

**Borough of Matawan
Public Session
April 18, 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 April 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 7:00 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 Charlie 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 requesting everyone keep the family of Daniel Herseg in their thoughts.

Mayor Altomonte announced the addition of Resolutions 23-04-29 and 23-04-30 to the Consent Agenda.

Proclamations

Mayor Altomonte read aloud Governor Phil Murphy's Proclamation Announcing April 2023 as Child Abuse Prevention & Awareness Month.

Mayor Altomonte announced the Proclamation for Arbor Day will be read at the annual Arbor Day event scheduled for April 29.

Privilege of the Floor – Agenda Items Only

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

There were no comments.

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

Appointment in Mid-Year to Fill Vacancy on the Historical Sites Commission

On the recommendation of the Historical Sites Commission Council Liaison, Steven Russell, Mayor Altomonte requested a motion to nominate and appoint Lorraine J. Arnold as member to the Historical Sites Commission to fill an unexpired three-year term, said term to expire December 31, 2023. Councilwoman Gunn made the motion, seconded by Councilman Russell. Council agreed. Motion passed.

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Old Business

Mayor Altomonte read by title Ordinance 23-06: Amending and Supplementing the Revised General Ordinances of the Borough of Matawan – Chapter 9 – Personnel, Section 9-8 – Longevity Payments. Mayor Altomonte requested a motion to open the public hearing. Councilwoman Gunn made the motion, seconded by Councilman Russell. Council agreed. Motion passed. Councilwoman Gunn explained the Ordinance does impact any current or former employees, and is for new hires only. 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 23-06: Amending and Supplementing the Revised General Ordinances of the Borough of Matawan – Chapter 9 – Personnel, Section 9-8 – Longevity Payments, requesting a motion to adopt. Councilwoman Gunn made the motion, seconded by Councilwoman Buckel. 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.

**ORDINANCE 23-06
AMENDING AND SUPPLEMENTING
THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MATAWAN
CHAPTER 9 – PERSONNEL, SECTION 9-8 – LONGEVITY PAYMENTS**

NOW, THEREFORE, BE IT ORDAINED, Chapter 9, Section 9-8 be amended as follows:

9-8 Longevity Payments.
[1971 Code § 3-9]

- *In addition to the salaries provided by the Salary Ordinance,^[1] all full-time employees of the Borough of Matawan hired prior to May 16, 2023 shall receive a longevity payment as hereinafter fixed and determined. Employees hired with a start date of May 16, 2023 or after are not eligible for longevity payments. Such longevity payment is to be considered as additional compensation based upon the length of service of the employee according to the following schedule:*

Years of Service	Additional Compensation Per Annum (Percentage of Annual Salary)
5 years	2 1/2 percent
10 years	5 percent
15 years	7 1/2 percent
20 years	10 percent
25 years	12 1/2 percent
30 years or more	15 percent

^[1]

Editor's Note: A copy of the current Salary Ordinance can be found on file in the Office of the Borough Clerk.

- *Such additional compensation shall be based upon the annual salary of each employee. No employee who works less than the average hours per week determined for the employee's department in any one year shall be eligible for the additional compensation. In calculating the additional compensation, the base salary in effect on the anniversary date of permanent employment by the Borough of Matawan shall be used for such purpose.*
- *Any interruption of service due to a cause beyond the control of the employee such as military service, injury in line of duty or illness, shall be considered as service for the purpose of determining the longevity periods. Leaves of absence granted at the request of any employee will not be considered in determining length of service.*
- *All periods of employment shall be computed from the anniversary date of permanent employment by the Borough of Matawan.*
- *Additional compensation of any nature including overtime will not be considered in computing longevity payments.*

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BE IT FURTHER ORDAINED, any Ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies only.

BE IT FURTHER ORDAINED, if any provisions of this Ordinance, or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance, which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

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

Introduction of the 2023 Budget

Mayor Altomonte read by Ordinance 23-07: Calendar Year 2023 – Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (NJSA 40A:4-45.14). Mayor Altomonte requested a motion to introduce. Councilwoman Gunn made the motion, seconded by Councilman Ross. Council agreed. 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.

**ORDINANCE 23-07
CALENDAR YEAR 2023
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(NJSA 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, NJS 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, NJS 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Matawan in the County of Monmouth, finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council of the Borough of Matawan hereby determines that a 3.5% increase in the budget for said year, amounting to \$362,558.47 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and Council of the Borough of Matawan hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Matawan, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Borough of Matawan shall, in accordance with this ordinance and NJS 40A:4-45.14, be increased by 3.5%, amounting to \$362,558.47, and that the CY 2023 municipal budget for the Borough of Matawan be approved and adopted in accordance with this ordinance.

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction.

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***BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.*

The Clerk announced the Public Hearing is scheduled for 7:00 PM on May 2.

Mayor Altomonte read by title Resolution 23-04-12: Self-Examination of Budget Resolution – Borough of Matawan, County of Monmouth – Fiscal Year 2023. Mayor Altomonte requested a motion. 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
Councilman Brian Livesey
Councilman Charles Ross

Motion passed.

**RESOLUTION 23-04-12
SELF-EXAMINATION OF BUDGET RESOLUTION
BOROUGH OF MATAWAN, COUNTY OF MONMOUTH
Fiscal Year 2023**

***WHEREAS**, NJSA 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and*

***WHEREAS**, NJAC 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and*

***WHEREAS**, pursuant to NJAC 5:30-7.2 through 7.5, the Borough of Matawan has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2023 budget year.*

***NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Matawan that in accordance with NJAC 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the Governing Body has found the budget has met the following requirements:*

1. *That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:*
 - a. *Payment of interest and debt redemption charges*
 - b. *Deferred charges and statutory expenditures*
 - c. *Cash deficit of preceding year*
 - d. *Reserve for uncollected taxes*
 - e. *Other reserves and non-disbursement items*
 - f. *Any inclusions of amounts required for school purposes.*
2. *That the provisions relating to limitation on increases of appropriations pursuant to NJSA 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at NJSA 40A:4-45.3 et seq., are fully met (complies with CAP law).*
3. *That the budget is in such form, arrangement, and content as required by the Local Budget Law and NJAC 5:30-4 and 5:30-5.*
4. *That pursuant to the Local Budget Law:*
 - a. *All estimates of revenue are reasonable, accurate and correctly stated,*
 - b. *Items of appropriation are properly set forth*
 - c. *In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.*
5. *The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.*
6. *That all other applicable statutory requirements have been fulfilled.*

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***BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.*

Mayor Altomonte read by title Resolution 23-04-13: Municipal Budget Notice. Mayor Altomonte requested a motion. 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
Councilman Brian Livesey
Councilman Charles Ross

Motion passed.

**RESOLUTION 23-04-13
MUNICIPAL BUDGET NOTICE
Municipal Budget of the
BOROUGH OF MATAWAN, COUNTY OF MONMOUTH
for the Fiscal Year 2023**

***BE IT RESOLVED**, that the following statements of revenues and appropriations shall constitute the Municipal Budget for year 2023; and*

***BE IT FURTHER RESOLVED**, that said Budget be published in the Asbury Park Press in the issue of April 23, 2023.*

*The Governing Body of the **BOROUGH OF MATAWAN** does hereby approve the following as the Budget for the year 2023:*

RECORDED VOTE
(insert last name) (Buckel ABSTAINED ((
(Gunn
AYES (Livesey
(Ross ABSENT (Wang
(Russell ((

NAYS (

Notice is hereby given that the Budget and Tax Resolution was approved by the BOROUGH COUNCIL of the BOROUGH OF MATAWAN, COUNTY OF MONMOUTH, on April 18, 2023.

A Hearing on the Budget and Tax Resolution will be held at Matawan Municipal and Community Center on May 16, 2023 at 7:00 o'clock (PM) at which time and place objections to said Budget and Tax Resolution for the year 2023 may be presented by taxpayers or other interested persons.

**2023 Municipal Budget
BOROUGH OF MATAWAN, COUNTY OF MONMOUTH
FOR THE FISCAL YEAR 2023**

Summary of Revenues	Anticipated	
	2023	2022
1. Surplus	1,600,000.00	1,503,000.00
2. Total Miscellaneous Revenues	2,733,086.59	2,386,038.20
3. Receipts from Delinquent Taxes	50,000.00	
4. a) Local Tax for Municipal Purposes	10,087,208.16	9,723,380.88
b) Addition to Local School District Tax		
c) Minimum Library Tax	464,792.00	439,301.00
Total Amount to be Raised by Taxes for Support of Municipal Budget	10,552,000.16	10,162,681.88
Total General Revenues	14,935,086.75	14,051,720.08

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<i>Summary of Appropriations</i>	<i>2023 Budget</i>	<i>Final 2022 Budget</i>
1. Operating Expenses: Salaries & Wages	4,286,329.00	4,533,847.09
Other Expenses	5,843,978.57	5,273,347.59
2. Deferred Charges & Other Appropriations	1,834,779.18	1,360,325.40
3. Capital Improvements	200,000.00	150,000.00
4. Debt Service (Include for School Purposes)	2,040,000.00	2,034,200.00
5. Reserve for Uncollected Taxes	730,000.00	700,000.00
Total General Appropriations	14,935,086.75	14,051,720.08
Total Number of Employees	52	51

2023 Dedicated Water/Sewer Utility Budget		
<i>Summary of Revenues</i>	<i>Anticipated</i>	
	<i>2023</i>	<i>2022</i>
1. Surplus	156,131.67	156,131.67
2. Miscellaneous Revenues	5,845,525.71	5,232,206.57
3. Deficit (General Budget)		
Total Revenues	6,001,657.38	5,388,338.24
<i>Summary of Appropriations</i>	<i>2023 Budget</i>	<i>Final 2022 Budget</i>
1. Operating Expenses: Salaries & Wages	902,625.00	920,518.33
Other Expenses	3,263,090.00	3,158,052.00
2. Capital Improvements	614,680.58	20,000.00
3. Debt Service	1,098,000.00	1,086,000.00
4. Deferred Charges & Other Appropriations	123,261.80	203,767.91
5. Surplus (General Budget)		
Total Appropriations	6,001,657.38	5,388,338.24
Total Number of Employees	11	12

Balance of Outstanding Debt		
	General	Water/Sewer
Interest	4,183,714.28	1,292,314.80
Principal	17,800,000.00	8,558,613.98
Outstanding Balance	21,983,714.28	9,850,928.78

Notice is hereby given that the budget and tax resolution was approved by the Mayor and Council of the Borough of Matawan, County of Monmouth, on April 18, 2023.

A hearing on the budget and tax resolution will be held at the Borough Hall on May 16, 2023 at 7:00 o'clock (PM) at which time and place objections to the Budget and Tax Resolution for the year 2023 may be presented by taxpayers or other interested persons.

Copies of the budget are available on the Borough's website at www.matawanborough.com, or in the Office of the Borough Clerk by contacting Karen Wynne, Borough Clerk of the Borough of Matawan, at (732) 566-3898 ext. 602 or karen.wynne@matawanborough.com, during the hours of 8:30 (AM) to 4:30 (PM).

Mayor Altomonte read by title Resolution 23-04-14: Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission's Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964. Mayor Altomonte requested a motion. Councilwoman Gunn made the motion, seconded by Councilman Ross. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

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RESOLUTION 23-04-14

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL
EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT GUIDANCE ON THE
CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER
TITLE VII OF THE CIVIL RIGHTS ACT OF 1964"**

WHEREAS, NJSA 40A:4-5 as amended by PL 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

***NOW, THEREFORE BE IT RESOLVED,** that the Council of the Borough of Matawan hereby states that it has complied with NJSA 40A:4-5, as amended by PL 2017, c.183 by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.*

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**GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF
COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in
Employment Decisions Under Title VII of the Civil Rights Act of 1964"**

**GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES
NO PHOTOCOPIES OF SIGNATURES**

STATE OF NEW JERSEY
COUNTY OF MONMOUTH

We, members of the governing body of the Borough of Matawan being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) members of the Council of the Borough of Matawan in the County of Monmouth;
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e et seq., (April 25, 2012);
3. We are familiar with the local unit's hiring practices as they pertain to the consideration of an individual's criminal history;
4. We certify that the local unit's hiring practices comply with the above-referenced enforcement guidance.

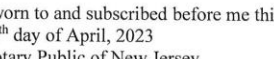
(L.S.) Stephanie Buckel




(L.S.) Deana Gunn



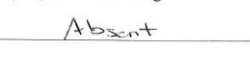
(L.S.) Brian Livesey



(L.S.) Steven Russell




(L.S.) Charles Kost



(L.S.) Melanie S. Wang

Absent

Sworn to and subscribed before me this
18th day of April, 2023
Notary Public of New Jersey


Karen Wynne, RMC
Municipal Clerk

The Municipal Clerk shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be executed before a municipality or county can submit its approved budget to the Division of Local Government Services. The executed certificate and the adopted resolution must be kept on file and available for inspection.

Clerk's Report

The Clerk's office issued new business licenses for the following business: A Salute Restaurant, reflecting a change in ownership. The annual financial disclosure statement email was sent to local government officers. Filing is done online by April 30. The state forestalled opening the site on April 3 and finally opened it on April 12, but did not extend the filing deadline. Mr. Menna said the state informed that no extensions will be granted this year.

Mayor's Report

The Matawan Fire Department has purchased a turtle deluge system. This system is designed exclusively to fight electric vehicle fires. The company who invented the system did a presentation at Borough Hall. Our fire department, as well as fellow invited fire departments from within the

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County, attended. The Borough was the first, not only the County or in the State, but in the Country to place the first official order for the system. A new business that will be opening in the upcoming future has promised to donate the amount of the purchase price. Mayor Altomonte explained how electric vehicle fires are becoming a more common event and how innovative the new deluge system is in fighting these types of fires.

Administrator's Report

Mr. Michelson thanked everyone involved in the budget process, especially the CFO, the Finance Committee, the auditor, and financial advisor. He is in the midst of ongoing negotiations with IBEW and has conducted two department head meetings. The most recent department head meeting also included a safety and compliance presentation by the risk management team. Mr. Michaelson related his attendance at various meetings, including an MCI financing meeting, with the Fire Department to review capital improvements, with the grant writer to discuss the process for identifying future grant needs, meetings involving the 300th anniversary of Burrowes Mansion, and lastly his meeting with the Borough's seniors to discuss the programs the Borough offer them. Mr. Michaelson also had a tour of Bayshore EMS's facility on Little Street.

Mr. Michelson has also been working with NJS DEP on the Borough's February 24 & 28, 2023 notice of violation on orthophosphates wherein the DEP informed our July 2022 water sample did not meet the orthophosphate requirements. Orthophosphates is an additive that goes into the system to prevent the corrosion of lead or copper throughout the distribution system to create a coating around the pumps and plumbing to prevent that corrosion. We came in at .24 milligrams per litre and the requirement is .25. DPW and our third party operator have been advocating on our behalf as we believe our other July 2022 samples show we met the .25 requirement but due to a chain of custody issue the State would not allow us to submit those samples. The violation prevailed prompting our recent notice to our residents. There is no emergency. There is no evidence of lead or copper exposure. There are steps we've had to take and going forward we will be doing more samples, more frequently, and we've addressed our communication with our third party in the lab who will be reporting to us on all tests within 24 hours so that should there be an issue, we have an opportunity to retest in the allowed 9 days in order for the State to accept that retest. Mr. Michelson offered anyone the opportunity to speak with him on this issue to contact this office.

Attorney's Report

No report.

Engineer's Report

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

- 2022 Road Program – quite a bit of paving will be happening in the Borough: The Police Department parking lot, Johnson Avenue, Cedar, Oak and also redo the narrow portion of Center Street.
 - Sanitary Sewer portion – the contractor is still waiting on permit from NJDOT for work to be completed on Route 34. Once they receive that, they will continue with the TV inspection, view the videos, and work on the design.
- Lake Matawan Dam Inspection was completed and was provided to DEP last week. For the Spring Street viaduct and outfalls, they are currently working on permit plans and once they are finished, these will also be submitted to DEP.
- The water plant testing of the wells was successful. Plans and specifications will be worked on for the pump upgrade for both wells.

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Economic Business Development, Planning & Zoning, Police

Councilwoman Gunn reported that with the anticipated retirement of Captain Hourihan and the promotion of two sergeants, the organization and structure of the agency has been revamped and a revised General Order has been issued. The command and supervisory staff will continue to focus on providing the necessary staffing and supervision allocation while keeping overtime costs at a minimum. Patrolmen Brooks and Borsari were promoted to the rank of Sergeant on March 7. Detective Mason was offered a detective position with the Monmouth County Prosecutor's Office and he submitted his letter of resignation from our Department to accept a position. There are two resolutions on tonight's agenda regarding Detective Mason's resignation and the retirement agreement for Police Service Dog, Blade. The Department is looking to recruit and if there is anyone interested in a career in law enforcement, please submit a resume to Chief Falco.

On March 22, she participated in a Community Policing Events Meeting with Chief Falco and a resident of the Borough. Lieutenant O'Boyle met with the residents of Minnisink Village on March 9, providing information on fraud prevention and phone call scams. The Department will be hosting 'Coffee with a Cop' event on May 6, from 10:00 AM to 1:00 PM, at the Starbucks on Main Street. On April 6, Chief Falco, Chief Lloyd, and Dr. Majka posted on social media and distributed letters to the community reminding everyone of the rules and regulations of safe bicycle riding, and the policy of enforcement of said rules. Councilwoman Gunn related the number of calls and arrests responded to by the Patrol Division including motor vehicle incidents. The Traffic Safety Unit has begun preparing the necessary operation plans and detour routes for Borough events scheduled for May 2023, ie, Blues & Cruise Night, Memorial Day Parade. The Main Street Blues & Cruise Night is scheduled on May 24, sponsored by the Economic Business Development Committee and all are welcome to attend. Notification to both businesses and residents is being worked on, explaining the many events happening within the Borough in the month of May, and will be sent out by the Community Engagement Coordinator, via social media. Lastly, the parking lot for Borough Hall will be paved within the next few weeks, as part of the 2022 Road Program.

Historical Sites & Personnel

Councilman Russell reported that the Historical Sites Committee received an engineering review for Burrowes Mansion, which is a necessary item in grant submissions. Landscaping has begun for the backyard portion of the mansion in preparation for the 300th Anniversary of Burrowes Mansion Event, which will have a reenactment of the raid on the mansion, happening on June 3. They have applied for a grant to have a sign placed in front of Burrowes Mansion and they have been working on grant submissions to the NJ Historic Trust Foundation and there are two resolutions reflecting this on tonight's agenda. The Committee seeks to hire a recording secretary and worked with Mayor Altomonte on tonight's new member appointment.

The Personnel Committee has reviewed, with no comment, on tonight's adopted Ordinance 23-06 regarding longevity payments for new employees.

Recreation, Recycling & Sanitation

Councilwoman Buckel reiterated the meeting with the Borough seniors noting they are happy with their classes and the upgrades made by the DPW to the cafeteria. They are excited to start the new programs, luncheons, and just socializing the renovated lunchroom. The Recreation Department has many events coming up, including the May 6 Annual Townwide Garage Sale with a May 1 registration deadline with registration information posted on the Borough website. Councilwoman Buckel asked for residents to stop by Starbucks to meet members of our Police Department for 'Coffee with A Cop.' The Memorial Day Parade is scheduled for 11:00 AM on May 29. The Memorial Day Ceremony will be held at Memorial Park right after the parade. A float for the honorees and their families has been sponsored by Visiting Angels, a local business in the Borough. Recreation is coordinating an event with the Historical Society at the Matawan Regional High School, honoring Philip Freneau, the poet of the American Revolution. This presentation is free to the public and hopes everyone will attend. Recycling has a shredding event in conjunction with Monmouth County scheduled for June 10 to be held on the Matawan side of the NJ Transit parking lot.

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DPW, Fire Department, Shade Tree

Councilman Livesey informed the Shade Tree Commission will host Arbor Day on April 29 at 10:00 AM on the front lawn of the Matawan Municipal Community Center. The winners of this year’s poster contest will be announced and prizes will be given. A tree is planted in their honor, with a plaque stating such, and saplings are distributed to attendees. The Matawan Fire Department responded to 25 calls within the past 30 days. He thanked the Department, as well as the departments for all the surrounding towns, for their assistance for putting out the brush/train trestle fire trestle. The Fire Department will have a ‘Coin Toss’ along Broad Street and Route 34 the weekend of May 14 and 15, and the Department mailed out fund raising letters. At our last meeting DPW received approval to hire two seasonal part-time employees to assist in park improvements, lawn maintenance, mulching, etc., hydrant flushing began on April 10 and continues. DPW has been in contact with JCP&L on numerous street light outages and to include more lighting at Lake Lefferts. Clinton Street basketball fencing was vandalized this past weekend and DPW worked quickly to secure same. DPW is looking to clean and rehab the Lake Lefferts docks as well as add a table in Freneau Park this weekend.

Construction, Environmental, Finance

Councilman Ross reported the Environmental Commission has a Lake Lefferts clean-up scheduled this Saturday, with Sunday as a rain date, inviting the public to attend and help volunteer. Councilman Ross has forwarded an email with some suggestions on modifying the Borough’s ordinances on the construction of commercial redevelopment.

The Finance Committee has had a few meetings and our CFO, Nicole Horvath, has done a tremendous job. The Budget process is not an easy one with obstacles to overcome. Increased costs, ie, County fees, insurances, and we as a group came together and made the necessary adjustments on our side to offset those increases.

Consent Agenda

Mayor Altomonte read by title Resolutions 23-04-15 through and including 23-04-30, 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 23-04-15
CANCELLATION OF OUTSTANDING CHECKS VARIOUS FUNDS***

WHEREAS, the following checks remain outstanding for some time:

<i>Account</i>	<i>Check No.</i>	<i>Check Date</i>	<i>Amount</i>
<i>Borough Trust</i>	<i>130980</i>	<i>3/17/2021</i>	<i>\$57.00</i>
<i>Current</i>	<i>67491</i>	<i>9/4/2019</i>	<i>\$150.00</i>
	<i>68392</i>	<i>6/17/2020</i>	<i>\$161.00</i>
	<i>70533</i>	<i>3/16/2022</i>	<i>\$34.95</i>
<i>Recreation</i>	<i>1401</i>	<i>9/9/2021</i>	<i>\$35.00</i>
	<i>1430</i>	<i>9/9/2021</i>	<i>\$35.00</i>
<i>W/S Op</i>	<i>33553</i>	<i>1/13/2022</i>	<i>\$31.20</i>
	<i>33673</i>	<i>5/18/2022</i>	<i>\$27.00</i>
<i>Total to be Cancelled</i>			<i>\$531.15</i>

; and

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WHEREAS, it is necessary to formally cancel said outstanding checks so that the unexpended balances may be credited to surplus.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that the above listed outstanding checks be canceled.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be provided to the Chief Financial Officer of the Borough of Matawan for the permanent records.

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 23-04-16
AUTHORIZING REFUND OF TAX OVERPAYMENT
36 FRENEAU AVENUE
BLOCK 119, LOT 39.02**

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

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

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

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

<u>Block/Lot</u>	<u>Vendor</u>	<u>Amount of Refund</u>	<u>Notation</u>
119/39.02	Merchants Capital Attn: Jackie Sharpio 410 Monon Blvd. Carmel, IN 46032	\$118,860.05	Overpayment

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

**RESOLUTION 23-04-17
RELEASE OF ESCROW FUNDS FOR
UNIFIED PLANNING ZONING BOARD OF ADJUSTMENT APPLICATION
JSM AT MATAWAN, LLC
947-955 HIGHWAY 34 – BLOCK 6, LOTS 6 & 7**

WHEREAS, JSM at Matawan, LLC posted escrow in association with a Planning Zoning Application No. 13-02 for final site plan approval with variance relief and design waivers for Block 6, Lots 6 & 7, otherwise known as 947-955 Highway 34, Matawan, New Jersey; and

WHEREAS, the Borough Engineer has recommended the release of the escrow monies retaining \$1,000.00 in escrow for the maintenance bond inspection scheduled for August 2023.

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan hereby approves the release of escrow retaining \$1,000.00 in escrow for the maintenance bond inspection for a total amount to be released of \$39,940.75, to JSM at Matawan, LLC, c/o Edgewood Properties, 1260 Stelton Road, Piscataway, New Jersey 08854.

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 as well as JSM at Matawan, LLC c/o Edgewood Properties.

**RESOLUTION 23-04-18
APPROVING THE DISCHARGE OF FIREWORKS IN THE
BOROUGH OF MATAWAN IN CELEBRATION OF INDEPENDENCE DAY**

WHEREAS, the Council of the Borough of Matawan is desirous to hold their annual fireworks display; and

WHEREAS, the Recreation Director received the attached quote for professional services for the display of fireworks; and

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WHEREAS, Starfire Corporation/Serpico Pyrotechnics, LLC, 133 Orchard Court, Toms River, New Jersey 08753-1334 is qualified to provide specialized professional services for the display of fireworks; and

WHEREAS, the Borough of Matawan has received approval from the First Presbyterian Church, 883 Highway 34, Matawan, New Jersey 07747, for the use of its property as a staging area in conjunction with the event and has obtained satisfactory certificates of insurance.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Matawan hereby approves the discharge of fireworks as outlined in the attached contract, with the accompanying hold harmless agreements and satisfactory certificates of insurance in conjunction with the Agreement between the Borough of Matawan and Starfire Corporation/Serpico Pyrotechnics, LLC, to take place on July 2, 2023 with a rain date of July 8, 2023, in an amount in an amount not to exceed Thirteen Thousand Dollars and No Cents (\$13,000.00).

BE IT FURTHER RESOLVED the Council of the Borough of Matawan hereby authorizes the Borough Administrator to execute the Agreement on behalf of the Borough of Matawan.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Finance, Construction, Fire, Fire Prevention, Police, Public Works, Recreation as well as Starfire Corporation/Serpico Pyrotechnics, LLC.

CERTIFICATION AS TO AVAILABLE FUNDING

I, Nicole Horvath, Chief Financial Officer of the Borough of Matawan, County of Monmouth, State of New Jersey, do hereby certify that as of the date of this certification, funds are available from the 3-01-28-370-200 Budget of the Borough of Matawan to Starfire Corporation/Serpico Pyrotechnics, LLC for fireworks for the Borough of Matawan in an amount not to exceed Thirteen Thousand Dollars and No Cents (\$13,000.00).

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

Chief Financial Officer

(Signature on File)

Nicole Horvath, CMFO

Dated: April 18, 2023

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DISPLAY CONTRACT

The Borough of Matawan, hereinafter referred to as the “sponsor”, hereby agrees to purchase a firework display from Serpico Pyrotechnics, LLC/Starfire Corporation, Joint Venture hereinafter referred to as the “company” on the terms and conditions set forth hereinafter.

1. Purchase Price. The sponsor will pay to the company (all checks made payable to Serpico Pyrotechnics, LLC) the sum of Thirteen Thousand Dollars (\$13,000.00) for the display, said sum to be paid as follows:

a. The sum of Thirteen Thousand Dollars (\$13,000.00) shall be paid to the company upon completion of the display.

b. In the event the balance of the purchase price is not paid within 30 days after the display date, all sums owed by the sponsor for the display will bear interest at the rate of 1.5% per month until paid in full. In addition to the foregoing, the sponsor shall pay all of the costs of collection of any amount due hereunder incurred by the company, including reasonable attorney’s fees and court costs. The aforementioned interest charge and collection costs including attorney’s fees shall apply to any sum due pursuant to the terms of this contract if not paid within 30 days of its due date.

2. Display Date. The date of the display will be July 2, 2023. In the event the display is cancelled due to inclement weather or site conditions, it shall be postponed to July 8, 2023. If the display is cancelled due to the conditions herein described the sponsor shall pay the company the costs incurred for labor and transportation. In the event the display is not rescheduled in 2023 the sponsor shall pay the company a sum equal to 40% of the display price.

3. Display Site. The sponsor shall provide an appropriate display site that meets the requirements of all applicable NFPA code sections and the applicable provisions of the New Jersey State Statutes and Department of Community Affairs Regulations. Additionally, the site must be approved by the company and the authority having jurisdiction over the display.

4. Site Security. The sponsor shall provide police and/or crowd security personnel, proper parking supervision, and ensure adequate patrol of the safety zone as marked and secured by the sponsor until the company crew chief advises that this is no longer necessary. Company personnel shall have control of the firing area during the display (although security shall continue to be the sponsor’s responsibility). The sponsor will be responsible for the cleanup of any fallout debris from the display; however, company personnel will dispose the boxes brought to the site by the company.

In the event any unauthorized persons or vehicles enter the safety zone, company personnel shall have the right to terminate the display.

Immediately following the display company personnel will search the display area for any unexploded fireworks and safely dispose of any that are found. A company representative will inspect the site the morning after the display and safely dispose of any unexploded fireworks discovered during the inspection in accordance with NFPA code requirements. The company will also provide the authority having jurisdiction over the display with a post-display inspection

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report within 48 hours after the display. The post-display inspection report will contain the time of the search; the results thereof; any product malfunctions and any injuries.

5. Permits. The sponsor shall be responsible for obtaining all permits and governing body resolutions required for the display

6. Postponement or Cancellation of the Display. In the event of inclement weather or excessive winds or adverse site conditions on the date of the display, the parties hereto shall confer and if they agree that the conditions require the show to be postponed, the show will be postponed.

In the event the show is postponed there will be a postponement fee charged to the sponsor in an amount equal to the costs incurred by the company for loading and unloading the display, truck and transportation expenses, labor and insurance expenses. Said fees shall be paid within 15 days of the date the show is postponed.

7. Insurance. The company shall have liability insurance in the amount of at least \$10,000,000; worker's compensation insurance and vehicle insurance. Proof of the foregoing insurances shall be provided to the sponsor when this contract is executed by both parties. All individuals and entities listed on the certificate of insurance will be deemed an additional insured party per this Contract.

8. Personnel. The company shall provide sufficient trained personnel to set up, fire and break down the display in a workmanlike manner.

9. Miscellaneous. The company reserves the right to substitute product in the show with product equal to or greater in value at its discretion. The company shall not be responsible for events beyond its control, including the weather. In the event the display is damaged or destroyed by rain, wind or site conditions, the risk of loss shall remain with the sponsor.

In the event the display is set up and it has to be postponed to the next day due to weather, wind or site conditions, the display will not be broken down. Additionally, the sponsor shall provide security for the site until the company crew arrives the next day to fire the show.

The authorized representatives of the parties hereby agree to the aforementioned terms and conditions of this contract on the date and year set forth below.

Serpico Pyrotechnics, LLC/
Starfire Corporation

Borough of Matawan

5-2-23
Date

Jack Serpico
Jack A. Serpico

Date

Joseph Altomonte
Mayor Joseph Altomonte

**RESOLUTION 23-04-19
APPROVING THE SITE FOR THE DISCHARGE OF FIREWORKS
IN THE BOROUGH OF MATAWAN IN CELEBRATION OF INDEPENDENCE DAY AND
AUTHORIZING THE WAIVER OF FIRE PREVENTION PERMIT FEES,
AND THE USE OF MOTORBOATS AND MECHANIZED VEHICLES ON LAKE LEFFERTS BY POLICE
AND FIRE DEPARTMENTS ONLY**

WHEREAS, the Recreation Commission has recommended the site for the discharge of fireworks in the Borough of Matawan in celebration of Independence Day on July 2, 2023 with a rain date of July 8, 2023 to be held on Lake Lefferts; and

WHEREAS, Serpico Pyrotechnics, LLC, 133 Orchard Court, Toms River, New Jersey 08753-1334 has provided the required Certificate of Insurance to include the Borough of Matawan; and

WHEREAS, the Borough of Matawan has received approval from the First Presbyterian Church, 883 Highway 34, Matawan, New Jersey 07747, for the use of its property as a staging area in conjunction with the event subject to the Borough of Matawan obtaining satisfactory certificates of insurance; and

WHEREAS, the Council of the Borough of Matawan hereby waive any and all municipal Fire Prevention Department Permit Fees for the discharge of fireworks in the Borough of Matawan celebration of Independence Day.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Matawan hereby approves the First Presbyterian Church, 883 Highway 34, Matawan, New Jersey 07747, as the site for the discharge of fireworks in the Borough of Matawan in celebration of Independence Day, and suspends the Borough Code Chapter 11 – Parks & Recreation Areas, Section 11-2 – Use of Motor Boats and Other Mechanical Vehicles, and authorizes the use of Police and Fire Departments **only**, to operate motor boats and mechanized vehicles in connection with the celebration and event, to take place on July 2, 2023 with a rain date of July 8, 2023, sponsored by the Borough of Matawan.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Finance, Fire Department, Fire Prevention, Police, Public Works, Recreation as well as Serpico Pyrotechnics, LLC.

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**RESOLUTION 23-04-20
2022 ROAD IMPROVEMENT PROGRAM
HARDING BOULEVARD RECONSTRUCTION PROJECT
S. BROTHERS, INC.
AUTHORIZING CHANGE ORDER NO. 1**

WHEREAS, Terence M. Vogt, of Remington & Vernick Engineers, has informed the Governing Body that an on-site inspection of the existing stormwater structures has revealed that extensive rehabilitation is required with additional work of two (2) inlet repairs.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, based upon the recommendation of Remington & Vernick Engineers, that they hereby authorize the attached contract modification proposal, Change Order No. 1, for the Harding Boulevard Reconstruction Project in association with the Borough's 2022 Road Improvement Program, a Net Change Increase this Change Order No. 1, in the amount of Five Thousand, Six Hundred Dollars and No Cents (\$5,600.00).

BE IT FURTHER RESOLVED this amount reflects a Total Net Change Increase in Contract in the amount of Five Thousand, Six Hundred Dollars and No Cents (\$5,600.00).

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

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Construction, Finance, Public Works as well as Remington & Vernick Engineers and S. Brothers, Inc.

CERTIFICATION AS TO AVAILABLE FUNDING

I, Nicole Horvath, Chief Financial Officer of the Borough of Matawan, County of Monmouth, and State of New Jersey, do hereby certify that as of the date of this certification funds are available from the W-06-55-522-101 Budget of the Borough of Matawan to S. Brothers, Inc. (RVE Project No. 1331-T-005) for the Borough of Matawan 2022 Road Improvement Program Harding Boulevard Reconstruction Project in an amount not to exceed Five Thousand, Six Hundred Dollars and No Cents (\$5,600.00).

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

Chief Financial Officer

(Signature on File)

Nicole Horvath, CMFO

Dated: April 18, 2023

**Borough of Matawan
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429 Route 79, Suite 21
Morganville, NJ 07751
O: (732) 955-8000
F: (732) 591-2815

April 11, 2023

Ryan Michelson, Borough Administrator
Borough of Matawan.
201 Broad Street
Matawan, NJ 07747

**Re: Borough of Matawan
Reconstruction of Harding Blvd
Change Order Request
Our File: 1331-T-005**

Mr. Michelson,

Onsite inspection of the existing stormwater structures has revealed that extensive rehabilitation is required.

The contractor, S. Brothers, has provided pricing for the additional work as follows:

Two (2) Inlet Repairs - \$5,600.00

Total Requested Change Order: \$5,600.00

No payments have been requested at this time from S Brothers, and no other issues onsite have arisen. Therefore, we expect the contracts will only be exceeded for the additional amount requested.

Should you have any questions or need additional information, please contact me in our Morganville office at (732) 955-8000.

Very truly yours,
REMINGTON & VERNICK ENGINEERS

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

TMV/wd

- cc: Karen Wynne, Borough Clerk
- Deanna Gunn, Borough Council President
- Nicole Horvath, Borough CFO
- Eric Frye, DPW Director
- James M. Oris, PE, PP, CME, CFM
- Jeff Fedorchak, PE, CME
- George Allan, Chief Inspector

rve.com

**RESOLUTION 23-04-21
2022 ROAD IMPROVEMENT PROGRAM
WASHINGTON AVENUE RECONSTRUCTION PROJECT
S. BROTHERS, INC.
AUTHORIZING CHANGE ORDER NO. 1**

WHEREAS, Terence M. Vogt, of Remington & Vernick Engineers, has informed the Governing Body that an on-site inspection of the existing stormwater structures has revealed that extensive rehabilitation is required with additional work of two (2) inlet repairs, and one (1) driveway backplate.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, based upon the recommendation of Remington & Vernick Engineers, that they hereby authorize the attached contract modification proposal, Change Order No. 1, for the Washington Avenue Reconstruction Project in association with the Borough's 2022 Road Improvement Program, a Net Change Increase this Change Order No. 1, in the amount of Six Thousand, Five Hundred Seventy-Two Dollars and No Cents (\$6,572.00).

BE IT FURTHER RESOLVED this amount reflects a Total Net Change Increase in Contract in the amount of Six Thousand, Five Hundred Seventy-Two Dollars and No Cents (\$6,572.00).

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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 Remington & Vernick Engineers and S. Brothers, Inc.

CERTIFICATION AS TO AVAILABLE FUNDING

I, Nicole Horvath, Chief Financial Officer of the Borough of Matawan, County of Monmouth, and State of New Jersey, do hereby certify that as of the date of this certification funds are available from the W-06-55-522-101 Budget of the Borough of Matawan to S. Brothers, Inc. (RVE Project No. 1331-T-006) for the Borough of Matawan 2022 Road Improvement Program Washington Avenue Reconstruction Project in an amount not to exceed Six Thousand, Five Hundred Seventy-Two Dollars and No Cents (\$6,572.00).

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

Chief Financial Officer

(Signature on File)

Nicole Horvath, CMFO

Dated: April 18, 2023

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429 Route 79, Suite 21
Morganville, NJ 07751
O: (732) 955-8000
F: (732) 591-2815

April 11, 2023

Ryan Michelson, Borough Administrator
Borough of Matawan.
201 Broad Street
Matawan, NJ 07747

Re: **Borough of Matawan
Reconstruction of Washington Ave
Change Order Request
Our File: 1331-T-006**

Mr. Michelson,

Onsite inspection of the existing stormwater structures has revealed that extensive rehabilitation is required.

The contractor, S. Brothers, has provided pricing for the additional work as follows:

- Two (2) Inlet Repairs - \$5,600.00
- One (1) Driveway Backplate - \$972.00
- Total Requested Change Order: \$6,572.00

No payments have been requested at this time from S Brothers, and no other issues onsite have arisen. Therefore, we expect the contracts will only be exceeded for the additional amount requested.

Should you have any questions or need additional information, please contact me in our Morganville office at (732) 955-8000.

Very truly yours,
REMINGTON & VERNICK ENGINEERS

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

TMV/wd

- cc:
- Karen Wynne, Borough Clerk
 - Deanna Gunn, Borough Council President
 - Nicole Horvath, Borough CFO
 - Eric Frye, DPW Director
 - James M. Oris, PE, PP, CME, CFM
 - Jeff Fedorchak, PE, CME
 - George Allan, Chief Inspector

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**RESOLUTION 23-04-22
2022 ROAD IMPROVEMENT PROGRAM
S. BROTHERS, INC.
AUTHORIZING CHANGE ORDER NO. 2**

WHEREAS, at the request of the Borough, the Borough Engineer, T&M Associates, has investigated the condition of the Matawan Municipal Community Center – Borough Hall – parking lot, and due to its current condition recommends resurfacing; and

WHEREAS, at the request of the Borough, the Borough Engineer, T&M Associates, has investigated the condition of the existing watermain on Robert Street between Washington Avenue and Harding Boulevard, which is more than 50 years old, and all of the other sections of watermain in this area have already been recently replaced, and this work will complete watermain replacement in this area; and

WHEREAS, T&M Associates recommends replacement of 160 feet of existing watermain with new 8-inch ductile iron pipe and the restoration of the pipe trench.

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WHEREAS, T&M Associates has informed the Council that Extra Various Items are increased to reflect current as-built quantities in the 2022 Road Improvement Program, for an increase this Change Order No. 2 of One Hundred Four Thousand, Nine Hundred Thirty Dollars and No Cents (\$104,930.00); and

WHEREAS, T&M Associates has informed the Council that Items S-4 and S-5 are Supplemental for the 2022 Road Improvement Program, for an increase this Change Order No. 2 of Two Thousand, Three Hundred Dollars and No Cents (\$2,300.00).

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, based upon the attached April 12, 2023 letter of recommendation of Robert Keady, T&M Associates, that they hereby authorize the attached contract modification proposal, 2022 Road Improvement Program, Change Order No. 2, a Net Change this Change Order in the amount of One Hundred Seven Thousand, Two Hundred Thirty Dollars and No Cents (\$107,230.00).

BE IT FURTHER RESOLVED this amount reflects a total Net Change Increase in Contract of One Hundred Thirty-One Thousand, Eight Hundred Nineteen Dollars and Nineteen Cents (\$131,819.19).

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, Finance, Public Works as well as T&M Associates and S. Brothers, Inc.

CERTIFICATION AS TO AVAILABLE FUNDING

I, Nicole Horvath, Chief Financial Officer of the Borough of Matawan, County of Monmouth, and State of New Jersey, do hereby certify that as of the date of this certification funds are available from the W-06-55-522-100 Budget of the Borough of Matawan to S. Brothers, Inc. (T&M Project No. MATN-04163) for the Borough of Matawan 2022 Road Improvement Program in an amount not to exceed One Hundred Seven Thousand, Two Hundred Thirty Dollars and No Cents (\$107,230.00).

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

Chief Financial Officer

(Signature on File)

Nicole Horvath, CMFO

Dated: April 18, 2023

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

SHEET NO. 1 OF 2
PROJECT NO. 2022-001

CHANGE ORDER NO. 2

DATE: April 18, 2023
PROJECT: 2022 Road Program
OWNER: Borough of Matawan
CONTRACTOR: ...

DESCRIPTION OF CHANGE:

REDUCTIONS:

EXTRA:
Various items are increased to reflect current as-built quantities.

SUPPLEMENTARY:

S-4 Reset Inlet with Existing Casting
S-5 DGA Backfill

APPROVAL RECOMMENDED:

ACCEPTED:
CONTRACTOR: *R. J. Santos*
Resident

OWNER'S APPROVALS:
Joseph Altomonte
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.	XXXXXXXXXX	\$0.00
B. TOTAL EXTRAS THIS C.O.	\$104,930.00	XXXXXXXXXX
C. TOTAL SUPPLEMENTARY THIS C.O.	\$2,300.00	XXXXXXXXXX
TOTALS THIS C.O.	\$107,230.00	\$0.00
NET CHANGE THIS CHANGE ORDER	\$107,230.00	\$0.00
PREVIOUS CHANGE ORDERS	\$67,491.85	\$42,902.66
TOTAL CHANGE ORDERS TO DATE	\$174,721.85	\$42,902.66
NET CHANGE IN CONTRACT	\$131,819.19	\$0.00

ORIGINAL CONTRACT BID PRICE	\$1,517,721.29
CHANGE ORDERS TO DATE	\$131,819.19
REVISED CONTRACT PRICE	\$1,385,902.10

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CHANGE ORDER NO. 2		SHEET NO. 2 OF 2		
		PROJECT NO. MATN-04163		
PROJECT:		<u>Well Pump Program</u>		
OWNER:		<u>Borough of Matawan</u>		
CONTRACTOR:		<u>N. Horvath, Inc.</u>		

ITEM NO.	DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
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				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
A. TOTAL REDUCTIONS				\$0.00

ITEM NO.	DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
13	HMA Milling, 3" or Less	3590.00	SY \$4.00	\$14,360.00
15	Tack Coat	360.00	GAL \$8.00	\$2,880.00
16	HMA 9.5M64 Surface Course, 2" Thick	425.00	TON \$104.00	\$44,200.00
17	HMA 19M64 Base Course, 4" Thick	70.00	TON \$104.00	\$7,280.00
25	8" Ductile Iron Pipe, Class 52	160.00	LF \$130.00	\$20,800.00
42	6"x18" Concrete Vertical Curb	300.00	LF \$38.00	\$11,400.00
49	Traffic Marking Lines, 4" Thick	2900.00	LF \$1.00	\$2,900.00
50	Traffic Marking Lines, 6" Thick	500.00	LF \$1.50	\$750.00
51	Traffic Marking Lines, 12" Thick	315.00	LF \$4.00	\$1,260.00
B. TOTAL EXTRA				\$104,930.00

ITEM NO.	DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
S-4	Reset Inlet with Existing Casting	1	UNIT \$800.00	\$800.00
S-5	DGA Backfill	2	LOAD \$750.00	\$1,500.00
C. TOTAL SUPPLEMENTARY				\$2,300.00

**RESOLUTION 23-04-23
AUTHORIZING T&M ASSOCIATES TO PROVIDE PROFESSIONAL SERVICES FOR
THE REPLACEMENT OF WELL NO. 3 AND NO. 4 PUMPING EQUIPMENT**

WHEREAS, the Mayor and Council of the Borough of Matawan received the attached Scope and Fee Estimate from the Borough Engineer, T&M Associates, for professional engineering services for the replacement of Well No. 3 and No. 4 Pumping Equipment to accelerate their pumping rate to increase the Borough's daily water capacity to accommodate current committed and future redevelopment water demands; and

NOW, THEREFORE BE IT RESOLVED the Council of the Borough of Matawan hereby authorizes T&M Associates to perform Task 1: Design, Task 2: Permitting, Task 3: Bidding Services and Task 4: Construction Administration and Field Inspection as detailed in the attached proposal for professional services in an amount not to exceed Fifty-Nine Thousand, One Hundred Dollars and No Cents (\$59,100.00).

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Finance, Public Works as well as Robert R. Keady, Jr. of T&M Associates.

CERTIFICATION AS TO AVAILABLE FUNDING

I, Nicole Horvath, Chief Financial Officer of the Borough of Matawan, County of Monmouth, State of New Jersey, do hereby certify that as of the date of this certification, funds are available from the 3-09-55-500-200 Budget of the Borough of Matawan to T&M Associates for professional services for the Replacement of Well No. 3, and No. 4 Pumping Equipment as outlined in the attached Scope and Fee Estimate for the Borough of Matawan in an amount not to exceed Fifty-Nine Thousand, One Hundred Dollars and No Cents (\$59,100.00).

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

Chief Financial Officer

(Signature on File)

Nicole Horvath, CMFO

Dated: April 18, 2023



MATNOH-16002

April 12, 2023

Ryan Michelson, Borough Administrator
Borough of Matawan
201 Broad Street
Matawan, NJ 07747

**Re: Professional Engineering Services for the Replacement of
Well No. 3 and No. 4 Pumping Equipment
Scope and Fee Estimate**

Dear Mr. Michelson:

T&M Associates is pleased to submit our Scope of Work and Engineering Fee Estimate for Professional Engineering Services associated with preparation of design documents and permit application, bidding assistance, and construction administration and field inspection services associated with upgrading and replacing the Borough’s existing Well No. 3 and No. 4 pumping equipment and associated piping and appurtenances. As you are aware, both wells were tested in March 2023 to determine the feasibility of increasing their pumping rate to increase the Borough’s daily water capacity to accommodate current committed water demands and a new water connection from the proposed Wilt Development, which is located off of Main Street near the train station planning area.

Based on the well testing conducted, we propose to increase the pumping rate capacity at each well. We have been in communication with the New Jersey Department of Environment Protection (NJDEP) and been advised that this will require a minor modification to the Borough’s water allocation permit. The proposed improvements will include removal of the existing pumping equipment, installation of new 800 gallon per minute (GPM) well pumps, as well as new motors, controls, column piping and headshafts at both wells, including any necessary appurtenances needed to complete the installation. Electrical connections will also be inspected, and upgrades made as needed. We estimate the cost to complete these improvements at approximately \$500,000.

As a result, we propose the following scope of services:

A. SCOPE OF WORK

Task 1 - Design

- T&M will setup the project and schedule a field visit to verify existing conditions and obtain any additional information regarding the wells, including any past inspection reports and repairs previously conducted.
- After the field visit, T&M will proceed with the design of the proposed improvements, which will include the following:
 - Removal of the existing pumping equipment, column piping and headshafts;

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- Installation of new 800 GPM well pumps;
 - Installation of new pump motors and electrical controls;
 - Installation of new column piping, headshafts and associated appurtenances; and
 - Miscellaneous electrical modifications, as needed.
- We do not anticipate modifications to the treatment plant's current electrical service or its existing generator. However, the electrical system will be field verified to identify any potential improvements needed to accommodate the larger well pumps and motors.
 - T&M will prepare construction design drawings outlining the layout and section views of the proposed design components at both wells and include final construction details as needed. We will utilize the T&M front end specification sections including proposal forms, information for bidders and general conditions. Technical specifications for the proposed work will be prepared in Construction Specification Institute (CSI) format.
 - T&M will also prepare a statement of probable construction costs and anticipated construction schedule timeline.
 - Two (2) draft paper copies of the design bid documents (construction plans and specifications), including the statement of probable construction costs and construction schedule will be forwarded to the Borough for review and comment.
 - T&M will coordinate a final review meeting with Borough representatives and address any comments and/or questions.
 - Once comments received are addressed, T&M will submit two (2) final copies of the FINAL bid documents to the Borough for final approval along with an anticipated bid schedule.

Task 2 - Permitting

- Based on discussions with the NJDEP, it is anticipated that a Minor Modification to the Borough's Water Allocation Permit will be required. T&M will complete the necessary forms and prepare an Engineer's Report to include as part of the permitting package. The Engineer's Report will include the 24-hour well pump test raw data completed in March 2023, as well as a summary of the testing protocol, and findings generated. A copy of the permitting package will be forwarded to the Borough for their signatory approval and reference. T&M will address comments from the NJDEP as needed to finalize permit approval.
- A Soil Erosion and Sediment Control Permit is not anticipated since all work proposed will be conducted within the existing well and no additional excavation work is anticipated.

Task 3 - Bidding Services

- Once bid documents are approved by the Borough and the permit approval is issued by the NJDEP, T&M will coordinate with Borough representatives and advertise the project accordingly. Bid

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documents will be made available to prospective bidders electronically.

- Prospective bidders' inquiries will be addressed as needed and up to one (1) addendum will be issued as needed to address bidder inquiries.
- T&M will attend the bid opening, conduct a review of bid packages received and prepare a Recommendation of Award letter to the Borough for action.

Task 5 - Construction Management

- Once the project is awarded, T&M will process the execution of the contract with the selected bidder and coordinate and attend a preconstruction meeting. Minutes of the meeting will be distributed to all attendees.
- T&M will review shop drawings as they are submitted and maintain a log of submissions provided and their approvals. We will respond to requests for information to provide additional clarification or detail during construction.
- Once the Contractor mobilizes onsite, T&M will coordinate and schedule one (1) additional progress review meeting with the Contractor and Borough representatives to review the ongoing work, project schedule and address any construction related inquiries. Minutes of the meeting will be distributed to all attendees.
- Our office will process up to three (3) payment application requests and process one (1) change order as necessary during construction.
- Our proposal includes up to 40 hours of part-time field inspection to observe ongoing construction once the Contractor has mobilized. Our staff will document any deficiencies that must be addressed prior to closeout, witness the equipment startup and coordinate the equipment training with the vendor and Borough representatives.
- Once all work is completed, T&M will issue a punchlist to the Contractor as needed and initiate contract closeout once all deficiencies have been addressed.

B. PROJECT SCHEDULE

We are prepared to commence the services outlined above upon your written authorization. Anticipating award of the project at the next upcoming Borough Council meeting we propose the following project schedule:

Project Setup and Field Visit	2 Weeks from Authorization to Proceed (ATP)
Draft Design Documents Submission	6 Weeks from the Field Visit
Final Design Review Meeting	2 Weeks from Draft Submission
Permitting Package Submission	1 Week from Final Design Review Meeting
Final Bid Documents Submission	1 Week from Final Design Review Meeting

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Bid documents will be advertised pending receipt of NJDEP approved permits.

C. PROJECT FEE

T&M's fee to provide the design, permitting, bidding and construction management services as outlined above is **\$59,100**. A breakdown of our fee is as noted below. Services for this contract will be billed to the Borough monthly utilizing the current billing rate schedule.

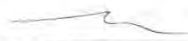
Engineering Fee Breakdown:

Task 1 – Design	\$29,500
Task 2 – Permitting	\$ 5,100
Task 3 – Bidding Services	\$ 3,800
Task 4 – Construction Admin & Field Inspection	<u>\$20,700</u>
TOTAL	\$59,100

On behalf of T&M Associates, I would like to thank you and the Governing Body for the opportunity to submit this scope of services and fee estimate. We look forward to our continued successful work with you and members of your staff.

Very truly yours,

T&M ASSOCIATES



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

RRK:RRS

cc: Karen Wynne, Borough Clerk
 Nicole Horvath, Chief Financial Officer/Treasurer
 Eric Frye, Director of Public Works

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**RESOLUTION 23-04-24
ACCEPTANCE OF RESIGNATION OF MATAWAN POLICE DEPARTMENT POLICE OFFICER
JOSEPH MASON**

WHEREAS, Police Officer Joseph Mason, has given several years of dedicated service to the Matawan Police Department and the residents of the Borough of Matawan; and

WHEREAS, Police Officer Joseph Mason has submitted notice of resignation to the Borough of Matawan Police Department effective April 16, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan accepts the resignation, effective April 16, 2023, of Police Officer Joseph Mason.

BE IT FURTHER RESOLVED that the Borough of Matawan hereby recognizes Police Officer Joseph Mason for his services to the community and wishes him the best in his future endeavors.

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, Police as well as Police Officer Joseph Mason.

**RESOLUTION 23-04-25
APPROVING RETIREMENT AGREEMENT FOR POLICE SERVICE DOG BLADE**

WHEREAS, Borough of Matawan Police Service Dog Blade will be retired as per the attached retirement agreement effective April 1, 2023; and

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WHEREAS, Joseph Mason has been his handler for many years, ownership of Blade is hereby transferred to Joseph Mason.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the attached retirement agreement with the transfer of ownership of Police Service Dog Blade going to Joseph Mason.

BE IT FURTHER RESOLVED that the Borough of Matawan hereby recognizes Police Service Dog Blade for his services to the community and wishes him the best in his retirement.

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

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

RESOLUTION 23-04-26

FAIR AND OPEN REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL SERVICES AND TO DIRECT THE BOROUGH ADMINISTRATOR TO ADVERTISE FOR REQUESTS FOR QUALIFICATIONS FOR INTERIM CHIEF FINANCIAL OFFICER UNDER THE FAIR AND OPEN PROCESS

WHEREAS, the Borough of Matawan has elected to undertake the appointment of an Interim Chief Financial Officer 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,

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 the position of Interim Chief Financial Officer, 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:

- *The Borough Administrator is authorized and empowered to advertise for Requests for Qualifications for an Interim Chief Financial Officer, 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: Administration, Clerk and Finance.

RESOLUTION 23-04-29

**THE BOROUGH OF MATAWAN
AUTHORIZING SUBMISSION OF GRANT APPLICATION TO
THE NEW JERSEY HISTORIC TRUST
BURROWES MANSION PHASE 1 CRITICAL ELECTRICAL UPGRADES**

WHEREAS, the Borough Council of Matawan, New Jersey desires to further historic preservation through a grant from the New Jersey Historic Trust, State of New Jersey in the amount of \$149,377.00 with \$99,585.00 in matched funds from the Borough of Matawan for the following project: Phase 1 of critical Burrowes Mansion electrical upgrades.

NOW, THEREFORE, BE IT RESOLVED, the Governing Body authorizes Ryan L. Michelson, Borough Administrator, to sign the appropriate assurances and acknowledge the certification above, and if awarded a grant, to execute a grant agreement with the State in an amount up to that awarded for the proposed project, and to seal the grant agreement.

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith.

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Introduced and passed: April 18, 2023

Council Member	Motion	Second	Ayes	Nays	Abstain	Absent
<i>Stephanie Buckel</i>		<i>X</i>	<i>X</i>			
<i>Deana Gunn</i>	<i>X</i>		<i>X</i>			
<i>Brian Livesey</i>			<i>X</i>			
<i>Charles Ross</i>			<i>X</i>			
<i>Steven Russell</i>			<i>X</i>			
<i>Melanie S. Wang</i>						<i>X</i>

Approved:

(Signature on File)

Mayor Joseph Altomonte

(Signature on File)

Attested:

*Karen Wynne, RMC
Municipal Clerk*

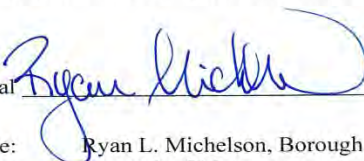
*Raised Seal of
The Borough of Matawan*

**Applicant Assurances*
(required)**

The applicant certifies the following:

- a. The filing of this application has been approved by the governing body of the applicant.
- b. The facts, figures, and information contained in this application, including all attachments, are true and correct.
- c. Matching funds in the amount of \$99,585.00 are currently available or will be available to complete this project within the required time frame.
- d. Any funds received will be expended in accord with the terms and conditions of N.J.A.C 5:101 and the grant agreement to be executed with the New Jersey Historic Trust.
- e. The individual signing this agreement has been authorized by the organization to do so on its behalf, and by his/her signature binds the organization to the statements and representations contained in the application.
- f. The organization agrees to abide by the time frame set forth in the grant guidelines.

Acting as duly authorized representative for the applicant organization, I am submitting this request for assistance from the New Jersey Historic Trust.

Signature of Individual  Date 4/18/23
 Typed Name and Title: Ryan L. Michelson, Borough Administrator
Borough of Matawan

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**Applicant Assurances*
(required)**

The applicant certifies the following:

- a. The filing of this application has been approved by the governing body of the applicant.
- b. The facts, figures, and information contained in this application, including all attachments, are true and correct.
- c. Matching funds in the amount of \$11,321.25 are currently available or will be available to complete this project within the required time frame.
- d. Any funds received will be expended in accord with the terms and conditions of N.J.A.C 5:101 and the grant agreement to be executed with the New Jersey Historic Trust.
- e. The individual signing this agreement has been authorized by the organization to do so on its behalf, and by his/her signature binds the organization to the statements and representations contained in the application.
- f. The organization agrees to abide by the time frame set forth in the grant guidelines.

Acting as duly authorized representative for the applicant organization, I am submitting this request for assistance from the New Jersey Historic Trust.

Signature of Individual  Date 4/18/23
 Typed Name and Title: Ryan L. Michelson, Borough Administrator
 Borough of Matawan

New Business

Mayor Altomonte read by title Resolution 23-04-27: Payment of Bills. Mayor Altomonte requested a voice vote. Councilwoman Gunn made the motion, seconded by Councilman Ross. Council agreed. Motion passed.

**RESOLUTION 23-04-27
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.

Current	\$412,996.85
Water/Sewer	\$75,825.94
Water Capital	\$55,886.46
Grant	\$242.14
Borough Trust	\$15,059.68
Dog Tax Trust	\$85.20
Recreation Trust	\$3,000.00
Total	\$563,096.27

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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.

There were no comments.

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

Adjourn to Executive Session

Mayor Altomonte requested a motion to adjourn to Executive Session. Councilman Gunn made the motion, seconded by Councilman Ross. Council agreed. Motion passed. Mr. Menna announced the purpose of the Council retiring into Executive Session is to discuss the status of ongoing litigation involving affordable housing and development.

***RESOLUTION 23-04-28
EXECUTIVE SESSION RESOLUTION***

***WHEREAS**, the Open Public Meetings Act, PL 1975, Chapter 231, permits the exclusion of the public from a meeting in certain circumstances; and*

***WHEREAS**, this public body is of the opinion that such circumstances presently exist; and*

***WHEREAS**, the Governing Body wishes to discuss:*

- *Litigation*

***WHEREAS**, minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.*

***NOW, THEREFORE, BE IT RESOLVED** that the public be excluded from this meeting.*

Meeting adjourned at 7:33 PM.

Karen Wynne

Karen Wynne, RMC
Municipal Clerk