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Mayor Altomonte opened the floor for public comment.

There were no comments.

Mayor Altomonte requested a motion to close the public comment. Councilman Ross made the motion, seconded by Councilwoman BuckeL. Council agreed. Motion passed.

Mayor Altomonte read by title Resolution 23-07-06: Authorizing the Borough of Matawan 2023 Farmers' Market to be Held at the Borough of Matawan Municipal Community Center Jeremiah E. Hourihan, Sr. Field. Mayor Altomonte requested a motion. Councilwoman Buckel made the motion, seconded by Councilman Ross. Council agreed. Motion passed.

**RESOLUTION 23-07-06
*AUTHORIZING THE BOROUGH OF MATAWAN 2023 FARMERS' MARKET
TO BE HELD AT THE BOROUGH OF MATAWAN MUNICIPAL COMMUNITY CENTER
JEREMIAH E. HOURIHAN, SR. FIELD***

WHEREAS, the Borough of Matawan Recreation Commission requests the Governing Body authorization to hold a Farmers' Market in the Jeremiah E. Hourihan, Sr. Field at the Borough of Matawan Municipal Community Center parking lot every Friday beginning June 9, 2023 through October 27, 2023 from 2:00 PM to 7:00 PM; and

WHEREAS, Hear Here, LLC, a Corporation of the State of New Jersey, in association the Borough of Matawan Recreation Commission is sponsoring the 2023 Farmers' Market; and

WHEREAS, Hear Here, LLC and the Borough of Matawan Recreation Commission have requested that the Council of the Borough of Matawan, as an expression of support and encouragement, waive any permits with corresponding fees associated with the 2023 Farmers' Market governed by Borough Code Chapter 11 – Parks and Recreational Areas, Section 11-8 Permits only be waived; with all other Borough Code fees and permits to remain applicable.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Matawan hereby authorizes Hear Here, LLC to use Jeremiah E. Hourihan, Sr. Field at the Borough of Matawan Municipal Community Center parking lot for a Farmers' Market on Fridays beginning June 9, 2023 through October 27, 2023 from 2:00 PM to 7:00 PM.

BE IT FURTHER RESOLVED that Hear Here, LLC shall provide the Clerk of the Borough of Matawan the following documents and information as a condition to the issuance of the within approval: (1) General liability insurance certificate naming the Borough as loss insured pursuant to Borough Ordinance; (2) copy of certificate of formation of the LLC; (3) signed Release and Hold Harmless agreement regarding injury and damage to persons or property during events; (3) signed plan of clean up and removal of residual trash and waste by the company at their cost and expense; (4) copy of the company's Business Registration Certificate; (5) Emergency contact information with responsible individual for the company.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Borough Operations Coordinator, Clerk, Community Engagement Coordinator, Construction, Finance, Fire Department, Fire Prevention, Police, Public Works, Recreation, Recycling as well as Hear Here, LLC.

Privilege of the Floor for Agenda Items Only

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

There were no comments.

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

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Approval of Firefighter

Mayor Altomonte requested a motion to approve Borough of Matawan Volunteer Firefighter Bora Aykin. Councilman Livesey made the motion, seconded by Councilwoman Gunn. Council agreed. Motion passed.

Old Business

Mayor Altomonte read by title Ordinance 23-14: Amending and Supplementing the Revised General Ordinances of the Borough of Matawan – Chapter XXXIV: “Development Regulations,” at Section 34-58: “Zoning Map” to Change the Zoning District Designation of Block 6, Lot 1 to the “Railroad Improvement District.” Mayor Altomonte requested a motion to open the public hearing. Councilwoman Gunn made the motion, seconded by Councilman Ross. Council agreed. Motion passed. Mayor Altomonte requested comments. There were no comments. Mayor Altomonte requested a motion to close the public hearing. Councilwoman Gunn made the motion, seconded by Councilman Ross. Council agreed. Motion passed. Mayor Altomonte read by title Ordinance 23-14: Amending and Supplementing the Revised General Ordinances of the Borough of Matawan – Chapter XXXIV: “Development Regulations,” at Section 34-58: “Zoning Map” to Change the Zoning District Designation of Block 6, Lot 1 to the “Railroad Improvement District” requesting a motion to adopt. Councilwoman Gunn made the motion, seconded by Councilman Russell. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Deana Gunn
 Councilwoman Stephanie Buckel
 Councilman Steven Russell
 Councilman Brian Livesey
 Councilman Charles Ross

Motion passed.

***ORDINANCE 23-14
AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF MATAWAN – CHAPTER XXXIV: “DEVELOPMENT REGULATIONS”, AT
SECTION 34-58: “ZONING MAP” TO CHANGE THE ZONING DISTRICT DESIGNATION
OF BLOCK 6, LOT 1 TO THE “RAILROAD IMPROVEMENT DISTRICT”***

WHEREAS, the Borough of Matawan (the “Borough”) is empowered by the New Jersey Municipal Land Use Law to establish certain zoning districts within the Borough and comprehensive development regulations attendant thereto; and

WHEREAS, the Borough has worked for many years to foster the redevelopment and improvement of the area surrounding its train station, as well as adjacent properties leading to the Borough’s downtown Main Street; and

WHEREAS, the Borough finds that the redesignation of 58 Main Street, identified on the Tax Map of the Borough as Block 6, Lot 1, to the Railroad Improvement District will help advance the Borough’s goals in improving the area surrounding its train station.

NOW, THEREFORE, BE IT ORDAINED by the Mayor & Council of the Borough of Matawan as follows:

SECTION 1. Section 34-58: “Zoning Map” of Chapter 34: “Development Regulations” of the Revised General Ordinances of the Borough of Matawan is hereby amended as follows (~~stricken text~~ indicates deletions, underlined text indicates additions):

§ 34-58 ZONING MAP.

- a. *The boundaries of all zone districts set forth in this chapter shall be shown on a map bearing date of adoption. The map shall be filed in the office of the Borough Clerk and shall hereafter be the Official Zoning Map of the Borough. Such map is hereby declared a part of this chapter and shall be duly certified by the Borough Clerk.*

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- b. *Amendments to Zoning Map. The Zoning Map is amended to change the zoning district designation of new Block 120, Lot. 5.01 (formerly Block 120, Lot 5 and part of Lot 6) to "R-C Residential Cluster Multifamily."*
- c. *Amendment to Zoning Map. The Zoning Map is amended to change the zoning district designation of Block 40, Lots 6 and 7 to MUD, Mixed Use Development.*
- d. *Amendment to Zoning Map. School Free Drug Zone Map adopted by Ordinance by the Borough and reaffirmed as applicable to the within changes as well as a map of the official zoning Map of the Borough of Matawan.*
- e. *Amendment to Zoning Map. The Zoning Map is amended to change the zoning district designation of Block 6, Lot 1 to RID, Railroad Improvement District.*

SECTION 2. If any article, section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION 3. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of The Revised General Ordinances of the Borough are ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. After introduction, the Borough Clerk is directed to submit a copy of the within Ordinance to the Planning Board of the Borough for its review under N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Mayor & Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

SECTION 5. This Ordinance shall take effect upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final adopted Ordinance by the Clerk with the Monmouth County Planning Board pursuant to N.J.S.A. 40:55D-16.

Clerk's Report

The Clerk reported the new staff is acclimating itself well and beginning to work on long outstanding projects with the assistance of Executive Assistant Robin Klinger.

Mayor's Report

Mayor Altomonte thanked everyone who donated to a family in town in need. We ask for continued donations to our Food Bank. With our current economy and coming out of the pandemic the need remains strong.

Administrator's Report

Mr. Michelson thanked Chief Falco, the Clerk and Ms. Klinger for serving in Mr. Michelson's absence while he was on vacation this past week. He also thanked Public Works for working with the Administrator's Office to finalize and sign off on their recent contract. And is grateful to them for all the work they continue to do for the Borough.

Mr. Michelson related ongoing discussions he's had with staff in exploring the cost of relocating the Lake Lefferts aerator and looks to have that information at Council's next meeting.

Lastly, Mr. Michelson thanked our Deputy CFO and our auditors on the work done on our 2022 Annual Audit. There were no findings but always opportunities for us to improve best practices.

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Attorney's Report

No report.

Engineer's Report

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

- The 2022 Road Program is substantially complete.
- The Sanitary Sewer Inspections have been completed and we are reviewing the last of the tapes and then we'll be proceeding with design of any sanitary sewer rehabilitations.
- The Spring Street Viaduct and Outfall Project – We have two permit applications for DEP for review. Once approved we can move forward to go out to bid.
- The water plant well upgrades - We reached out to DEP to get a sense of timing for their review.
- Clinton Street Parking and Pennipled Park Improvements – The surveys are complete, and we are in design.

Economic Business Development, Planning Zoning, Police

Councilwoman Gunn reminded residents on August 1 we will celebrate National Night Out here at MMCC Hourihan Field offering a night of community opportunities to spend some time with to support our police force.

The Economic Business Development Commission is working on various projects and once dates are determined a more detailed report is forthcoming. Councilman Livesey will report on an upcoming 5K.

The Borough received a Center Avenue resident request for relief from a street opening moratorium in order to convert from oil to gas. A mortarium is placed on recently paved street to protect the road and the Borough's investment. Center Avenue was paved but a utility and not by the Borough with no taxpayer dollars expended in that paving. It is Councilwoman Gunn's recommendation for Council to grant the relief to the resident and with conditions to be cited in the permit to restore the road back to its original condition with infrared repair. Councilwoman Gunn made a motion to introduce Resolution 23-07-12: Granting Relief from the Five-Year Moratorium Road Opening Permit – 3 Center Avenue, seconded by Councilman Livesey. Mayor Altomonte Requested a roll call. A roll call vote was taken.

Yes: Councilwoman Deana Gunn
 Councilman Steven Russell
 Councilwoman Stephanie Buckel
 Councilman Brian Livesey
 Councilman Charles Ross

Motion passed.

***RESOLUTION 23-07-12
GRANTING RELIEF FROM THE FIVE YEAR MORATORIUM ROAD OPENING PERMIT
3 CENTER AVENUE***

WHEREAS, Hunter Ward, residing at 3 Center Avenue, has requested the Council of the Borough of Matawan grant emergency relief from the five-year moratorium to open 3 Center Avenue, recently paved in 2022 by a utility in conjunction with its recent work at no cost to the Borough of Matawan, for the purpose of connecting to the New Jersey Natural Gas facilities as the home's oil burning furnace has been removed in anticipation of oil to gas conversion; and

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WHEREAS, the Borough Engineer has reviewed this matter, and relief from the five- year moratorium is subject to full roadway surface infrared pavement repairs will be required for restoration as well as any other conditions specified in the issued Permits.

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan, hereby grants the above subject property relief from the five-year moratorium road opening(s) to connect to the New Jersey Natural Gas facilities subject to all conditions and fees as outlined above, and with any and all conditions cited in the Borough of Matawan Permit for Street Opening to be issued.

BE IT FURTHER RESOLVED, the homeowner and/or their contractor(s) shall contact the Borough Clerk to submit an Application for Street Opening Permit and review methods to obtain an approving Street Opening Permit from T&M Associates, the Borough Engineer.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Construction, Fire, Police, Public Works as well as the Borough Engineer, New Jersey Natural Gas and the Applicant.

Historical Sites, Personnel

Councilman Russell reported the Public Works contract was approved at the July 6th meeting.

The Historical Sites Commission (HSC) is working on refurbishing the seven Borough historic markers. We continue work on the installation of the grave markers received from the Daughters of the American Revolution to mark revolutionary War Veterans graves buried in Matawan cemeteries. The Burrowes Mansion and the HSC received a grant from the Society of Cincinnati for an interpretive and interactive information sign at the Burrowes Mansion. On August 5, a concert to celebrate the 300th anniversary of the Mansion will be held in the Mansion's backyard. In case of inclement weather, the concert will be at MMCC.

Recreation, Recycling & Sanitation

Councilwoman Buckel reported MMCC Hourihan Field will host Family Night Under the Stars will be start in August moving from Wednesday to Thursday with live music and movies included. Our Farmer's Market is on Fridays, 2:00 to 7:00 PM, now through October 27. Interested businesses can contact recreation@matawanborough.com.

Recycling and Clean Communities has started a stormwater program encouraging residents to "Adopt a Catch Basin." Residents can "adopt" a catch basin adjacent to their home and maintain same keeping it free of debris. Those interested can email stormwater@matawanborough.com as well as posted information on our website. Part of our stormwater initiative, Clean Communities used grant funding to put a fountain aerator in Lake Lefferts to help prevent future issues to the lake water from stormwater runoff.

Some benefits of the fountain are oxygenation and the aeration algae bloom control water circulation aesthetic appeal as well as recreation. Many people have been down at the Lake enjoying the fountain. Dan Wieczcock, Science Coordinator for the National Oceanic and Atmospheric Administration, and a member of our Environmental Commission provided a detailed report specific to the benefits of the Lake Lefferts fountain.

Turkey Trot beautification fund monies were used to upgrade the electric for the aerator. We tried to keep the price at a minimum. Councilwoman Buckel will review the cost to move the fountain as during the project the further out into the Lake the fountain would have been placed was increasing the cost of running the electric. The purpose of the project keep costs at a minimum with little to no taxpayer impact.

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DPW, Fire, Shade Tree

Councilman Livesey reported the Shade Tree Commission worked with Public Works planting two trees: A weeping cherry outside of Borough Hall and a crepe myrtle in Terhune Park. The Commission will present changes to the Ordinance(s) and fees for discussion at a future Council meeting. There are tree samplings available in the MMCC lobby.

Councilman Livesey thanked Public Works for cleaning and preparing the parks for the fireworks and cleaning up after the event. Public Works is working with JCP&L on replacing street light outages. Public Works proposed to JCP&L a spotlight for Lake Lefferts parking lot. At the request of the Mayor, Public Works is upgrading and remodeling the baseball bathrooms at Terhune Field, finishing, repairing and capping the retaining wall, painting the railings and power washing the area. Freneau Park's picnic area had additional stone placed in preparation of a future picnic area.

The Borough of Matawan Volunteer Fire Department responded to 35 calls this last month including seven alone on 4th of July. Their coin toss is scheduled for the weekend of August 19 and 20.

Councilwoman Gunn related Main Street Donuts' partnership with Matawan Economics Business Development Commission in hosting a 5k, 8:30 AM July 29, and should take about an hour. The racecourse goes up Ravine Drive to Washington, Harding, Union, Indian Trail, and Chestnut not in that order using Ravine Drive primarily to minimize Main Street closure. Main Street Donuts will donate the net proceeds after expenses to the Matawan Aberdeen Regional High School.

ADA, Animal Welfare Property Maintenance

No Report.

Construction Environmental Finance

No Report.

Consent Agenda

Mayor Altomonte read by title Resolutions 23-07-07 through and including 23-07-10 requesting a motion to approve en masse. Councilwoman Gunn made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

RESOLUTION 23-07-07

AMENDING RESOLUTION 23-05-22

***AUTHORIZING THE HIRING OF PART-TIME HOURLY SEASONAL PERSONNEL
2023 SUMMER RECREATION PROGRAM CANOE RENTALS***

WHEREAS, the Council has been advised that there is a need part-time hourly seasonal personnel for the Summer Recreation Canoe Rentals for the year 2023 within the Borough of Matawan, effective May 27, 2023, through and including September 4, 2023; and

WHEREAS, Daria Dieterle, Recreation Director, has recommended the hire of the following as 1st and 2nd Year Part-Time Hourly Seasonal Personnel for the 2023 Summer Recreation Program Canoe Rentals:

| <i>1st Year @ \$13.00/Hour</i> | <i>2nd Year @ \$14.00/Hour</i> |
|--|--|
| <i>Izzy Weimer</i> | <i>Guy Buckel</i> |
| <i>Nick Moran</i> | <i>Olivia Dieterle</i> |
| | <i>Corey Joseph Pitts</i> |
| | <i>Zaire Williams</i> |

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NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that the Matawan Borough authorizes the hiring of the above part-time personnel, each at their respective rate as outlined above, for the Summer Recreation Program Canoe Rentals effective May 27, 2023. The last day of rentals will be on September 4, 2023.

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 and Recreation.

RESOLUTION 23-07-08

**AUTHORIZING APPLICATION FOR MONMOUTH COUNTY OPEN SPACE GRANT FUNDING
CLINTON STREET PARK IMPROVEMENTS**

WHEREAS, the Monmouth County Board of County Commissioners has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County Park, recreation, conservation, and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS the Governing Body of the Borough of Matawan desires to obtain County Open Space Trust Funds in the amount of \$239,000.00 to fund the Clinton Street Park Improvements located at Clinton Street, Matawan, NJ 07747 and identified as Lots 12 and 14, Block 31 on the tax map of the Borough of Matawan; and

WHEREAS the total cost of the project including all matching funds is \$478,045.00; and

WHEREAS the Borough of Matawan is the owner of and controls the project site.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF MATAWAN,
NEW JERSEY THAT:**

1. Ryan Michelson, Borough Administrator of the Borough of Matawan, or his/her successor is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondent of the above-named municipality; and
2. The Borough of Matawan is committed to this project and will provide the balance of funding necessary to complete the project as described in the grant application in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations, and statutes thereto; and
4. Ryan Michelson, Borough Administrator of the Borough of Matawan, or his/her successor is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. This resolution shall take effect immediately.

RESOLUTION 23-07-09

**AUTHORIZING APPLICATION FOR MONMOUTH COUNTY COMMUNITY DEVELOPMENT
BLOCK GRANT FUNDING
CLINTON STREET PARK IMPROVEMENTS**

WHEREAS, the Monmouth County Office of Community Development has approved and opened CDBG grant funding and is subject to approval by the Monmouth County Board of County Commissioners and the approval and release of funds by the U.S. Department of Housing and Urban Development for activities that meet HUD regulations and serve an eligible population as described at the 24 CFR.

WHEREAS the Governing Body of the Borough of Matawan desires to obtain Community Development Block Grant Funds in the amount of \$173,324.00 to fund the Clinton Street Park ADA Accessibility Improvements project located at Clinton Street, Matawan, NJ 07747 and identified as lots 12 and 14, block 31 on the tax map of the Borough of Matawan; and

WHEREAS the total cost of the project is \$173,324.00; and

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WHEREAS the Borough of Matawan is the owner of and controls the project site.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF MATAWAN, NEW JERSEY THAT:

1. Ryan Michelson, Borough Administrator of the Borough of Matawan, or his/her successor is authorized to (a) make an application to the County of Monmouth for Community Development Block Grant Funds, (b) provide additional application information and furnish such documents as may be required for the Community Development Block Grant Program and (c) act as the municipal contact person and correspondent of the above-named municipality; and
2. Ryan Michelson, Borough Administrator of the Borough of Matawan, or his/her successor is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Community Development Block Grant Funds; and
3. This resolution shall take effect immediately.

**RESOLUTION 23-07-10
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT
2022**

WHEREAS, NJSA 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts, and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2022 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to NJSA 40A:5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS, RS 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated NJAC 5.30-6.5, a regulation requiring that the Governing Body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the Governing Body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations," as evidenced by the group affidavit form of the Governing Body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five (45) days after the receipt of the annual audit, pursuant to NJAC 5:30-6.5; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of RS 52:27BB-52, to wit:

RS 52:27BB-52: A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Matawan, hereby states that it has complied with NJAC 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON July 18, 2023.

Karen Wynne

Karen Wynne, RMC
Municipal Clerk

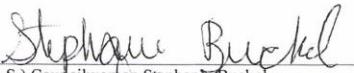
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**CERTIFICATION OF GOVERNING BODY OF THE ANNUAL AUDIT
GROUP AFFIDAVIT FORM
NO PHOTOCOPIES OF SIGNATURES**

STATE OF NEW JERSEY
COUNTY OF MONMOUTH

We, members of the Governing Body of the Borough of Matawan, in the County of Matawan, being duly sworn according to law, upon our oath depose and say:

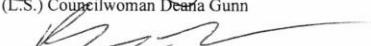
1. We are duly elected (or appointed) members of the Mayor and Council, of the Borough of Matawan, in the County of Monmouth;
2. In the performance of our duties, and pursuant to NJAC 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to NJSA 40A:5-6 for the year 2022;
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

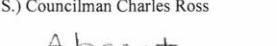

(L.S.) Councilwoman Stephane Buckel


(L.S.) Councilman Steven Russell


(L.S.) Councilwoman Deana Gunn


(L.S.) Councilman Charles Ross

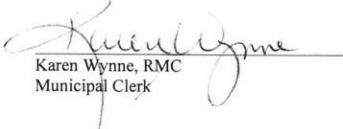

(L.S.) Councilman Brian Livesey


(L.S.) Councilwoman Melanie S. Wang

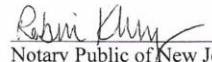
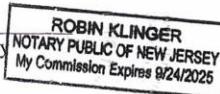
CERTIFICATION OF RESOLUTION

I, Karen Wynne, Municipal Clerk of the Borough of Matawan, County of Monmouth, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Council of the Borough of Matawan on July 18, 2023.

IN WITNESS WHEREOF, I have hereunder set my hand and official seal of the Borough of Matawan this 18th day of July, 2023.


Karen Wynne, RMC
Municipal Clerk

Sworn to and subscribed before me this
18th Day of July, 2023


Notary Public of New Jersey

ROBIN KLINGER
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 9/24/2025

The Municipal Clerk shall set forth the reason for the absence of signature of any member(s) of the Governing Body.

IMPORTANT: This certificate must be sent to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, PO Box 803, Trenton, New Jersey 08625.

New Business

Mayor Altomonte read by title Ordinance 23-15: Bond Ordinance Providing for Construction of a Backup Well by the Borough of Matawan, Appropriating \$1,700,000 Therefor and Authorizing the Issuance of \$1,619,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof.

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Councilman Ross expressed concern on the expenditure of monies for a utility currently in debt and this new well do absolutely nothing for us as we still need to purchase water from NJ American Water. Discussion included the cost of the water plant's current debt and future expenditure and its effect on future development in the Borough, and the Borough's investment in that development, as well as NJDEP requirements. Consideration of the Borough's investment in the upgrade of infrastructure and improvement at the water utility for economic development and its contribution to stabilize the tax rate. One option considered was the purchase of additional water from NJ American Water, but they informed us they are not able to do so. The sale of the water plant was again considered through a process called Water Infrastructure Protection Act (WIPA) as well as the time allotted to this discussion and the process. A gradual annual increase of 1.5% in water rates will keep up with capital needs. Well upgrades helps meet the need of capacity for projected redevelopment projects. This Ordinance will provide a more permanent solution and opens the capability to address capacity concerns. There are emergent conditions proposed to the DEP to allow us to proceed with the WIPA process. The Borough's financial advisor is required to do a rate study contemplating the impact of increased rate(s) to retain the utility and do the required improvements. A public hearing is required to agree that the emergent condition(s) exist with a Resolution to be passed by the Governing Body and submitted to the DEP. Should DEP approve, the Borough will go out to bid with consideration given if the bids were acceptable to sell or retain the utility. This is at least a six-month process before we can obtain bids and that also depends on the DEP.

Councilwoman Gunn added though she appreciates the process, but the time will delay progress and investment into our water infrastructure for our residents.

Mayor Altomonte requested a motion to introduce. Councilwoman Gunn made the motion, seconded by Councilman Livesey. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Deana Gunn
Councilman Steven Russell
Councilman Brian Livesey

No: Councilwoman Stephanie Buckel
Councilman Charles Ross

Motion failed.

Mayor Altomonte read by title Resolution 23-07-11: Payment of Bills. Councilwoman Gunn made the motion, seconded by Councilman Livesey. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

***RESOLUTION 23-07-11
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 therefore, directed to the Borough Collector signed by the Mayor and attested by the Borough Clerk as required by law.

| | |
|-------------------------|-------------------------|
| <i>Current</i> | \$657,806.28 |
| <i>Water/Sewer</i> | \$62,061.01 |
| <i>Water Capital</i> | \$129,531.01 |
| <i>Grant</i> | \$272.15 |
| <i>Borough Trust</i> | \$12,270.88 |
| <i>Recreation Trust</i> | \$9,159.75 |
| <i>Total</i> | \$871,101.08 |

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

Privilege of the Floor

Mayor Altomonte opened the Privilege of the Floor.

Guy Buckel, 14 Chestnut Drive, Matawan. Mr. Buckel related his term on the Borough of Matawan Unified Planning Zoning Board of Adjustments wherein discussions on redevelopment projects such as Matawan Junction did not cite water availability, and he would not have voted on the project until the water issue was resolved. Councilwoman Gunn added it was contained in the Redeveloper Agreement.

Councilwoman Buckel related a conversation with Mayor Altomonte where the well issue was questioned after hearing from residents, and was told there were no issues. Mayor Altomonte replied, that is when the Main Street building did not open; they did not have water.

Loretta Windas, 138 Aberdeen Road, Matawan. Ms. Windas asked where the back-up well will be built. Councilwoman Gunn informed the Borough Engineer determined near the water plant on Middlesex Road with the final location to be determined. Councilman Ross expressed concern on the public's use of the Middlesex Road baseball field. Mr. Keady informed DEP does have some criteria for location. Any potential disruption shall have construction scheduled during off-season for minimal impact.

Margaret O'Connor, 11 Wyckoff Street, Matawan. Ms. O'Connor asked Councilwoman Buckel to clarify her statement of waiting on the cost indicators. Councilwoman Buckel replied, the estimates received on the electrical costs were high depending on the location of the fountain as if it was much more expense we would not have been able to use beautification funding. Ms. O'Connor asked Councilwoman Buckel when she received the report. Councilwoman Buckel informed they received a report of an original study used to obtain County grant monies. The concept of an aerator for the lake included consideration of the Borough's stormwater outlets which empty into Lake Lefferts. The timing of the installation and the July 4 celebration was happenstance: August 1 was the original installation date when the vendor informed the installation could take place in time for our July 4 event.

Ms. O'Connor asked which grant funding the project. Councilwoman Buckel informed it was from Clean Communities used for projects to keep the community clean and help benefit the environment. Ms. O'Connor questioned what other projects were considered for Clean Communities funding. Councilwoman Buckel informed, the rehabilitation of the MMCC Shade Tree room as educational purposes for the public in on different type of trees and environmental issues as well as our recent Adopt a Catch Basin program. Our Clean Communities Coordinator, Grace Rainforth, does the research and submits for Clean Communities funding.

Ms. O'Connor questioned the process of a project's inception. Councilwoman Buckel reiterated discussions of possible Clean Communities projects. Mr. Menna added part of an initial discussion begins at the Committee level, in this the Recreation Committee, consisting of members of the public and Council representatives and administration, where ideas are discussed for presentation for Council consideration. The Administrator does have the authority to move on certain projects as there is a budgetary threshold that does not require additional approvals outside the normal process of procurement.

Councilman Ross presented discussion on the preventive lake maintenance against algae bloom.

Ms. O'Connor stated that it sounded like the process was abnormal wherein the Borough skirted around taking the electric on a different project that you didn't have to have in the funding, and

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that it didn't come in front of Council for a vote indicating no transparency whatsoever. The Farmers Market appears to be in this same regard wherein Council did not have the permits that would normally be in place prior to that. These are both under the Recreation Committee and wonder if that Commission "has the bit in between their teeth" preventing the town from having any transparency with the inception of projects.

Councilwoman Buckel replied they were not skirting the Farmers Market as residents had been asking for same for some time and are enjoying it. An aerator was put in the lake to help benefit the Lake at no cost to the taxpayer. Councilwoman Buckel asked what Ms. O'Connor was insinuating but stated she went through the process adding that she worked with Mr. Michelson on the Farmers Market. Councilwoman Buckel said she asked the Mayor and Council if they were on board with the aerator and everyone was good with it hence why Mr. Michelson had the permission to sign the contract.

Mayor Altomonte said Councilwoman Buckel did come to him and he did tell her that at first he did not think it was a good idea adding that it was his understanding that Councilwoman Gunn was against it. Councilwoman Gunn said her biggest concern was using the Clean Communities fund because up until now it was her understanding that it could only be used for graffiti and trash abatement and was excited that we now had other options.

Councilwoman Buckel added said, absolutely, and that Ms. Rainforth then took our concerns to the State to make sure because they're the ones who go through the County. Councilpersons Gunn and Russell asked if the approval was obtained in writing as it was their understanding from the Clean Communities website that their mission and usage of grants is specific. Councilwoman Buckel replied she was aware of their concerns, and they were legitimate, and that's why we confirmed.

Ms. O'Connor interjected stating, Mayor Altomonte said he was not for it and Councilwoman Gunn said same as well and that this is the first time Clean Communities it had been used for any other purpose then what it had always been intended for. This is a little concerning considering that I was here last meeting when you were going back and forth with one of your constituents regarding a friend group that you were talking about that this decision was made within your friend group and husband. Councilwoman Buckel clarified stating it was a conversation with a friend; I never went and knocked on a resident door asking if they would like us to put an aerator in the Lake. Ms. O'Connor reiterated her concerns over transparency protocols being followed as it sounds like they weren't followed in this instance. Ms. O'Connor asked the Mayor as to why he thought it was not a good idea. Mayor Altomonte replied, he thought it was rushed and short notice. Councilwoman Gunn thanked Ms. O'Connor for speaking and voicing her concerns and sharing her opinions with Council from a public policy perspective. Councilwoman Gunn said she thought Ms. O'Connor was right and that Council can do a better job in the responsibility of a committee liaison to bring things to Council particularly with the expenditure of Clean Communities funds. Councilwoman Buckel reiterated that that process was followed with Mr. Michelson sending an email to the DPW Committee. The Recreation Commission took concerns into consideration and then Councilwoman Buckel spoke with the Mayor again with the Mayor got back to her saying okay everyone was good with the idea. Mayor Altomonte replied, that it was his feeling that at first it was too short notice was concerned about the cost and that some of the other Council members did not want the aerator. Councilwoman Gunn said going forward we have opportunity to improve things and that it is prudent to bring many suggestions of how we're going to expend Clean Communities funds.

Councilwoman Buckel stated they went through the proper channels but asked if we made it a workshop item and we all sat here and discussed it and then decided we were going to do it and then went and did it how would you have known about it. Councilwoman Gunn replied, it would have been on Public Record. Ms. O'Connor added, it would have been Public Record it would have been on the Agenda for the Meetings. Councilwoman Gunn said there are no Recreation Commission notes on the issue. Councilwoman Buckel added, proper procedure was followed.

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Ms. O'Connor disagreed after tonight's discussion. Councilwoman Buckel asked Councilwoman Gunn if she believed proper procedure was followed. Councilwoman Gunn replied, it was worked through the Recreation Committee, it wasn't over the bid threshold of \$17,500 so, yes, there's no foul play in terms what can be expended and anything less than \$17,500 is at the discretion of the Committee and the Administrator, however, from a public policy perspective it could have been handled differently.

Ms. O'Connor agreed, technically there's no foul play but it sounds like this is the first time that these funds were used for something other than graffiti or trash abatement so you think since this was the first time it would be highlight that this would be first time that something else used for this and then also the splitting up of the cost of fountain and the electric to make sure that it was under \$17,500 does ring some alarm bells. Councilwoman Buckel stated it was done on purpose with the discussion amongst with the Recreation Committee as we've been talking for a long time about improving the electric at the Lake for more events.

The cost to move the fountain was discussed with Mr. Michelson advising they are still gathering information and look to bring before Council at its next meeting.

Ms. O'Connor asked how she can obtain documentation on how events transpired. Mr. Michelson had Ms. O'Connor contact the Clerk.

Ed Holland, 19 Ravine Drive, Matawan. Mr. Holland stated he personally believes the fountain is beautiful, he doesn't know about all the funds and how everything went but what I understood from that fund that it is for beautification of the town. Mr. Holland heard what went on here last month and I couldn't understand why everybody is in an uproar over this beautiful fountain; it lights up for about an hour, an hour and a half each night, it shuts off at 10:00 PM. Mr. Holland lives across the street and has no issues with the fountain. Mr. Holland questioned some people at the lake who all enjoyed the lake and then presented a signed petition of support for the fountain, and the residents love it where it is.

Diane Doolittle, 3 Union Street, Matawan. Ms. Doolittle said she thinks the fountain is beautiful and has a positive benefit. I know you had the detail and environmental reports, and thinks it is necessary as the fountain provides movement of the water oxygenation. The Lake has had many algae blooms and people complain. At times chemicals are added to break up the algae but the aerator can help prevent the algae from forming blooms and the movement of the water keeps the insects away.

Guy Buckel, 14 Chestnut Drive, Matawan. Mr. Buckel said he wants everyone aware that he knows what's going on because he attends Committee meetings and suggests anyone who wants to relate their opinion can do so at any Committee meeting to volunteer their time.

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

Adjournment

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

Meeting adjourned at 8:30 PM.

Karen Wynne

Karen Wynne
Municipal Clerk