

**Borough of Matawan
Public Session
May 2, 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 May 2, 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
 Councilwoman Melanie S. Wang

Absent: Councilman Charles Ross

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 presented a bouquet of flowers and Proclamation to Karen Wynne, Municipal Clerk, in recognition of 2023 Municipal Clerk's Week. The Mayor read the Proclamation to the audience. Ms. Wynne thanked the Governing Body saying it is a team effort, a pleasure to work with dedicated professionals and the residents as well as our staff and could not do it without you.

Recognition of Retirement of Captain Jeremiah E. Hourihan, III

Police Chief Thomas J. Falco, Jr. related Captain Jeremiah E. Hourihan, III career with the Borough of Matawan Police Department, and presented him with a shadowbox encasing his uniform signed by each member of the Matawan Police Department and read the inscription on a plaque in recognition of his 23 years of service as well as his retirement ID badge. Chief Falco thanked him for his dedication and service to the Borough, the community, and its residents. Captain Hourihan thanked his wife, children, family, Chief Falco, the Department and the Mayor and Council. He offered his time and service to the Borough, always. Matawan PBA Officer Corey Nussbaum presented Captain Hourihan with an engraved firearm.

The Department left the meeting at 7:17 PM.

Privilege of the Floor for Agenda Items Only

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

Frank Whalen, 24 Sunset Avenue, Matawan. Mr. Whalen questioned the orthophosphate violation and the timing of Ordinance Nos. 23-09 and 23-10 requesting clarification.

Mr. Michelson related the orthophosphate violation that was received a few weeks ago. This was not contamination. In July 2022 our monthly testing of orthophosphates indicated a level of .24 versus the required .25 level. Orthophosphate is a water additive to prevent pipe corrosion of lead and copper, essentially coating the pipes to avoid any possible contamination. The Borough had water testing from that same timeframe at required levels, but the State would not accept sample due to a chain of custody issue with our laboratory. There was and is no evidence of any lead and/or copper exposure in the water system. Our water system requires expertise and resources to

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operate in a manner that serves our residents and ensures a safe and quality source of water. This year when contemplating the budget on current, capital and water sewer side, as with everything else, costs are increasing. While the Borough doesn't want to create an increased burden to our residents, we also don't want to sacrifice the needed capital improvements that need to be made to our system that require resources to do that amongst many are well improvements and a new well to be built for us to be able to meet the demands of our current and future supply as we contemplate increases to our system. The Finance Committee all agreed to a small increase was needed to make those improvements and sustain the system. While no one is happy or wants to pass along an increase, it is a modest increase, 1.5%, and we appreciate the struggle by all and this is a modest increase that allows us to meet the needed enhancements to our capital in our water system.

Mr. Whalen thanked Mr. Michelson for his explanation but questioned the lapse in time, 4 months, to notify the residents. Mr. Michelson said the DEP did not notify the Borough until February 24 and February 28, 2023. When the DEP notified us DPW and our third party operator, Water Resource Management, did actively work with the DEP, as I stated earlier we had other samples but due to a chain of custody issue, we tried to present those samples for that the gap of between our receipt of the notice of violation and the letter to residents, we tried to fight the violation but unfortunately, our efforts were unsuccessful, explaining the timing of the notice to residents.

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

Old Business

Mayor Altomonte read by title 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 open the public hearing. Councilwoman Gunn made the motion, seconded by Councilman Russell. 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 23-07: Calendar Year 2023 – Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (NJSA 40A:4-45.14), requesting a motion to adopt. Councilwoman Gunn made the motion, seconded by Councilman Livesey. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Deana Gunn
 Councilman Steven Russell
 Councilwoman Stephanie Buckel
 Councilman Brian Livesey
 Councilwoman Melanie S. Wang

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,

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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 NJSA 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.

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.

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

Consent Agenda

Mayor Altomonte read by title Resolutions 23-05-01 through and including 23-05-07 requesting a motion to approve en masse. Councilwoman informed Resolution 23-05-03 is in preparation for the semiquincentennial in 2026 the State is asking for municipalities to start thinking about the 250th anniversary having municipalities prepare for the 2026 event. 2026 is also the 100th anniversary of the Matawan Police Department: The Borough will have much to celebrate. Councilwoman Gunn made the motion, seconded by Councilman Livesey. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 23-05-01
REDEMPTION OF TAX SALE CERTIFICATE(S)
#20-00003**

<u>Certificate#</u>	<u>Company Sold To</u>	<u>Block</u>	<u>Lot</u>	<u>Property Address</u>	<u>Payment</u>	<u>Premium</u>
20-00003	FNA DZ, LLC FBO WSFS	16	6	42 Johnson Avenue	\$42,336.48	\$15,700.00

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

WHEREAS, the Certificate(s) has been paid and fully redeemed for the property owners.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payments in the amounts, plus any Premiums indicated, for the redemption of the Tax Sale Certificate(s) listed above.

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

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**RESOLUTION 23-05-02
AUTHORIZING REFUND OF TAX OVERPAYMENT
8 EDGEWATER DRIVE
BLOCK 107, LOT 7**

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>
107/7	Corelogic 3001 Hackberry Road Irving, TX 75063-0156	\$3,839.11	Exemption

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

**RESOLUTION 23-05-03
A RESOLUTION OF THE BOROUGH OF MATAWAN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
SUPPORTING REVOLUTIONNJ**

WHEREAS, Governor Philip Murphy and the New Jersey State Legislature created RevolutionNJ in 2018 to plan, encourage, and coordinate the commemoration of the 250th anniversary of the founding of the United States, New Jersey's pivotal role in the American Revolution, and the contributions of its diverse peoples to the nation's past, present, and future; and

WHEREAS, the New Jersey Historical Commission, under the leadership of Secretary of State Tahesha Way, with its non-profit partner Crossroads of the American Revolution established RevolutionNJ to advance the role that history plays in public discourse, community engagement, education, tourism, and scholarship in New Jersey; and

WHEREAS, RevolutionNJ will engage New Jerseyans in all 21 counties and 564 municipalities through its officially recognized programs, initiatives, and events over the next ten years; and

WHEREAS, it is fitting and desirable that we commemorate the beginning of the Nation and the role New Jersey played over the past 250 years as well as its present and future role as part of the United States, with particular focus on the individuals, ideas, and events that shaped our Country, State and Monmouth County, Borough of Matawan; and

WHEREAS, RevolutionNJ will consider the role New Jersey played during the American Revolution when it saw more battles and skirmishes than any other state and was truly the Crossroads of the American Revolution; and

WHEREAS, RevolutionNJ will highlight the role New Jerseyans played beyond the battlefield during the American Revolution when people of diverse backgrounds contributed to the development of the State and the Nation in various ways and fought for the right to life, liberty and the pursuit of happiness; and

WHEREAS, preserving, studying, and enjoying state history strengthens communities and builds bonds between New Jersey residents as we work together toward the goals of justice and equality embedded in the United States Constitution.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Matawan hereby endorses RevolutionNJ and its mission to advance the role that history lays in public discourse, community engagement, education, tourism and scholarship in New Jersey.

BE IT FURTHER RESOLVED that:

1. The Mayor and Council of the Borough of Matawan commemorates the 250th anniversary of the establishment of the United States as an independent National.
2. The Mayor and Council of the Borough of Matawan authorizes the appointment of a committee to develop a plan for this commemoration that will promote the maximum involvement of our residents, neighborhoods, businesses, schools, civic organizations, and institutions in the commemorations.
3. The Mayor and Council of the Borough of Matawan further urges all its residents to reflect upon the significance of this event and the role that our State and its diverse people have played in the history and development of our Nation and to participate in this important commemoration, endeavoring to include the

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stories of all those whose lives are part of the history of what we now know as New Jersey, and understanding that the revolution continues today as we uphold the revolutionary ideas articulated in our founding documents.

4.

**RESOLUTION 23-05-04
AUTHORIZING T&M ASSOCIATES TO PROVIDE
PROFESSIONAL SERVICES FOR BIENNIAL CONTRACT FOR
ELECTRICAL MAINTENANCE AND REPAIR SERVICE
2023 - 2024**

WHEREAS, the Mayor and Council of the Borough of Matawan received an estimate from T&M Associates for professional services for the 2023 Biennial Contract for Electrical Maintenance and Repair Services.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Matawan hereby awards the contract for professional services to T&M Associates as outlined in the attached proposal to prepare specifications for said work and advertise the proposal for the purpose of receiving and reviewing bids for a biennial contract for Electrical Maintenance and Repair Service in an amount not to exceed Seven Thousand Dollars and No Cents (\$7,000.00).

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 the Borough Engineer.

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 3-01-20-165-200 Budget of the Borough of Matawan to T&M Associates associated with the preparation and advertisement of the 2023-2024 biennial contract for the Electrical Maintenance and Repair Services (T&M Project No. MATNOH-16002) for the Borough of Matawan in an amount not to exceed Seven Thousand Dollars and No Cents (\$7,000.00).

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: May 2, 2023

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YOUR GOALS. OUR MISSION.

MATNOH-16002

April 20, 2023

Ryan Michelson, Borough Administrator
Borough of Matawan
201 Broad Street
Matawan, New Jersey 07747

**Re: 2023 Biennial Contract for Electrical Maintenance and Repair Service
Authorization to Prepare Contract Documents and Advertise**

Dear Mr. Michelson:

T&M Associates (T&M) is seeking authorization to prepare and advertise the Borough's 2023 Biennial Contract for Electrical Maintenance and Repair Service within the Borough.

The 2023 Biennial Contract for Electrical Maintenance and Repair Service will enable the Borough to secure a Contractor with contractual costs including labor and materials for routine generator and electrical maintenance, inspections of sanitary sewer pump stations, and emergency electrical repairs for various electrical work necessary throughout the Borough.

The amount of the low bid for the 2019 biennial contract was \$102,000.00; therefore, we recommend that the Borough anticipate a cost of approximately \$150,000.00 for the next 2-year contract period. Please note though that this amount may fluctuate in any given year based on the actual number of repairs or emergency work necessary in the Borough.

T&M will prepare contract documents, advertise the project, receive and review bids, make a recommendation for award, and coordinate the contract award for an anticipated fee of \$7,000.00. Please advise as to proceeding with the above.

Should you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,

T&M ASSOCIATES

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

RRK:RRS

cc: Karen Wynne, Borough Clerk
Nicole Horvath, CFO, Borough of Matawan
Eric Frye, Public Works Director

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T&M ASSOCIATES, 40 Monmouth Park Highway, Suite 2, West Long Branch, NJ 07764 P 732.676.4000 F 732.272.1890 W tandmassociates.com

**RESOLUTION 23-05-05
AUTHORIZING T&M ASSOCIATES TO PROVIDE
PROFESSIONAL SERVICES FOR BIENNIAL CONTRACT FOR
EMERGENCY AND MAINTENANCE REPAIR SERVICES FOR
WATER, SANITARY SEWER AND DRAINAGE
2023 - 2024**

WHEREAS, the Mayor and Council of the Borough of Matawan received an estimate from T&M Associates for professional services for Emergency and Maintenance Repair Services for Water, Sanitary Sewer and Drainage.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Matawan do hereby award the contract for professional services to T&M Associates to prepare specifications for said work and advertise the proposal for the purpose of receiving bids for Emergency and Maintenance Repair Services for Water, Sanitary Sewer and Drainage in an amount not to exceed Seven Thousand Dollars and No Cents (\$7,000.00).

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 the Borough Engineer.

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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 (T&M Project No. MATNOH-16002) in association with the preparation and advertisement of the 2023-2024 biennial contract for the Emergency and Maintenance Repair Services for Water, Sanitary Sewer and Drainage in an amount not to exceed Seven Thousand Dollars and No Cents (\$7,000.00).

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: May 2, 2023

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MATNOH-16002

April 18, 2023

Ryan Michelson, Borough Administrator
Borough of Matawan
201 Broad Street
Matawan, New Jersey 07747

**Re: 2023 Biennial Contract for Emergency Repair Services
For Water, Sanitary Sewer and Drainage
Authorization to Prepare Contract Documents and Advertise**

Dear Mr. Michelson:

T&M Associates (T&M) is seeking authorization to prepare and advertise the 2023 Biennial Contract for Emergency Repair Services for the Borough's Water, Sanitary Sewer and Drainage systems.

The 2023 Biennial Contract for Emergency Repair Services for Water, Sanitary Sewer and Drainage will enable the Borough to secure a Contractor with contractual costs per hour for equipment and labor to provide personnel, equipment, and material for routine maintenance and emergency service for various repairs as needed throughout the Borough.

T&M will coordinate with the Public Works Director and prepare contract documents, advertise the project, receive and review bids, make a recommendation for award and coordinate contract award for an anticipated fee of \$7,000.00. Please advise as to proceeding with the above.

Should you have any questions or require any additional information, please do not hesitate to contact me.

Very truly yours,

T&M ASSOCIATES

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

RRK:RRS

cc: Karen Wynne, Borough Clerk
Nicole Horvath, CFO, Borough of Matawan
Eric Frye, Director of Public Works

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T&M ASSOCIATES, 11 Tindall Road, Middletown, NJ 07748

P 732.671.6400 F 732.671.7365 W tandmassociates.com

RESOLUTION 23-05-06

RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE THE FY2024-FY2026 REVISED AMENDMENT AGREEMENT WITH MONMOUTH COUNTY FOR COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT PROGRAM PURSUANT TO THE INTERLOCAL SERVICES ACT

WHEREAS, certain Federal funds are potentially available to Monmouth County under Title I of the Housing and Community Development Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

WHEREAS, it is necessary to establish a legal basis for the County and its people to benefit from this program; and

WHEREAS, a Revised Amendment Cooperation Agreement has been adopted under which the Borough of Matawan and the County of Monmouth in cooperation with other municipalities will establish an Interlocal Services Program pursuant to NJSA 40:8B-1; and

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WHEREAS, it is in the best interest of the Borough of Matawan to enter into such a revised amendment cooperation agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Matawan, that the Revised Amendment Agreement between the County of Monmouth and Certain Municipalities located herein for the establishment of a Cooperative Means of Conducting certain Community Development Activities, a copy of which is attached, thereto, be and is hereby approved.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk be and same are hereby authorized to executed said agreement in accordance with the provisions of law.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its enactment.

**AMENDMENT TO AGREEMENT BETWEEN THE COUNTY OF MONMOUTH
AND THE Matawan Borough FOR THE ESTABLISHMENT OF A COOPERATIVE
MEANS OF CONDUCTING CERTAIN COMMUNITY DEVELOPMENT
ACTIVITIES**

WHEREAS, the County of Monmouth and the Matawan Borough are parties to an Agreement dated **06/10/2020** concerning, generally, the cooperation between participating municipalities and the County to receive CDBG entitlement funding; and

WHEREAS, the U.S. Department of Housing and Urban Development: Community Planning and Development (“HUD”), has issued additional requirements for what must be included in all cooperation agreements entered into between counties and participating municipalities; and

WHEREAS, the Agreement dated **06/10/2020** must be amended to legally conform to HUD’s new requirements; and

WHEREAS, the Matawan Borough and the County of Monmouth have decided that it is in its residents’ best interests to amend the Agreement to conform to HUD’s cooperation agreement requirements; and

NOW, THEREFORE, the County and Matawan Borough hereby agree as

Responsibilities of Committee:

1. With concurrence of the Board of County Commissioners and Administrative Liaison Officer shall be designated. He shall be an employee of the County. He shall, within the limits of resources available, provide technical and administrative support to the Committee, and shall provide liaison between the Committee and the Board of County Commissioners.
2. The Committee shall recommend to the Board of County Commissioners an application (Consolidated Plan) for participation in Federal funding, and toward that end it shall in the matter herein prescribed, be authorized to develop required plans for the County, including a Housing Assistance Plans and such

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other documents and certification of compliance as required by the Federal Government for participation by the County in the community Development Block Grant Programs.

Estimated Cost and Allocation Thereof:

3. The amount of Federal funds involved shall be in the amount applied by the Board of County Commissioners pursuant to the recommendation by the Committee, subject to any modification made by HUD.

Duration of the Contract:

4. This contract shall be effective for the three (3) program years (Federal Fiscal Years 2024, 2025, and 2026 appropriations) for which the County is to qualify to receive CDBG entitlement funding and from any program income generated from the expenditure of such funds, including such additional time as may be required for the expenditure of any such funds granted to the participating unit of local government. The population of participating municipalities included in the urban county under this agreement shall be included in the population of the urban county for three (3) successive years which will include the federal fiscal years 2024, 2025 and 2026.

This agreement will automatically be renewed for participation in successive three-year qualification periods, unless the county or the municipality provides written notice it elects not to participate in a new qualification period.

This Agreement remains in effect until the CDBG, HOME and ESG funds and income received with respect to activities carried out during the three year qualification period.

Standards of Performance:

5. The Committee shall thereupon report its findings to all participating local governments, and shall submit such reports to the Board of County Commissioners (the legislation requires the title of "chosen freeholder" to be change to "county commissioner" and all "boards of chosen freeholder" to be known as "board of county commissioners") which complies with legislation Gov. Phil Murphy signed into law in 2020 and become effective January 1 as may be required for submission to the Federal Government. Pursuant to 24 CFR 570.501(b), all units of local government are subject to the same requirements applicable to subrecipients, including the requirement of a written agreement described in 24 CFR 570.503.

6. This Agreement includes, by reference, all provisions authorized by State and

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local laws that legally obligate the cooperating units to undertake the necessary action, as determined by the County to carry out a community development program and the approved Consolidated Plan and/or meet the other requirements of the CDBG, HOME and ESG programs or other applicable laws.

Qualification as Urban County:

7. As amended to take all actions necessary to assure compliance with the urban county's certification under section 104(b) of Title I of the Housing and Community Development Act of 1974, that the grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964, and the implementing regulations at 24 CFR part 1, and the Fair Housing Act, and the implementing regulations at 24 CFR part 100, and will affirmatively further fair housing. See 24 CFR @ 91.225(a) and Affirmatively Further Fair Housing Definitions and Certifications (86 FR 30779, June 10, 2021), to be codified at 24 CFR 5.151 and 5.152. Also to comply with Section 109 of Title I of the Housing and Community Development Act of 1974, and the implementing regulations at 24 CFR part 6, which incorporates Section 504 of the Rehabilitation act of 1973 and the implementing regulations of 24 CFR part 8, Title II of the American with Disabilities Act, and the implementing regulations at 28 CFT part 35, the Age Discrimination Act of 1975 and the implementing regulation of at 24 CFR part 146, and Section 3 of the Housing and Urban Development Act of 1968 and obligation to comply with other applicable laws. Prohibit urban county funding for activities, in or in support of any cooperating unit of general local government that does not affirmatively further fair housing, within its own jurisdiction or that impedes the county's actions to comply with the county's fair housing certification. This provision is required because noncompliance by a unit of general local government included in a urban county may constitute noncompliance by the grantee (i.e., the urban county) that can, in turn provide cause for funding sanctions or other remedial actions by the Department. The agreement includes the obligation to sing the assurances and certifications in the HUD 424-B.
8. To comply with Federal requirements, the County Government, through the Board of County Commissioners, shall be the applicant for community development funds, and shall have final responsibility as applicant and shall have final responsibility for selecting activities an annually filing Final Statements with HUD.

Program Income:

9. This amendment may be executed in substantially similarly worded counterparts, each of which shall be signed the Commissioner Director and the chief executive of a participating municipality. Each signatory agency agrees to cooperate with all signatories and be bound as if all had signed the same amendment.

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ATTEST:

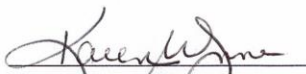
MONMOUTH COUNTY BOARD OF
COUNTY COMMISSIONERS

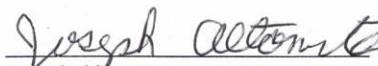
TAMARA BROWN
Clerk to the Board of County
Commissioners

THOMAS A. ARNONE, DIRECTOR
Board of County Commissioners

ATTEST:

Matawan Borough


Name: Karen Wynne
Title: Municipal Clerk


Name: Joseph Altomonte
Title: Mayor



**RESOLUTION 23-05-07
RESOLUTION FOR MEMBER PARTICIPATION
IN A COOPERATIVE PRICING SYSTEM**

**A RESOLUTION AUTHORIZING THE BOROUGH OF MATAWAN
TO ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH
NORTH JERSEY WASTEWATER COOPERATIVE PRICING SYSTEM**

WHEREAS, NJSA 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the North Jersey Wastewater Cooperative Pricing System, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, the Governing Body of the Borough of Matawan, County of Monmouth, State of New Jersey, desires to become a member of the North Jersey Wastewater Cooperative Pricing System (NJCWPS) effective May 2,

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2023 and, that such membership shall be for the period ending November 24, 2024, and each renewal, thereafter of the system, unless the Borough of Matawan elects to formally withdraw from the system.

NOW, THEREFORE, BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Matawan with the North Jersey Wastewater Cooperative Pricing System.

AUTHORITY

Pursuant to the provisions of NJSA 40A:11-11(5), the Mayor is hereby authorized to execute the attached Cooperative Pricing Agreement for such membership with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (NJSA 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

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Public Session
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AGREEMENT
NORTH JERSEY WASTEWATER COOPERATIVE PRICING SYSTEM

PARTICIPANTS:

This agreement made and entered into this day of by and between the Passaic Valley Sewerage Commission (hereinafter referred to as "PVSC") and the a governmental corporation of the State of New Jersey or Public Agency located at (hereinafter referred to as the "Participating Contracting Unit").

WITNESSETH:

LEGAL AUTHORITY:

WHEREAS, N.J.S. 40A:11-11 (5), specifically authorizes two or more contracting units to enter into a Cooperative Pricing System and Agreement for the purchase of work, materials and supplies; and

WORK TO BE PERFORMED:

WHEREAS, the Passaic Valley Sewerage Commission will conduct a Cooperative Pricing System with Participating Contracting Units, utilizing administrative purchasing services and facilities of the PVSC; and this Cooperative Pricing Agreement is to effect substantial economies in the purchase of goods and supplies; and

WHEREAS, the PVSC wishes to operate the **North Jersey Wastewater Cooperative Pricing System** (hereinafter referred to as the NJWCPS) with the Bergen County Utilities Authority (BCUA), the Joint Meeting of Essex and Union Counties (JMEUC), the Pequannock, Lincoln Park, and Fairfield Sewerage Authority- Two Bridges (TBSA), the Northwest Bergen County Utilities Authority, the Rahway Valley Sewerage Authority, the Town of Morristown, the Township of Wayne, the City of Asbury Park, the Linden Roselle Sewerage Authority, the Sussex County Municipal Utilities Authority, the Township of Mine Hill, the Musconetcong Sewerage Authority, the Borough of Fair Lawn, the Township of Morris, the Village of Ridgewood, the Rockaway Valley Sewerage Authority, the Atlantic County Utilities Authority, the Township of Wall, the Township of Readington, the Borough of South Plainfield, the Borough of Lodi, the Borough of Madison, the Secaucus Municipal Utilities Authority, the Two Rivers Water Reclamation Authority, the Borough of Point Pleasant, the Township of Branchburg, the Township of Parsippany-Troy Hills, the Township of Springfield, the Township of Neptune, the Township of Verona, the Borough of Lindenwold, the North Bergen Utilities Authority, the Bayshore Regional Sewerage Authority, the Lacey Municipal Utilities Authority, the Cape May County Municipal Utilities Authority, the Bernards Township Sewerage Authority, the South Monmouth Regional Sewerage Authority, the East Windsor Utilities Authority, the Borough of Stone Harbor, the Borough of Bloomingdale, the Township of Livingston, the Township of Roxbury, the Township of Freehold, the Southeast Morris County Utilities Authority, the Township of Montville, the Manasquan River Regional Sewerage Authority, the Cumberland Co. Utilities Authority, the Borough of Old Tappan, the Readington Lebanon Sewerage Authority, the Borough of Glen Rock, the Warren Township Sewerage Authority, the Borough of Highlands, the Township of Denville, the Logan Township Municipal Utilities Authority, City of South Amboy, Township of Nutley, Lambertville Municipal Utilities Authority, Camden County Municipal Utilities Authority, Western Monmouth Utilities Authority, Borough of Spotswood, Kearny Municipal Utilities Authority, Borough of Totowa, Township of Cranford, East Orange Water Commission, Township of Aberdeen, Woodbridge Township, Hackettstown Municipal Utilities Authority, Township of Bridgewater, Township of Rockaway, Borough of Wildwood Crest, Borough of Tinton Falls, Township of Piscataway,

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Borough of Elmwood Park, County of Passaic, Township of Randolph, Township of Middletown, Township of Edison, Township of Hillside, Township of Neptune Sewerage Authority, Borough of Milltown, Egg Harbor Twp. Municipal Utilities Authority, Landis Sewerage Authority, Cinnaminson Sewerage Authority, Township of South Orange Village, Stony Brook Regional Sewerage Authority, Borough of Alpha, Pennsauken Sewerage Authority, Raritan Township Municipal Utilities Authority, Borough of Peapack and Gladstone, Township of Bedminster, Borough of Franklin, Dover Township, Franklin Township Sewerage Authority, Franklin Township Sewerage Authority, Borough of Sea Bright, Township of Hamilton, Borough of Bernardsville, Wanaque Valley Regional Sewerage Authority, Borough of Pennington, Lakewood Township Sewerage Authority, Byram Township, Township of Pemberton, Borough of Avon by the Sea, Township of Florence, Hanover Park Regional High School District, City of Somers Point, Township of Cedar Grove, Borough of New Providence, Township of Tewksbury, Clinton Township Sewerage Authority, City of Summit, Old Bridge Municipal Utilities Authority, Willingboro Municipal Utilities Authority, City of Wildwood, Borough of Newfield, Borough of Rockaway, Montville Township Board of Education, Borough of Wenonah, Rockaway Township Board of Education, Brick Township Municipal Utilities Authority, Township of Montclair, Township of Clark, Borough of Hightstown, Borough of Manasquan, Township of West Orange, North Plainfield Board of Education, County of Hudson, the Borough of Caldwell, Municipality of Princeton, Township of Monroe, Bordentown Sewerage Authority, City of Plainfield, Borough of Red Bank, Township of Allamuchy, City of Trenton, Borough of Rumson, the North Arlington-Lyndhurst Joint Meeting, the County of Essex, the Evesham Municipal Utilities Authority, the Borough of Hopatcong, the Atlantic City Municipal Utilities Authority, the Pine Hill Borough Municipal Utilities Authority, the Township of Holmdel, the Township of Berkeley Heights, the Borough of Woodcliff Lake, and the Cumberland County Improvement Authority as well as other approved and appropriate Public Agencies within New Jersey; and

WHEREAS, all parties hereto have approved the within Agreement by Ordinance or Resolution as appropriate, in accordance with the aforesaid statute; and

WHEREAS, it is the desire of all parties to enter into such Agreement for said purposes;

NOW, THEREFORE, in consideration of the conditions hereinafter set forth, it is mutually agreed as follows:

1. The goods or supplies to be priced cooperatively may include Spare Parts, Instrumentation Equipment, Maintenance Chemicals, Motor Repair/Replacement, Mechanical Seals, Safety Equipment, Electrical Equipment, Laboratory Supplies, Bulk Chemicals and such other items as two or more participating contracting units in the system agree can be purchased on a cooperative basis, providing the PVSC consents to these other items.

The items and classes of items which may be designated by the participating contracting units hereto may be purchased cooperatively for the period commencing with the execution of this Agreement and continuing until terminated as hereinafter provided.
ADMINISTRATION AND OPERATION OF SYSTEM:

2. The PVSC, on behalf of all participating contracting units, at the beginning of participating in the NJWCPS, and during each January thereafter, shall publish a legal advertisement in such format as required by the State Division of Local Government Services in a newspaper normally used for such purposes by it to include such information as:

- (1) The name of the participating contracting units, and
- (2) The name of the Cooperative Pricing System soliciting competitive bids or informal quotations, and
- (3) The address and telephone number of the NJWCPS, and
- (4) The State Identification Code for the Cooperative Pricing System, and

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(5) The expiration date of the Cooperative Pricing Agreement.

3. The specifications shall be prepared and approved by the NJWCPS and filed as required by law, and no changes shall thereafter be made except as permitted by law. Nothing herein shall be deemed to prevent changes in specifications for subsequent purchases.

4. The NJWCPS may provide the Participating Units with the copies of the specifications at least thirty (30) days prior to seeking bids and will notify the Participating Contracting Units, in writing, of the item(s) on which it will seek bids. Fifteen (15) days prior to advertising, each of the participating contracting units shall designate, in writing, to the NJWCPS, the items to be purchased and indicate therein the approximate quantities desired, the location for delivery and other requirements, to permit the preparation and filing of specifications as provided by law.

The NJWCPS will call a meeting of all Participating Contracting Units each December in order to provide the participants with an opportunity to discuss the goods or services to be priced cooperatively and the terms of the specifications for the next calendar year.

5. A single advertisement for bids or the solicitation of informal quotations for the goods or services to be purchased shall be presented on behalf of all of the Participating Contracting Units desiring to purchase any item by the NJWCPS in the Cooperative Pricing System.

6. In seeking bids the NJWCPS will include in the specifications two categories upon which bids are sought: (a) the NJWCPS's requirements, stated in definite quantities; and (b) the Participating Contracting Units, stated as an estimated total quantity of the needs of all the other Participating Contracting Units, which total shall not be exceeded in the aggregate by more than 20 percent of the total cost awarded for that Category. The specification for this category shall list the other Participating Contracting Units, their delivery address, their estimated maximum quantities and other relevant information to permit the bidder to understand what is potentially involved. The bids will contain: (1) a provision stating that contracts shall be in compliance with N.J.A.C. 5:30-5.5 (B), open-end contract rules; and (2) language requiring the bid price(s) to be stated so that it is uniform with respect to both categories (the NJWCPS and other Participating Contracting Units).

The provision with respect to the other contracting units category will allow the bidder to indicate if it is willing to provide the item(s) bid upon to other participating contracting units in the system; or if it is not willing to extend prices to other participating units in the systems.

7. The NJWCPS shall advertise for bids or the solicitation of informal quotations and shall receive bids or quotations on behalf of all Participating Contracting Units. Following the receipt of bids, the NJWCPS shall review said bids and on behalf of all Participating Contracting Units, either reject all or certain of the bids or make an award to the lowest responsible bidder or bidders for each separate item. This award shall result in the NJWCPS entering into a master contract with the successful bidder(s)

8. The NJWCPS shall enter into a formal written contract(s), when required by law, directly with the successful bidder(s) only after it has certified the funds available only for its own needs ordered. Each Participating Contracting Unit shall also certify the funds available only for its own needs ordered; enter into a formal written contract, when required by law, directly with the successful bidder(s); issue purchase orders in its own name directly to the successful bidder(s) against said contract; accept its own deliveries; be invoiced by and receive statements from the successful bidder(s); make payment directly to the successful bidder(s); and be responsible for any tax liability. No Participating

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Contracting Unit in the Cooperative Pricing System shall be responsible for payment for any items ordered or for performance generally, by any other Participating Contracting Units and shall accordingly be liable only for its own performance and for items ordered and received by it and none assumes any additional responsibility or liability. The provisions of this paragraph shall be quoted or referred to and sufficiently described in all advertisements for bids by the NJWCPS so that each bidder shall be on notice as to the respective responsibilities and liabilities of the Participating Contracting Units. The NJWCPS shall supply the Participating Contracting Units with copies of the specifications, name of successful bidder, prices awarded and the contract identification number. Each Participating Contracting Unit may then order directly from that vendor by purchase order if under the appropriate statutory bid limit or by contract of the governing body or agency if over the appropriate statutory bid limit. The identification number shall be affixed to each purchase order or contract and shown on all forms pertaining thereto.

9. If the lowest responsible bidder declines to extend prices to the Participating Contracting Units all bids shall be rejected and no further bids will be sought by the NJWCPS on behalf of the Participating Contracting Units.

10 . A bidder shall not be required or permitted to extend his bid prices to Participating Contracting Units unless he has voluntarily agreed to do so as part of his bid.

11. Nothing in this Agreement shall prevent any Participating Contracting Unit from awarding contracts of purchase, with or without advertising, individually and on its own behalf, provided, however, that invitations for such individual bids shall not be advertised, nor shall bids be received individually, during the period in which the NJWCPS is advertising for and receiving bids for the same goods or services, except in the case of emergency or hardship.

12. No purchase order or contract shall be issued by any Participating Contracting Unit for a price which exceeds any other price available to it from any other such system in which it is authorized to participate or from bids which it has itself received.

13. The NJWCPS reserves the right to exclude any goods or services from within said system if, in its opinion, the pooling of purchasing requirements or needs of the Participating Contracting Units is either not beneficial or not workable.

ADMINISTRATIVE COSTS:

14. The PVSC shall bear all costs associated with administering the Cooperative Pricing system and bidding process including cost of advertising and administration and the Participating Contracting Units shall not be obligated for any part of such expenses.

DURATION AND TERMINATION:

15. This Agreement shall become effective the date executed, subject to the approval of the Director of the Division of Local Government Services and shall continue in effect for a period not to exceed five (5) years from said date or the term of the current approval unless any party to this Agreement shall give written notice of its intention to terminate its participation at least 30 days prior to the succeeding four (4) years. The NJWCPS may choose to terminate registration of the system no later than 30 days prior to the expiration date of the system. Renewal of the system will be in accordance with the provisions of N.J.A.C. 5:34-17.6, as may be amended.

16. This Agreement and the Cooperative Pricing System will not terminate nor be invalidated by the PVSC or the withdrawal or addition of any Participating Contracting Unit. However, this Agreement and the Cooperative Pricing System shall be terminable and invalidated at the instance of the NJWCPS upon written notice to the Participating

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Contracting Unit and without recourse against the NJWCPS for any reason or if continuance of the within system becomes unlawful for any reason.

DOCUMENTATION:

17. All records and documents maintained or utilized pursuant to the terms of this Agreement shall be identified by the code number assigned by the Director, Division of Local Government Services, and such other numbers as are assigned by the NJWCPS for purposes identifying each contract and item awarded.

18. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the respective parties hereto.

19. This Agreement may be executed in several counterparts, each of which, when so executed, shall be deemed to be an original, but such counterparts shall together constitute but one and the same instrument.

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IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed and executed by their authorized corporate officers and their respective seals to be hereto affixed the day and year above written.

PASSAIC VALLEY SEWERAGE COMMISSION

BY: _____
GREGORY A. TRAMONTOZZI
EXECUTIVE DIRECTOR, PASSAIC VALLEY SEWERAGE COMMISSION

(SEAL) ATTEST BY: _____
PASSAIC VALLEY SEWERAGE COMMISSION
ALBERT LUKIN, CLERK

ATTEST: NORTH JERSEY WASTEWATER COOPERATIVE PRICING SYSTEM

By: _____
Passaic Valley Sewerage Commission

Date: _____

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[NAME OF AUTHORITY OR GOVERNMENT ENTITY-
PLEASE LEAVE ON SEPARATE PAGE]

BY: Joseph Altomonte

(Chief Administrative Officer's Signature or other Official duly authorized to sign cooperative purchasing agreements)

PRINTED NAME Joseph Altomonte

TITLE Mayor, Borough of Matawan

(SEAL) ATTEST BY: Karen Wynne

PRINTED NAME AND TITLE:
Karen Wynne, RMC - Municipal Clerk

New Business

Mayor Altomonte read by title Resolution 23-05-08: Authorization to Connect to the Borough of Matawan Sanitary Sewer System and Execution of Treatment Works Approval Application – Matawan Junction – 1 & 2 Bank Street – Block 5, Lots 6, 7, 8 And 9. Councilwoman Gunn made the motion, seconded by Councilman Livesey. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 23-05-08
AUTHORIZATION TO CONNECT TO THE
BOROUGH OF MATAWAN SANITARY SEWER SYSTEM AND EXECUTION OF TREATMENT WORKS
APPROVAL APPLICATION**

**MATAWAN JUNCTION
1 & 2 BANK STREET
BLOCK 5, LOTS 6, 7, 8 AND 9**

WHEREAS, Matawan Junction Urban Renewal, LLC for the property located at 1 and 2 Bank Street,

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Matawan Junction, also known as Block 5, Lots 6, 7, 8 and 9, is requesting to connect their property to the Borough of Matawan's sanitary sewer system; and

***WHEREAS**, the Erick Frye, Superintendent for the Department of Public Works has reviewed the Application and has no objection to the connection; and*

***WHEREAS**, Robert R. Keady, Jr. of T&M Associates, Borough Engineer, has reviewed the Application and plans, and the Treatment Works Approval ("TWA") Form provided by Matawan Junction Urban Renewal, LLC, and the TWA Form is complete.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that it hereby grants permission for 1 and 2 Bank Street, Matawan Junction, Block 5, Lots 6, 7, 8 and 9 to connect into the Borough's sanitary sewer system.*

***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: Administration, Clerk, Finance, Public Works, as well as the Borough Engineer and Matawan Junction Urban Renewal, LLC.*

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WQM003-T



State of New Jersey
Department of Environmental Protection
Division of Water Quality



Statements of Consent for TWA applications

Refer to the attached instructions and provide ALL applicable information. Please attach additional sheets if necessary.

1. GENERAL INFORMATION

Applicant/Owner/Operator: Matawan Junction Urban Renewal, LLC
 Name of Facility/Site/Project: Matawan Junction
 Street Address/Location: 12 Bank Street
 City or Town: Borough of Matawan State: NJ Zip Code: 07747

2. CERTIFICATION CHECKLIST (I.E. CERTIFICATIONS SUBMITTED WITH THIS FORM)

Note: Refer to this form's instructions for certification applicability.

Certification A: Governing Body (i.e. municipality where project is located)

- a. Certification(s) Submitted with this Form? Yes No
- b. Number of Certifications Submitted with this Form? _____
(Note: More than one certification is required when multiple governing bodies are impacted by the project.)

Certification B: Sewerage Authority

- a. Certification Submitted with this Form? Yes No

Certification C: Wastewater Conveyance System Owner

- a. Certification(s) Submitted with this Form? Yes No
- b. Number of Certifications Submitted with this Form? _____
(Note: More than one certification is required when multiple wastewater conveyance system owners are impacted by the project.)

Certification D: Wastewater Treatment Facility Owner

- a. Certification Submitted with this Form? Yes No

Certification E: District Sludge Management Lead Planning Agency

- a. Certification Submitted with this Form? Yes No

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A. CERTIFICATION BY THE GOVERNING BODY (I.E. MUNICIPALITY WHERE PROJECT IS LOCATED)

Note: This certification is required for all TWA applications.

Name of Facility/Site/Project: Matawan Junction

Certifying Statement:

“As an authorized representative of the below identified governing body, I hereby certify that the municipality or municipal authority consents to the submission of the above listed application to the Department of Environmental Protection for approval. I further certify that the project as proposed conforms with the requirements of all municipal ordinances.”

Borough of Matawan

Name of Municipality or Municipal Authority

Joseph Altomonte

Signature of Authorized Representative *

May 2, 2023

Date

Mayor Joseph Altomonte

Mayor

Print or Type Name

Print or Type Position

Joseph.Altomonte@MatawanBorough.com

732-566-3898

Email

Telephone

* Authorization to sign for the agency: _____ Resolution # _____ Date _____

(Note: Submit the resolution with this certification. If no such resolution granting authority to sign exists, the full resolution, consenting to the project, must be submitted with this certification.)

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B. CERTIFICATION BY THE SEWERAGE AUTHORITY

Note: This certification is required when a sewerage entity (for example, sewerage authority, utilities authority, municipal utilities authority, joint meeting, etc.) has responsibility for regulating the construction and operation of wastewater treatment and conveyance facilities within the municipality.

Name of Facility/Site/Project: N/A

Certifying Statement:

“As an authorized representative of the below identified agency, I hereby certify that the agency consents to the submission of the above listed application to the Department of Environmental Protection for approval. I further certify that the project as proposed conforms with the requirements of this agency.”

Name of Agency

Signature of Authorized Representative *

Date

Print or Type Name

Print or Type Position

Email

Telephone

* Authorization to sign for the agency: _____
Resolution # _____ Date _____

(Note: Submit the resolution with this certification. If no such resolution granting authority to sign exists, the full resolution, consenting to the project, must be submitted with this certification.)

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C. CERTIFICATION BY THE WASTEWATER CONVEYANCE SYSTEM OWNER

Note: This certification must be completed by the owner/operator of the wastewater conveyance system into which the project named herein will directly connect.

Name of Facility/Site/Project: Matawan Junction

Certifying Statement:

“By agreeing to accept wastewater from the project, I hereby certify that to the best of my knowledge the wastewater conveyance system, into which the project proposed under this application will connect, has adequate capacity in accordance with N.J.A.C. 7:14A-1.2 ("Adequate conveyance capacity"). Furthermore, I am not aware of inadequate conveyance capacity conditions in any portion of the downstream facilities necessary to convey the wastewater from this project to the treatment plant.”

Borough of Matawan

Name of Municipality or Authority

Joseph Altomonte
Signature of Authorized Representative *

Mayor Joseph Altomonte

Print or Type Name

Joseph.Altomonte@MatawanBorough.com

Email

May 2, 2023

Date

Mayor

Print or Type Position

732-566-3898

Telephone

* Authorization to sign for the agency: _____
Resolution # _____ Date _____

(Note: Submit the resolution with this certification. If no such resolution granting authority to sign exists, the full resolution, consenting to the project, must be submitted with this certification.)

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WQM003-T

D. CERTIFICATION BY THE WASTEWATER TREATMENT FACILITY OWNER

Notes: This certification is required for applications that include a sewer connection/extension. This certification must be completed by the owner of the wastewater treatment facility receiving the wastewater identified in this application.

Name of Facility/Site/Project: Matawan Junction

Certifying Statement:

“I hereby certify that the committed flow to the below identified wastewater treatment plant does not exceed the presently permitted design capacity and, with the additional flow proposed by this application, the permitted design capacity is not anticipated to be exceeded. For the purposes of this certification, committed flow means the sum of the (1) actual metered flow, (2) flow from DEP approved TWA applications (not yet operational), and (3) flow from locally approved projects that do not require DEP approval. I further certify that the treatment plant is currently complying with its conventional and non-conventional NJPDES permit requirements (see N.J.A.C. 7:14A- 22.17(b)-(d), percent removal and toxicity requirements excluded from this certification) as determined by a rolling average of the three most recent monthly discharge monitoring reports that were required to be submitted to the Department as of this date, and based upon my assessment of all information pertinent to this permit request, is anticipated to continue to do so with the additional flow from this project.”

<u>Bayshore Regional Sewerage Authority</u>	<u>NJ0024708</u>
Name of Wastewater Treatment Plant	NJPDES Permit Number

Bayshore Regional Sewerage Authority
Name of Authority Accepting for Treatment

Signature of Authorized Representative *
Peter J. Canal

Print or Type Name

Date
Executive Director

Print or Type Position
732-739-1095

Telephone

Email

* Authorization to sign for the agency: _____
Resolution #
Date

(Note: Submit the resolution with this certification. If no such resolution granting authority to sign exists, the full resolution, consenting to the project, must be submitted with this certification.)

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E. CERTIFICATION BY THE DISTRICT SLUDGE MANAGEMENT LEAD PLANNING AGENCY

Note: This certification is only required for applications that involve construction of residual management units at ultimate residuals management sites.

Name of Facility/Site/Project: N/A

Certifying Statement:

“As an authorized representative of the below identified agency, I hereby certify that the agency consents to the submission of the above listed application to the Department of Environmental Protection for approval. I further certify that the project as proposed conforms with the requirements of this agency.”

Name of Agency

Signature of Authorized Representative *

Date

Print or Type Name

Print or Type Position

Email

Telephone

* Authorization to sign for the agency: _____
Resolution # _____ Date _____

(Note: Submit the resolution with this certification. If no such resolution granting authority to sign exists, the full resolution, consenting to the project, must be submitted with this certification.)

Last Revised: 12/08/2022

Mayor Altomonte read by Ordinance 23-08: Amending and Supplementing the Revised General Ordinances of the Borough of Matawan Chapter 15 – Property Maintenance, Article I – Section 15-1, Removal of Grass, Weeds, Brush and Other Debris, Section 15-1.3 – Removal by Borough, Section 15-1.4 – Violations & Penalties, Section 15-1.5 – Recovery of Costs. Mayor Altomonte requested a motion to introduce. Councilwoman Gunn made the motion, seconded by Councilman Livesey. Council agreed. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Deana Gunn
Councilman Steven Russell
Councilwoman Stephanie Buckel
Councilman Brian Livesey
Councilwoman Melanie S. Wang

Motion passed.

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**ORDINANCE 23-08
AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF MATAWAN**

**CHAPTER 15 – PROPERTY MAINTENANCE
ARTICLE I – SECTION 15-1
REMOVAL OF GRASS, WEEDS, BRUSH AND OTHER DEBRIS**

**SECTION 15-1.3 – REMOVAL BY BOROUGH
SECTION 15-1.4 – VIOLATIONS & PENALTIES
SECTION 15-1.5 – RECOVERY OF COSTS**

WHEREAS, the Borough of Matawan is desirous of maintaining and providing the residents of Matawan with a safe, pleasant environment; and

WHEREAS, in many cases the owners or other responsible parties of properties are neglectful of them, do not maintain or secure them to a recognized adequate community standard or municipal maintenance code, or restore them to productive use; and

WHEREAS, Chapter 15 of the Code of the Borough of Matawan governs residential and commerce Property Maintenance within the community; and

WHEREAS, it is in the public interest for the Borough of Matawan to establish minimum standards of accountability for the owners or other responsible parties in order to protect the health, safety, and general welfare of the residents and properties of the Borough of Matawan.

NOW, THEREFORE, BE IT ORDAINED, the Mayor and Council of the Borough of Matawan, County of Monmouth, State of New Jersey, that the following Chapter 15 – Property Maintenance, Article I, Section 15-1.3 Removal by Borough, Costs Established as a Lien, be amended and supplemented as follows:

15-1 REMOVAL OF GRASS, WEEDS, BRUSH AND OTHER DEBRIS

15-1.3 Removal by Borough, Costs Establish as a Lien

It is the responsibility of every owner in possession of lands to remove, grass, weeds, brush and other debris from property under its control.

If the owner, tenant, occupants or person in possession of the lands in question shall fail to abate the condition complained of within ten (10) calendar days after receipt of notice, and in the manner required by the Borough, the same may be removed by or under the direction of the Property Maintenance Officer or designated official.

15-1.4 Violations & Penalties

Removal of Grass, Weeds, Brush and Other Debris Violation Fee Schedule

<i>First Violation</i>	<i>\$150.00</i>
<i>Second Violation</i>	<i>\$250.00</i>
<i>Third Violation</i>	<i>\$350.00</i>
<i>Any Subsequent Violation</i>	<i>\$350.00</i>

Cost of Borough Employee \$75.00 per Employee per hour

Equipment Usage Fee - \$50.00 Per Equipment Item

15-1.5 Recovery of Costs

The Property Maintenance Officer or designated official may recommend to the Administrator that the condition complained of to be abated and shall certify that the cost to the Council, who shall examine the certificate and, if it is correct, cause the cost as shown thereon to be charged against the lands. The amount so charged shall become a lien upon the lands and shall be added to and become a part of the taxes next to be assessed and levied upon the lands, shall bear interest at the same rate as taxes, and shall be collected and enforced by the same officer and in the same manner as taxes. Costs shall be in addition to any penalties imposed for any violation of this section.

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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.*

The Deputy Clerk announced the Public Hearing is scheduled for 7:00 PM on May 16.

Mayor Altomonte read by Ordinance 23-09: Amending and Supplementing the Revised General Ordinances of the Borough of Matawan Chapter 23 – Sewers, Section 23-10 – Expense of Installation and Maintenance. Mayor Altomonte requested a motion to introduce. Councilwoman Gunn made the motion, seconded by Councilman Livesey. Council agreed. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Deana Gunn
Councilman Steven Russell
Councilwoman Stephanie Buckel
Councilman Brian Livesey
Councilwoman Melanie S. Wang

Motion passed.

**ORDINANCE 23-09
AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF
MATAWAN**

**CHAPTER 23 – SEWERS
SECTION 23-10 – EXPENSE OF INSTALLATION AND MAINTENANCE**

***NOW, THEREFORE, BE IT ORDAINED**, Chapter 23, Section 23-10 be amended and supplemented as follows:*

23-10 EXPENSE OF INSTALLATION AND MAINTENANCE

The Borough shall not be liable for any stoppage of the sewer lines between the main sewer line and the building served thereby nor for any damage resulting from said stoppage, and in no event will the Borough provide any labor or material to free, clear or remove obstructions from the said lines connected to the system or appurtenances added or attached thereto; all such work consisting of maintenance of sewer laterals (that is, sewer lines running from the trunk line to the curb or property line and the sewer line running from the curb or property line to the building served) shall be the obligation of the abutting owner.

***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.*

The Deputy Clerk announced the Public Hearing is scheduled for 7:00 PM on May 16.

Mayor Altomonte read by title Ordinance 23-10: Amending Ordinance 22-09: Amending and Supplementing the Revised General Ordinances of the Borough of Matawan – Chapter 22 – Water, Section 22-2.2 – Fees for Use of Water Services. Mayor Altomonte requested a motion to introduce. Councilwoman Gunn made the motion, seconded by Councilman Livesey. Council agreed. Mayor Altomonte requested a roll call. A roll call vote was taken.

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Yes: Councilwoman Deana Gunn
Councilman Steven Russell
Councilman Brian Livesey

No: Councilwoman Stephanie Buckel
Councilwoman Melanie S. Wang

Motion passed.

**ORDINANCE 23-10
AMENDING ORDINANCE 22-09
AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF MATAWAN
CHAPTER 22 – WATER, SECTION 22-2.2 – FEES FOR USE OF WATER SERVICES**

NOW, THEREFORE, BE IT ORDAINED, the Mayor and Council of the Borough of Matawan, County of Monmouth, State of New Jersey, that the Revised General Ordinances of the Borough of Matawan, Chapter 22 – Water, Section 22-2.2 Fees for Use of Water Services, shall be amended and supplemented as follows:

22-2.2 Fees for Use of Water Services

- a. *The Owner of any premises with a connection to the Matawan Borough Water System shall pay the Borough for the use of such water services a quarterly fee as follows:*
- b. *Minimum quarterly rate of \$35.02 will be billed for each account connected to the Matawan Borough Water System.*
- c. *An additional charge per quarter will be added based on the following formula:*
 1. *All water consumption less than 4,000 cubic feet will be billed \$60.70 per 1,000 cubic feet.*
 2. *All water consumption greater than 4,000 cubic feet but less than 7,500 cubic feet will be billed \$66.53 per 1,000 cubic feet.*
 3. *All water consumption greater than 7,500 cubic feet will be billed \$70.04 per 1,000 cubic feet.*
 4. *The water rates to be charged quarterly by the Borough to users outside the Borough shall be the same as those rates charged to Borough residents.*
 5. *(Reserved)*
 6. *A separate minimum quarterly charge in accordance with paragraphs a through e above, whichever is applicable, shall be made to the owner of any premises for each and every unit thereof, and where the consumer is a public or private school, such minimum quarterly charge shall be made for each classroom thereof. In the case of duplex homes, multiple user unit structures or buildings, and schools, the quarterly charge shall be calculated by dividing the meter reading by the number of user units or classrooms, as appropriate, serviced by the meter, to obtain the average unit consumption, and then multiplying the applicable rate for such average unit consumption as set forth in paragraph 1 through 4 above, by the number of user units or classrooms serviced by the meter.*
 7. *Liability for the payment of the quarterly charge shall commence upon the issuance of a certificate of occupancy for each such user unit, and in the case of public or private schools, upon the issuance of a certificate of occupancy for such school.*
 8. *Bulk water purchase contracts may be entered into by the Borough where meter reading, individual billing, and all service beyond the bulk service connections is not the responsibility of the Water Department. In addition, water purchase contracts may be entered into by the Borough where individual meter reading is not the responsibility of the Water Department.*
 9. *MXU Transmitters \$160.00.*

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.

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

The Deputy Clerk announced the Public Hearing is scheduled for 7:00 PM on May 16.

Mayor Altomonte read by title Ordinance 23-11: Amending Ordinance 22-10: Amending and Supplementing the Revised General Ordinances of the Borough of Matawan, Chapter 23 – Sewer, Section 23-6.1 – User Fees. Mayor Altomonte requested a motion to introduce. Councilwoman Gunn made the motion, seconded by Councilman Livesey. Council agreed. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Deana Gunn
Councilman Steven Russell
Councilman Brian Livesey

No: Councilwoman Stephanie Buckel
Councilwoman Melanie S. Wang

Motion passed.

**ORDINANCE 23-11
AMENDING ORDINANCE 22-10
AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF MATAWAN
CHAPTER 23 – SEWER
SECTION 23-6.1 – USER FEES**

NOW, THEREFORE, BE IT ORDAINED, the Mayor and Council of the Borough of Matawan, County of Monmouth, State of New Jersey, that the Revised General Ordinances of the Borough of Matawan, Chapter 23 – Sewer, Section 23-6.12 User Fees, shall be amended and supplemented as follows:

23-6.1 User Fees

The Owner of any premises upon connection of each unit thereof with the sewer system of the Borough shall pay to the Borough for the use of such sewer services a quarterly fee as follows:

a. *Premises located within the Borough of Matawan:*

1. *Each non-commercial unit is \$166.92.*
2. *Each non-commercial unit of a multi-unit building or structure \$166.92.*
3. *Each Classroom of a public or private school is \$166.92.*
4. *Commercial and industrial establishments 149% of the quarterly water bill thereof except that such quarterly sewer charge shall in no event be less than \$166.92.*

b. *All premises located outside the Borough of Matawan shall be charged a sewer service amount equal to the charge to the Borough residents.*

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.

The Deputy Clerk announced the Public Hearing is scheduled for 7:00 PM on May 16.

**Borough of Matawan
Public Session
May 2, 2023**

Mayor Altomonte read by title Resolution 23-05-09: Emergency Temporary Appropriation. Councilwoman Gunn made the motion, seconded by Councilman Livesey. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 23-05-09
EMERGENCY TEMPORARY APPROPRIATION**

WHEREAS, emergent conditions have arisen with respect to the payment of bills in a number of accounts and no adequate provision has been made in a 2023 temporary budget for the aforesaid purposes; and

WHEREAS, NJSA 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2023 pursuant to the provisions of Chapter 96, PL 1951 (NJSA 40A:4-20) including this resolution total \$9,533,267.80.

NOW, THEREFORE, BE IT RESOLVED (not less than two thirds of all member of the Council of the Borough of Matawan, New Jersey affirmatively concurring) that in accordance with the provisions of NJSA 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for the purposes stipulated in the attached list.
2. That said emergency temporary appropriations will be provided for in the 2023 budget under the appropriate titles.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

BE IT FURTHER RESOLVED, that the amount required by Statue for the payment of 2023 County, and Local School District Taxes, which are not included in this temporary budget, shall be paid as and when due.

2023 Temporary Budget-for May 2, 2023 Meeting

	Salary & Wages	Other Expenses	
GENERAL ADMIN	6,500.00	2,000.00	
MAYOR & COUNCIL		1,000.00	
FINANCE	3,500.00		
TAX COLLECTOR	3,500.00		
TAX ASSES	2,500.00		
LEGAL SERVICES		5,000.00	
ENGINEERING		10,000.00	
PLAN/ZONING BD	200.00		
OTHER INSURANCE OTHER EXP		96,070.00	
INSURANCE-WORKERS COMP		82,642.00	
POLICE	135,000.00		
FIRE PREVENTION	5,000.00		
FIRE		10,000.00	
STREETS & ROADS	12,000.00	7,500.00	
RR PARKING	6,000.00	10,000.00	
PUBLIC BLDGS		5,000.00	
RECREATION	1,500.00	5,000.00	
ACCUM SICK LEAVE		3,000.00	
STREET LIGHTING		8,000.00	
UTILITIES		10,000.00	
OASI		6,000.00	
 SUBTOTAL	 175,700.00	 261,212.00	
 TOTAL TEMPORARY EMERGENCY APPROPRIATIONS		 436,912.00	 6,475,165.58

WATER SEWER UTILITY

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OPERATING	26,000.00	120,000.00
BULK WATER PURCHASE/ACQUISITION OF WATER		75,000.00
SOCIAL SECURITY		<u>2,500.00</u>
SUBTOTAL	26,000.00	197,500.00
TOTAL WATER SEWER UTILITY TEMPORARY EMERGENCY APPROPRIATIONS		223,500.00 3,058,102.22

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

Mayor Altomonte read by title Resolution 23-05-10: Payment of Bills. Councilwoman Gunn made the motion, seconded by Councilman Livesey. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 23-05-10
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	\$2,787,649.74
Water/Sewer	\$308,407.64
Water Capital	\$23,901.57
Grant	\$871.06
Borough Trust	\$17,636.64
Developers Escrow Account	\$39,940.75
Unemployment	\$179.04
Total	\$3,178,586.44

***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 Livesey. Council agreed. Motion passed.

Adjournment

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

Meeting adjourned at 7:25 PM.

Karen Wynne

Karen Wynne, RMC
Municipal Clerk