

**Borough of Matawan
Public Session
September 5, 2023**

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 September 5, 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 Charles Ross
 Councilwoman Melanie S. Wang

Absent: Councilman Brian Livesey

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.

Mayor Altomonte announced, except for any first responders, please silence all cell phones. Council and members of the public, to properly record the meeting on our audio system, please speak clearly and directly into the microphone.

Mayor Altomonte announced we are holding Resolution 23-09-06 and the Workshop Item Protection of Trees to the September 19, 2023 meeting.

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 to close Privilege of the Floor Motion by Councilwoman Gunn Second by Councilwoman Wang. Council agreed. Motion passed.

Approval of Minutes

Mayor Altomonte requested a motion to approve the minutes of the April 4, 2023 Council Meeting. Councilwoman Gunn made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

Mayor Altomonte requested a motion to approve the minutes of the April 18, 2023 Council Meeting. Councilwoman Gunn made the motion, seconded by Councilman Ross. Mayor Altomonte requested a voice vote. Council agreed with Councilwoman Wang abstaining. Motion passed.

Mayor Altomonte requested a motion to approve the minutes of the May 2, 2023 Council Meeting. Councilwoman Gunn made the motion, seconded by Councilman Russell. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**Borough of Matawan
Public Session
September 5, 2023**

Old Business

Mayor Altomonte read by title Ordinance 23-16: Authorizing the Leasing of Certain Capital Equipment by Authorizing the Leasing of Certain Capital Equipment by the Borough of Matawan, New Jersey From the Monmouth County Improvement Authority and the Execution of a Lease and Agreement Relating Thereto. Mayor Altomonte requested a motion to open the public hearing. Councilwoman Gunn made the motion, seconded by Councilwoman Buckel. 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 Russell. Council agreed. Motion passed. Mayor Altomonte read by title Ordinance 23-16: Authorizing the Leasing of Certain Capital Equipment by Authorizing the Leasing of Certain Capital Equipment by the Borough of Matawan, New Jersey From the Monmouth County Improvement Authority and the Execution of a Lease and Agreement Relating Thereto requesting a motion to adopt. Councilwoman Gunn made the motion, seconded by Councilman Ross. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Deana Gunn
Councilman Steven Russell
Councilwoman Stephanie Buckel
Councilwoman Melanie S. Wang
Councilman Charles Ross

Motion passed.

ORDINANCE 23-16

ORDINANCE AUTHORIZING THE LEASING OF CERTAIN CAPITAL EQUIPMENT BY THE BOROUGH OF MATAWAN, NEW JERSEY FROM THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY AND THE EXECUTION OF A LEASE AND AGREEMENT RELATING THERETO

BE IT ORDAINED by the Borough Council of the Borough of Matawan, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. Pursuant to Section 78 of the County Improvement Authorities Law, N.J.S.A. 40:37A-44, et seq., the Borough of Matawan (the "Municipality") is hereby authorized to unconditionally and irrevocably lease certain items of capital equipment from The Monmouth County Improvement Authority (the "Authority") pursuant to a Lease and Agreement, substantially in the form submitted to this meeting (the "Lease"), a copy of which is on file in the office of the Clerk to the Municipality. The Mayor is hereby authorized to execute the Lease on behalf of the Municipality in substantially such form as submitted to this meeting and with such changes as may be approved by the Mayor, which approval shall be conclusively evidenced by the execution thereof, and the Clerk to the Municipality is hereby authorized to affix and attest the seal of the Municipality.

Section 2. The following additional matters are hereby determined, declared, recited and stated:

(a) In recognition of the fact that the lease payment of the Municipality under the Lease will be based, in part, on the amount of bonds issued by the Authority to finance the acquisition of the leased equipment and the interest thereon, the maximum amount of bonds which the Authority shall issue to finance the acquisition of the equipment to be leased to the Municipality shall not exceed \$1,379,000 and the interest rate on said bonds shall not exceed five and fifty hundredths percent (5.50%) per annum;

(b) The items to be leased from the Authority shall be as set forth in Schedule A hereto; provided that the Mayor or any authorized municipal representative (as defined in the Lease) may substitute or add items of equipment in accordance with the provisions of the Lease; and

(c) The lease term applicable to a particular item of leased equipment shall not exceed the useful life of such item.

Section 3. This ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by law.

SCHEDULE A - EQUIPMENT LIST
Borough of Matawan

**Borough of Matawan
Public Session
September 5, 2023**

Consent Agenda

<u>Equipment</u>	<u>Useful Life (Years)</u>	<u>Lease Term (Years)</u>	<u>Estimated Cost</u>
Motorola APX Dual Band Radios (2)	10	10	\$ 17,500
Motorola APX Dual Band Portable Radios (2)	40	10	17,500
Park Improvements/Equipment (Playground Equipment & Base)	15	10	200,000
Park Surveillance Equipment	10	10	18,724
International Dump Truck (with Stainless Steel Dump Body)	5	5	220,836
Leaf Vactor Truck (Vacuum Leaf Collection Loader)	15	10	266,000
Door Access Controls	5	5	13,069
Panasonic Arbitrator In-Car Camera System with Printer	5	5	9,000
Panasonic CF-33RZ Tablet & Hardware	5	5	9,000
(8) Civil Unrest Helmets & Shields (non-ballistic)	5	5	6,000
2024 Ford F-150 Police Responder Pick-Up	5	5	55,000
2024 Ford Explorer Hybrid PIU	5	5	55,000
(25) Modern Materiel Patrol Rifles & Storage Locker	5	5	49,000
(2) Police Bicycles, Equipment, and Upfitting	5	5	5,000
Gas Detection Meters	15	10	20,000
Communication/Repeater Upgrades	10	10	75,000
(10) Full Sets of Gear – Fire Department	5	5	100,000
Rescue Boat	5	5	40,000
(25) SCBA Bottles	5	5	50,000
Air Bag Rescue System	5	5	26,500
Total			\$1,253,129

Mayor Altomonte read by title Resolutions 23-09-01 through and including 23-09-11, noting Resolution 23-09-06 is held from tonight's Agenda, requesting a motion to approve en masse.

Councilwoman Gunn related a Police vehicle involved in an accident resulting totaling the vehicle which should be covered by insurance. With COVID and supply chain lead times of 6 to 12 months, we have the opportunity to purchase two vehicles through a cooperative pricing system which is significantly cheaper as the Police Interceptor vehicles we normally buy have gone up significantly in price, over \$10,000.00, and this is a well-priced purchase keep us on track with our fleet management.

Councilwoman Gunn made the motion, seconded by Councilman Ross. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 23-09-01
RESCINDING RESOLUTION 23-03-13
APPROVAL OF SOLICITORS PERMIT
TRINITY SOLAR, INC.
CONNOR ARCHIBALD**

WHEREAS, Connor Archibald, on behalf of Trinity Solar, Inc. (solar energy), was approved by Resolution 23-03-13 for solicitation in the Borough of Matawan; and

WHEREAS, Trinity Solar, Inc. has notified the Borough of Matawan that as Connor Archibald is no longer employed with Trinity Solar, Inc. they do hereby request the Solicitor's Permit for Connor Archibald be rescinded effective immediately.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan does hereby rescind Resolution 23-03-13 and revoke the previously issued Solicitor's Permit issued to **Connor Archibald**.

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 Trinity Solar, Inc. and Connor Archibald.

**RESOLUTION 23-09-02
AIR AND OPEN REQUEST FOR QUALIFICATION FOR PROFESSIONAL SERVICES AND TO DIRECT
THE CLERK TO ADVERTISE FOR 2024 REQUESTS FOR QUALIFICATIONS UNDER THE FAIR AND
OPEN PROCESS**

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

**Borough of Matawan
Public Session
September 5, 2023**

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

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

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

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

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

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

**RESOLUTION 23-09-03
AUTHORIZING THE BOROUGH ADMINISTRATOR TO SOLICIT BIDS FOR THE SALE OR
DISPOSITION OF PUBLIC PERSONAL PROPERTY PURSUANT TO NJSA 40A:11-36
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the Borough of Matawan Superintendent of the Department of Public Works has determined various miscellaneous Department of Public Works equipment/vehicles are No Longer Needed for Public Use by the Borough of Matawan and can be sold:

<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Mileage</u>	<u>VIN / SERIAL</u>
Ford	F250 4 x 4 Ultra Mount Western Plow	2007	97,000	1FTNF21507EB03703
	Utility Trailer 6 1/2' x 12'	1990		PAR1505590
Echo	PE 2000 edger.			005955
Echo	SRS 2100 tree trimmer			001205
Stihl	FS 110 RX Weedwhacker			263383969
Echo	SRM2501 Weedwhacker			138515
Little Wonder	push blower 8 horsepower			195422

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Matawan accepts the recommendation of the Borough of Matawan Superintendent of the Department of Public Works and authorizes the Borough Administrator to solicit the receipt of bids for the sale of the above outlined various miscellaneous Department of Public Works Vehicles.

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

**RESOLUTION 23-09-04
2022 ROAD IMPROVEMENT PROGRAM
SANITARY SEWER CLEANING AND TV INSPECTION
NATIONAL WATER MAIN CLEANING CO.
AUTHORIZING CHANGE ORDER NO. 1 & FINAL**

WHEREAS, the Borough Engineer, T&M Associates, has informed the Council that Item 3A, 3C, 4A, 4C and 5 are Reduced to reflect actual field conditions and quantities encountered during construction in the 2022 Road Improvement Program, for a total Reduction this Change Order No. 1 and Final of Thirteen Thousand, Nine Hundred Seventy Dollars and Forty Cents (\$13,970.40); and

WHEREAS, T&M Associates has informed the Council that Items 2 and 4B are Increased to reflect actual field conditions and quantities encountered during construction in the 2022 Road Improvement Program, for a total Extra this Change Order No. 1 and Final of Thirteen Thousand, Nine Hundred Seventy Dollars and Forty Cents (\$13,970.40); and

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 and Final, for the 2022 Road Improvement Program, a Net Change This Change Order No. 1 and Final, in an amount of Zero Dollars and No Cents (\$0.00).

BE IT FURTHER RESOLVED this amount reflects No Net Change in Contract (\$0.00).

Borough of Matawan Public Session September 5, 2023

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 National Water Main Cleaning Co.

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

SHEET NO. 1 OF 2
PROJECT NO. MATN-04163

CHANGE ORDER NO. 1 AND FINAL

DATE:

PROJECT:

OWNER:

CONTRACTOR:


DESCRIPTION OF CHANGE:

REDUCTIONS:
Items No. 3a (Cleaning of Sanitary Sewers - 8" Sewer), 3c (Cleaning of Sanitary Sewers - 12" Sewer), 4a (TV Inspection of Sanitary Sewers - 8" Sewer); 4c (TV Inspection of Sanitary Sewers - 12" Sewer, 5 (Bypass Pumping) and 6 (Reverse Set Ups) were reduced to reflect actual field conditions and quantities encountered during construction.

EXTRA:
Items No. 2 (Police Traffic Directors), 3b (Cleaning of Sanitary Sewers - 10" Sewer) and 4b (TV Inspection of Sanitary Sewers - 10" Sewer) were increased to reflect actual field conditions and quantities encountered during construction.

SUPPLEMENTARY:

APPROVAL RECOMMENDED:


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

ACCEPTED:


CONTRACTOR: Raymond R. Lindsay
National Water Main Cleaning Co. Secretary/Treasurer

OWNER'S APPROVALS:

Mayor Joseph Altomonte
Borough of Matawan

NOTE: All work to be done according to Contract Specifications.

SEE ATTACHED DETAIL	ADDITIONAL	REDUCTION
A. TOTAL REDUCTIONS THIS C.O.	XXXXXXXXXXXX	\$13,970.40
B. TOTAL EXTRAS THIS C.O.	\$13,970.40	XXXXXXXXXXXX
C. TOTAL SUPPLEMENTARY THIS C.O.	\$0.00	XXXXXXXXXXXX
TOTALS THIS C.O.	\$13,970.40	\$13,970.40
NET CHANGE THIS CHANGE ORDER	\$0.00	\$0.00
PREVIOUS CHANGE ORDERS	\$0.00	\$0.00
TOTAL CHANGE ORDERS TO DATE	\$13,970.40	\$13,970.40
NET CHANGE IN CONTRACT	\$0.00	\$0.00

ORIGINAL CONTRACT BID PRICE	<input type="text" value="\$206,201.20"/>
CHANGE ORDERS TO DATE	<input type="text" value="\$0.00"/>
REVISED CONTRACT PRICE	<input type="text" value="\$206,201.20"/>

**Borough of Matawan
Public Session
September 5, 2023**

CHANGE ORDER NO. 1 AND FINAL

SHEET NO. 2 OF 2
PROJECT NO. MATN-04163

PROJECT:
OWNER:
CONTRACTOR:

	ITEM NO.	DESCRIPTION	QUANTITY		UNIT	PRICE	AMOUNT
R E D U C T I O N	3a	Cleaning of Sanitary Sewers - 8" Sewer	5710.50	LF		\$1.00	\$5,710.50
	3c	Cleaning of Sanitary Sewers - 12" Sewer	110.00	LF		\$1.00	\$110.00
	4a	TV Inspection of Sanitary Sewers - 8" Sewer	5710.50	LF		\$1.40	\$7,994.70
	4c	TV Inspection of Sanitary Sewers - 12" Sewer	110.00	LF		\$1.40	\$154.00
	5	Bypass Pumping	80.00	HRS		\$0.01	\$0.80
	6	Reverse Set Ups	40.00	UNIT		\$0.01	\$0.40

A. TOTAL REDUCTIONS \$13,970.40

E X T R A	2	Police Traffic Directors	0.1535	ALLOW		\$45,000.00	\$6,909.60
	3b	Cleaning of Sanitary Sewers - 10" Sewer	2942.00	LF		\$1.00	\$2,942.00
	4b	TV Inspection of Sanitary Sewers - 10" Sewer	2942.00	LF		\$1.40	\$4,118.80

B. TOTAL EXTRA \$13,970.40

S U P P L E M E N T A R Y							
---	--	--	--	--	--	--	--

C. TOTAL SUPPLEMENTARY \$0.00

RESOLUTION 23-09-05

AUTHORIZE T&M ASSOCIATES TO UNDERTAKE ANY NECESSARY STEPS FOR THE PUBLIC RE-ADVERTISEMENT AND ACCEPT BIDS FOR THE 2023-2024 BIENNIAL ELECTRICAL MAINTENANCE CONTRACT

WHEREAS, the Borough of Matawan previously authorized the receipt of bids for the Borough of Matawan 2023-2024 Biennial Electrical Maintenance Contract ("Contract"); and

WHEREAS, pursuant to law the Borough of Matawan solicited bids for the Contract; and

WHEREAS, the Borough of Matawan received no bids for the aforesaid Contract.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that it herewith authorizes T&M Associates to undertake any necessary steps for the public re-advertisement and acceptance of bids for the 2023-2024 Biennial Electrical Maintenance Contract at no additional cost.

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 Robert R. Keady, Jr. of T&M Associates, the Borough Engineer.

**Borough of Matawan
Public Session
September 5, 2023**

**RESOLUTION 23-09-07
AUTHORIZING THE EXECUTION OF A COMMODITY RESALE AGREEMENT WITH
THE COUNTY OF MONMOUTH**

WHEREAS, NJAC 5:34-7.15 et seq. authorizes local contracting units to enter into Commodity Resale Agreements for the purchase of certain commodities from other contracting units; and

WHEREAS, the County of Monmouth has authorized the renewal of the Monmouth County Commodity Resale System (SYSTEM IDENTIFIER 99174 – MCCRS), for the period of October 1, 2018 through September 30, 2023; and

WHEREAS, it would be in the best interest of this Municipality to become or remain a member of the Monmouth County Commodity Resale System for that period.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Matawan that the Mayor and Municipal Clerk be and they are hereby authorized to execute the attached Commodity Resale Agreement with the County of Monmouth.

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 the Monmouth County Office of Shared Services.

**COMMODITY RESALE AGREEMENT
BETWEEN THE COUNTY OF MONMOUTH (the “COUNTY”)
AND
THE BOROUGH OF MATAWAN
(the “LOCAL GOVERNMENT ENTITY”)**

The County and the Local Government Entity enter into this Agreement pursuant to the Rules governing cooperative purchasing, namely NJAC 5:34-7.15 et seq.

IT IS AGREED:

1. **Commodities Offered.** *The County will offer the commodities listed on Exhibit A to the Local Government Entity through the Monmouth County Commodity Resale System (SYSTEM IDENTIFIER 99174 – MCCRS).*
2. **Amendment to Services Offered.** *The County, in its discretion, may amend Exhibit A from time to time, upon approval by the Director of the Division of Local Government Services, if necessary, and written notice to the Local Government Entity.*
3. **No Obligation by Local Government Entity.** *The Local Government Entity is under no obligation to purchase any commodities offered by the County.*
4. **No Obligation by County.** *The County is under no obligation to provide a commodity requested by the Local Government Entity if the County is not in a position to honor the request.*
5. **Total Cost Undetermined.** *The total cost of the commodities to be provided under this Agreement cannot be estimated in advance, but will be determined by the extent to which the Local Government Entity avails itself of the commodities available.*
6. **Effective Dates.** *This Agreement shall be in effect from the date it is executed below until September 30, 2028.*
7. **Early Termination.** *Either party may terminate this Agreement, with or without cause, upon thirty (30) days written notice to the other party.*
8. **County’s Representative.** *The County’s Administrator or its Director of Public Works and Engineering, or his/her respective designee, will act on behalf of the County with regard to the commodities available to the Local Government Entity.*
9. **Local Government Entity’s Representative.** *The Local Government Entity’s Borough Administrator or Public Works Director, or his/her respective designee, will act on behalf of the Local Government Entity with regard to a request for commodities from the County.*
10. **Payment of Invoices.** *The Local Government Entity will pay the County for commodities purchased under this Agreement within thirty (30) days of the County’s invoice for those commodities. If the Local Government Entity disputes a County invoice, the Local Government Entity will pay the undisputed portion and attempt to resolve the remaining portion in accordance with paragraph 11 below.*

**Borough of Matawan
Public Session
September 5, 2023**

- 11. **Disputes.** This Contract shall be governed by and be interpreted in accordance with the laws of the State of New Jersey. All disputes arising under this contract shall be resolved exclusively in Superior Court of New Jersey, Monmouth County.
- 12. **Indemnification.** Each party will indemnify the other party and hold the other party harmless for the negligent or intentional acts of the indemnifying party.
- 13. **Authority to Execute Agreement.** The execution of this Agreement has been duly authorized by the governing bodies of the County and the Local Government Entity.
- 14. **Counterparts.** This Agreement may be fully executed in any number of counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one agreement binding upon all parties, notwithstanding that all parties have not signed the same counterpart. Such executions may be transmitted to the parties electronically or by facsimile, and such electronic or facsimile execution shall have the same force and effect as an original signature.
- 15. **Notices.** Any notices that are provided pursuant to this Agreement shall be in writing (including facsimile and electronic transmissions) and mailed or transmitted or delivered as follows:

To Monmouth County:

County of Monmouth
Address: 1 East Main Street, Freehold, NJ 07728
Attn: Office of Shared Services
Email: sharedservices@co.monmouth.nj.us

To the Local Government Entity:

Borough of Matawan
Address: 201 Broad Street, Matawan, NJ 07747
Attn: Karen Wynne, Borough Clerk
Email: karen.wynne@matawanborough.com

Or to such other address or individual as any party may from time to time notify the other.

IN WITNESS WHEREOF, the parties have executed this Agreement.

ATTEST:

COUNTY OF MONMOUTH

Name: TAMARA BROWN
Title: Clerk of the Board

By: Name: THOMAS A. ARNONE
Title: Commissioner Director

Date: _____

LOCAL GOVERNMENT ENTITY

WITNESS OR ATTEST:

Borough of Matawan

(Signature on File)

(Signature on File)

Name: KAREN WYNNE, RMC
Title: Municipal Clerk

Name: Joseph Altomonte
Title: Mayor

Date: September 5, 2023

**EXHIBIT A
MONMOUTH COUNTY COMMODITY RESALE SYSTEM**

Commodities available:

- Gasoline
- Diesel fuel
- Snow removal chemicals
- Public works materials and supplies, including road and roadway construction materials
- Such other materials as may be approved by the Director of the Division of Local Government Services

Pricing:

It is the intent that the County will recoup its actual costs, but no profit. Therefore, the cost of the commodities shall be the actual cost paid by the County for the commodities plus a modest administrative fee, as quoted by the County.

**Borough of Matawan
Public Session
September 5, 2023**

Procedure:

If the Local Government Entity is interested in purchasing a commodity through the County's Commodity Resale System, the Local Government Entity will submit a completed Request Form to the County. If the County is able to honor the request, the County will approve the request and issue a price quotation. The Local Government Entity will then decide, at its option, whether or not to complete the requested purchase, at the price(s) quoted by the County.

Revised 3/2018

14. **Counterparts.** This Agreement may be fully executed in any number of counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one agreement binding upon all parties, notwithstanding that all parties have not signed the same counterpart. Such executions may be transmitted to the parties electronically or by facsimile, and such electronic or facsimile execution shall have the same force and effect as an original signature.

15. **Notices.** Any notices that are provided pursuant to this Agreement shall be in writing (including facsimile and electronic transmissions) and mailed or transmitted or delivered as follows:

To Monmouth County:

County of Monmouth
Address: 1 East Main Street, Freehold, NJ 07728
Attn: Office of Shared Services
Email: sharedservices@co.monmouth.nj.us

To the Local Government Entity:

Borough of Matawan
Address: 201 Broad Street, Matawan, NJ 07747
Attn: Karen Wynne, Borough Clerk
Email: karen.wynne@matawanborough.com

Or to such other address or individual as any party may from time to time notify the other.

IN WITNESS WHEREOF, the parties have executed this Agreement.

ATTEST:

COUNTY OF MONMOUTH

Name: TAMARA BROWN
Title: Clerk of the Board

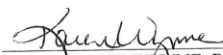
By: _____
Name: THOMAS A. ARNONE
Title: Commissioner Director

Date: _____

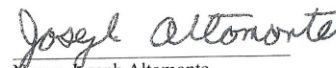
LOCAL GOVERNMENT ENTITY

WITNESS OR ATTEST:

Borough of Matawan



Name: KAREN WYNNE, RMC
Title: Municipal Clerk



Name: Joseph Altomonte
Title: Mayor

Date: September 5, 2023

**RESOLUTION 23-09-08
QUALIFIED FOR CREDIT UNDER THE LOSAP PROGRAM FOR THE YEAR 2022
FIRE DEPARTMENT**

WHEREAS, Ordinance #03-18 of the Borough of Matawan implemented the Length of Service Award Program (LOSAP) for the Matawan Fire Department and was passed by voters by a referendum on November 4, 2003; and

**Borough of Matawan
Public Session
September 5, 2023**

WHEREAS, pursuant to NJSA 40A:14-191, emergency service organizations participating in a Length of Service Award Program (LOSAP) shall annually certify to the sponsoring agency a list of all volunteer members who have qualified for credit under the LOSAP program for the previous year; and

WHEREAS the Governing Body has received and reviewed such certified list from the Matawan Fire Department.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan as follows:

1. *Per the certified list received, the following Matawan Fire Department members are hereby approved to receive the 2022 LOSAP award:*

James Archibald	Neil Matthaey
Freddy Benjamin	Jessica Michitsch
Peter Berliner	Richard Michitsch
Brian Bernath	Vincent Negron
Timothy Clifton	Arjun Roy
Harold Doty	James Snyder
Peter George, Sr.	Stephen Tatarka
Ted Glick	Ryan Todaro
Doug Hrehowesik	Zoltan Varsanyi
Brian Kopf	Daniel Wisniewski
Ed Lee	Thomas Young
Martin LiPera	Robert Ziegler
Joseph Lopes	Harry Zober
Katelyn Lynch	

The amount each qualified member will receive for the 2022 LOSAP award is \$1,718.00:

James Archibald	Brian C. Kopf
Freddy Benjamin	Ed Lee
Peter Berliner	Richard Michitsch
Brian Bernath	Stephen Tatarka
Timothy Clifton	Ryan Todaro
Harold Doty	Thomas Young

The amount each qualified member will receive for the 2022 LOSAP award is \$1,030.00:

Peter George, Sr.	Neil Matthaey
Ted Glick	Vincent Negron
Martin Lipera	Robert Ziegler
Joseph Lopes	Harry Zober

The amount each qualified Member will receive for the 2022 LOSAP award is \$687.00

Doug Hrehowesik	James Snyder
Katelyn Lynch	Zoltan Varsanyi
Jessica Michitsch	Daniel Wisniewski
Arjun Roy	

2. *The certified list of members is posted at the office of the Municipal Clerk of the Borough of Matawan and at the Matawan Fire Department for a period of 30 days to allow sufficient time for membership review.*
3. *Appeals shall be mailed to the Municipal Clerk of the Borough of Matawan, 201 Broad Street, Matawan, NJ 07747, and must be received within 30 days of the posting date of the approved certified list.*

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Finance, Fire as well as Borough Auditor and Lincoln Financial Advisors Corp.

**RESOLUTION 23-09-09
AUTHORIZING THE PURCHASE OF TWO (2) 2023 DODGE DURANGO POLICE AWD VEHICLES FOR
THE BOROUGH OF MATAWAN POLICE DEPARTMENT**

**Borough of Matawan
Public Session
September 5, 2023**

WHEREAS, Thomas J. Falco Jr., Chief of Police of the Matawan Police Department, has advised the Mayor and Council of the need to replace two primary police vehicles, one of which was recently deemed a total loss as a result of a motor vehicle crash, and one that has reached its useful service life regarding mileage and longevity;

WHEREAS, the Mayor and Council of the Borough of Matawan, upon review of the attached quote and acting under the recommendation of Chief Falco regarding the above, hereby authorize the immediate purchase of two (2) 2023 Dodge Durango Police AWD vehicles for the Borough of Matawan's Police Department described as follows:

MATAWAN PD	2023	DURANGO	PW7	WHITE KNUCKLE CLEAR COAT	1C4RDJFG6PC656797
MATAWAN PD	2023	DURANGO	PW7	WHITE KNUCKLE CLEAR COAT	1C4RDJFG8PC656798

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan hereby authorizes Chief Thomas J. Falco Jr. of the Matawan Police Department, to enter into a contract for the purchase of two (2) 2023 Dodge Durango Police AWD vehicles as outlined in the attached quote for the Borough of Matawan's Police Department through the Cranford Police Cooperative Pricing System Contract# COOP#47-CPCPS from Hertrich Fleet Services, Inc., 1427 Bay Road Milford, DE 19963, in the amount of Thirty-Seven Thousand, Nine Hundred Eleven Dollars and No Cents (\$37,911.00) each for the total amount not to exceed Seventy-Five Thousand, Eight Hundred Twenty-Two Dollars and No Cents (\$75,822.00).

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

CERTIFICATION AS TO AVAILABLE FUNDING

I, Nicola Trasente, Deputy 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 3-01-25-240-272 and T-12-56-850-808 Budgets of the Borough of Matawan to Hertrich Fleet Services, Inc. for the purchase of two (2) 2023 Dodge Durango Police AWD vehicles for the Borough of Matawan's Police Department in a total amount not to exceed Seventy-Five Thousand, Eight Hundred Twenty-Two Dollars and No Cents (\$75,822.00).

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.

Deputy Chief Financial Officer

(Signature on File)

*Nicola Trasente, CMFO
Dated: September 5, 2023*

HERTRICH FLEET SERVICES, INC
1427 Bay Road Milford, DE 19963

Ford - Chevrolet - Dodge - Jeep
Lincoln - Honda - Buick - GMC - Toyota - Nissan

(800) 698-9825

(302) 422-3300

Fax: (302) 839-0555

**Cranford Police Cooperative Pricing System – 47-CPCPS
2023 Dodge Durango Police AWD**

**Prepared By:
Mike Wright
Hertrich Fleet Services Inc
1427 Bay Rd
Milford, DE 19963
Phone: (800) 698-9825
Fax: (302) 424-5286
Email: mwright@hertrichfleet.com**

QUOTE FOR: MATAWAN PD, NJ

#08112023-04

2023 Dodge Durango Police AWD

SELECTED OPTIONS

<u>Code</u>	<u>Description</u>
2BZ	QUICK ORDER PACKAGE 2BZ
C5X9	BLACK, CLOTH BUCKET SEATS W/SHIFT INSERT
DFT	TRANSMISSION: 8-SPEED AUTOMATIC (850RE)
DLK	3.45 REAR AXLE RATIO

**Borough of Matawan
Public Session
September 5, 2023**

ERC ENGINE: 3.6L V6 24V VVT UPG I W/ESS
WBN WHEELS: 18" X 8.0" BLACK STEEL
Z6K GVWR: 6,500 LBS

CONTRACT PRICE: \$37776.00

EXTERIOR COLOR:

PW7 WHITE KNUCKLE CLEARCOAT

\$0.00

ADDITIONAL OPTIONS:

Code **Description**

A7X9 BLACK, CLOTH BUCKET SEATS W/REAR VINYL –Inc.: Vinyl 2nd Row Seat

Price

\$135.00

TOTAL W/OPTION:

\$37911.00

TOTAL FOR (2):

\$75822.00

Vehicles are ordered for dealer stock and are subject to prior sales.

**RESOLUTION 23-09-10
ACCEPTANCE OF RETIREMENT
PART TIME ANNUAL SCHOOL CROSSING GUARD
DIANE MONROE**

WHEREAS, Part-Time Annual School Crossing Guard Diane Monroe, has given 22 years of valued service to the residents of the Borough of Matawan; and

WHEREAS, Diane Monroe has submitted notice of retirement to the State of New Jersey Division of Pension and Benefits effective August 1, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan accepts the retirement, effective August 1, 2023, of Part-Time Annual School Crossing Guard Diane Monroe, 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, Police, Payroll as well as Diane Monroe.

**RESOLUTION 23-09-11
APPOINTMENT OF QUALIFIED PURCHASING AGENT FOR
THE BOROUGH OF MATAWAN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY
DAVID G. BROWN**

WHEREAS, if a contracting unit governed by the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq.) does not have a Qualified Purchasing Agent (“QPA”), the maximum bid threshold for that contracting unit shall be \$17,500; and

WHEREAS, the Borough of Matawan is in need of the services of a QPA certified in accordance with the laws and regulations of the State of New Jersey; and

WHEREAS, the QPA shall be responsible for monitoring and ensuring compliance with the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. and implementing regulations, as well as any other applicable purchasing laws and regulations; and

WHEREAS, the appointment of a QPA will enable the Borough to avail itself of the related higher bid threshold of \$44,000 pursuant to N.J.S.A. 40A:11-3; and

WHEREAS, with a QPA, the bid threshold shall subsequently be increased whenever the State of New Jersey increases the allowable bid threshold, to the maximum amount permitted by the State; and

WHEREAS, David G. Brown possesses the designation of QPA as issued by the Director of Local Government Services in accordance with N.J.A.C. 5:34-5, et seq., and has the experience to provide the services required by the Borough.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Matawan does hereby appoint David G. Brown as the Qualified Purchasing Agent for the Borough of Matawan, effective September 5, 2023 through December 31, 2023, for a monthly stipend of \$500.

BE IT FURTHER RESOLVED that Mr. Brown, as the Qualified Purchasing Agent, shall be authorized to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-3, with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit and, as permitted by law, the Borough also hereby authorizes and confirms that, with Mr. Brown as its QPA, it will take advantage of the higher bid threshold pursuant to N.J.S.A. 40A:11-3.

**Borough of Matawan
Public Session
September 5, 2023**

***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, Payroll, Police, Public Works, Recreation, Recycling as well as the Director of the Division of Local Government Services and David G. Brown.*

New Business

Mayor Altomonte read by title Resolution 23-09-12: A Resolution of the Borough of Matawan, New Jersey Approving the Form and Authorizing the Execution and Delivery of a Letter of Representation and a Continuing Disclosure Agreement in Connection With the Issuance and Delivery of the Monmouth County Improvement Authority's Capital Equipment Pooled Lease Revenue Bonds, Series 2023 and Authorizing an Authorized Municipal Representative to do All Other Things Deemed Necessary or Advisable in Connection With the Issuance, Sale and Delivery of Such Bonds requesting a motion. Councilwoman Gunn made the motion, seconded by Councilman Ross. Council agreed. Motion passed.

RESOLUTION 23-09-12

A RESOLUTION OF THE BOROUGH OF MATAWAN, NEW JERSEY APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LETTER OF REPRESENTATION AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE ISSUANCE AND DELIVERY OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY'S CAPITAL EQUIPMENT POOLED LEASE REVENUE BONDS, SERIES 2023 AND AUTHORIZING AN AUTHORIZED MUNICIPAL REPRESENTATIVE TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS

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

***WHEREAS**, the Authority will provide for the financing of the cost of the acquisition of the Equipment by the issuance of its Capital Equipment Lease Revenue Bonds, Series 2023 (Matawan Project) (the "Bonds") payable from rentals by the Municipality pursuant to a Lease and Agreement by and between the Municipality and the Authority (the "Lease"); and*

***WHEREAS**, in order to induce the Authority to issue and deliver the Bonds and its Capital Equipment Pooled Lease Revenue Bonds, Series 2023, there has been prepared and submitted to the Municipality a Letter of Representative in the form attached hereto as Exhibit A; and*

***WHEREAS**, there has been prepared and submitted to the Municipality a Continuing Disclosure Agreement in the form appended hereto as Exhibit B for execution by the Municipality if the Authority shall determine that the Municipality is or will be an "obligated person" with respect to the Authority's Capital Equipment Lease Revenue Bonds, Series 2023 within the meaning of Rule 15c2-12 of the United States Securities and Exchange Commission (an "Obligated Person"):*

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

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

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

Section 3. That any Authorized Municipal Representative is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or property for carrying out the sale, issuance and delivery of the Bonds, the Authority's Capital Equipment Pooled Lease Revenue Bonds, Series 2023 and all related transactions contemplated by this resolution.

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

Section 5. This resolution shall become effective immediately.

**Borough of Matawan
Public Session
September 5, 2023**

Mayor Altomonte read by title Resolution 23-09-13: Payment of Bills requesting a motion. Councilwoman Gunn made the motion, seconded by Councilman Russell. Council agreed. Motion passed.

**RESOLUTION 23-09-13
PAYMENT OF BILLS**

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

<i>Current</i>	<i>\$1,703,801.96</i>
<i>Water/Sewer</i>	<i>\$60,037.59</i>
<i>Water Capital</i>	<i>\$279,228.72</i>
<i>Grant</i>	<i>\$578.15</i>
<i>Borough Trust</i>	<i>\$99,481.55</i>
<i>Dog Tax Trust</i>	<i>\$10.80</i>
<i>Recreation Trust</i>	<i>\$7,445.62</i>
 Total	 \$2,150,584.39

***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.

Loretta Windas, 138 Aberdeen Road, Matawan. Ms. Windas asked when the Aberdeen Road construction will begin. Mayor Altomonte informed the project is currently in the State Comptroller's office, and the County Engineer is scheduled to provide a presentation and update the public at our next Council meeting.

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 Councilwoman Buckel. The council agreed. Motion passed.

The meeting adjourned at 7:12 PM.

Karen Wynne

Karen Wynne, RMC
Municipal Clerk