

**Borough of Matawan
Public Session Minutes
March 20, 2012**

A regular meeting of the Borough Council of the Borough of Matawan, New Jersey, was held at the Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey on March 20, 2012. The meeting was called to order at 7:10 PM by Mayor Buccellato presiding. Mayor Buccellato stated that pursuant to Section 5 of the Open Public Meetings Act, adequate notice of this meeting had been provided in the notice, which was published *The Independent* January 12, 2012, by sending notice to the *Asbury Park Press*, and by posting.

Mayor Buccellato requested a roll call.

On roll call the following members responded present:

Councilwoman Gould
Councilman Lopez
Councilwoman Angelini
Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

Also present were Barbara Bascom, Borough Administrator, Pasquale Menna, Esq., Borough Attorney, and Robert Keady, Jr., Borough Engineer.

Mayor Buccellato asked everyone to stand for a moment of silence.

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

Mayor Buccellato announced the presentation of Freeholder Arnone has been rescheduled for April 3, 2012.

Mayor Buccellato informed he will hold Resolution 12-03-26: Authorizing the Mayor of the Borough of Matawan to Sign on Behalf of the Borough of Matawan an Agreement Between Conti Group and the Borough of Matawan Approving Transport of Wind Turbine Assembly Parts as Mr. Menna informs Marlboro and Matawan are the remaining two municipalities withholding approval of the transportation of the Wind Turbine through its municipality. There are other municipalities who have also not approved, and we are trying to ascertain who they may be. Mayor Buccellato requested a motion. Councilwoman Angelini made the motion, seconded by Councilman Urbano. Council agreed. Motion passed.

Approval of Minutes

Mayor Buccellato requested a motion to approve the minutes of September 20, 2011. Councilman Lopez made the motion, seconded by Councilwoman Angelini. Council agreed. Motion passed.

Privilege of the Floor – Agenda Items Only

Mayor Buccellato opened the Privilege of the Floor.

Jerry Hourihan, 13 Edgewater Drive, Matawan. Mr. Hourihan thanked Councilman Lopez for the Friday night festivities - he and his family were honored. Mr. Hourihan expressed is opposition to the purchase of a police vehicle.

John McKenna, 9 Franklin Street, Matawan. Mr. McKenna reiterated Mr. Hourihan's opposition.

Lt. Jason Gallo, Commanding Officer of the Matawan Police Department, gave a synopsis of the police vehicle fleet. He informed one of the Detective vehicles with 110,000 miles has an estimated repair cost of \$3,000.00 of engine work and an additional \$1,500.00 for a cracked intake manifold, and they will not guarantee their work.

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Jerry Hourihan, 13 Edgewater Drive, Matawan. Mr. Hourihan stated if the car is in such disrepair it should be discarded, and the new car should be scrutinized for complete satisfaction of replacement.

Monica Antista, CFO, Borough of Matawan. Ms. Antista informed \$25,000.00 will come out of MCIA and \$7,700.00 out of the Police budget at a nominal interest rate.

Ms. Bascom informed Mr. Hourihan in 2010 the Police Department attempted to auction two vehicles with no bidders disposing the cars at scrap value.

Mayor Buccellato closed the privilege of the floor.

Mayor Buccellato informed of the addition of:

- Resolution 12-03-31: Approving “Coin Toss” – The Valerie Fund
- Resolution 12-03-32: Amending the Borough of Matawan Personnel Policies & Procedures Manual
- Resolution 12-03-33: Approval of Matawan First Aid & Rescue Squad Flea Market at the Matawan Train Station Parking Lot – Year 2012
- Resolution 12-03-34: Temporary Capital Budget
- Resolution 12-03-35: Fixing Recreation Fees & Uses

Old Business

Mayor Buccellato read by title Ordinance 12-02: Refunding Bond Ordinance Providing for the Refunding of Certain General Obligation Bonds of the Borough of Matawan, New Jersey, Appropriating \$4,468,000 Therefor and Authorizing the Issuance of \$4,468,000 Bonds or Notes of the Borough for Financing the Cost Thereof. Mayor Buccellato requested a motion to open the public hearing. Councilman Fitzsimmons made the motion, seconded by Councilwoman Angelini. Council agreed. Motion passed. Mayor Buccellato requested comments. Mayor Buccellato requested a motion to close the public hearing. Councilman Fitzsimmons made the motion, seconded by Councilwoman Clifton. Council agreed. Motion passed. Mayor Buccellato read by title on third and final reading Ordinance 12-02: Refunding Bond Ordinance Providing for the Refunding of Certain General Obligation Bonds of the Borough of Matawan, New Jersey, Appropriating \$4,468,000 Therefor and Authorizing the Issuance of \$4,468,000 Bonds or Notes of the Borough for Financing the Cost Thereof. Mayor Buccellato requested a motion to adopt. Councilman Fitzsimmons made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould
 Councilman Lopez
 Councilwoman Angelini
 Councilwoman Urbano
 Councilwoman Clifton
 Councilman Fitzsimmons

Motion passed.

**ORDINANCE 12-02
REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF
CERTAIN GENERAL OBLIGATION BONDS OF THE BOROUGH OF MATAWAN, NEW JERSEY,
APPROPRIATING \$4,468,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,468,000 BONDS
OR NOTES OF THE BOROUGH FOR FINANCING THE COST THEREOF.**

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

Section 1. *The Borough of Matawan, New Jersey (the “Borough”) is hereby authorized to pay an aggregate amount not exceeding \$4,468,000 for the redemption, including redemption premium, of (i) \$2,401,000*

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principal amount of the Borough's General Obligation Bonds issued in the original aggregate principal amount of \$4,153,000, dated December 21, 2004, which bonds are subject to redemption (on or after December 1, 2014) prior to their stated dates of maturity, and which mature on December 1, in each of the years 2015 to 2024 in an aggregate amount of \$2,401,000 inclusive; and (ii) \$1,336,000 principal amount of the Borough's General Obligation Bonds issued in the original aggregate principal amount of \$4,258,000, dated December 29, 2005, which bonds are subject to redemption (on or after December 1, 2015) prior to their stated dates of maturity, and which mature on December 1, in each of the years 2016 to 2019 in an aggregate amount of \$1,336,000 inclusive (the "Refunded Bonds"), and in accordance with the provisions of the resolutions of the Borough Council of the Borough, duly adopted December 7, 2004 and December 20, 2005, respectively, and copies of which are on file in the office of the Clerk of the Borough.

Section 2. *An aggregate amount not exceeding \$85,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.*

Section 3. *In order to finance the cost of the project described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount not exceeding \$4,468,000 pursuant to the Local Bond Law.*

Section 4. *In anticipation of the issuance of the refunding bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. All refunding bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations.*

All notes issued hereunder may be renewed from time to time, but all such notes including renewals shall mature and be paid no later than the tenth anniversary of the date of the original notes; provided, however, that no notes shall be renewed beyond the first or any succeeding anniversary date of the original notes unless an amount of such notes, at least equal to the first legally payable installment of the bonds in anticipation of which the notes are issued, determined in accordance with the maturity schedule for the bonds approved by the Local Finance Board, is paid and retired on or before such anniversary date; and provided, further, that the period during which the bond anticipation notes and any renewals thereof and any permanent bonds are outstanding, shall not exceed the period set for the maturity of the bonds by the Local Finance Board.

The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. *The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the debt provided in this refunding bond ordinance by an amount not to exceed \$4,468,000 with a maximum deduction from the debt due to the refunding of the Refunded Bonds (i.e. \$3,737,000). The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law. Upon issuance of the Bonds and determination of the final amount thereof, if less than the \$4,468,000 authorized hereby, an amended Supplemental Debt Statement shall be made and filed, along with any other required filings, and this Council shall, by resolution, approve the cancellation of such amount authorized hereby, which has not been issued.*

Section 6. *A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director of the Division of Local Government Services and signed by the Chief Financial Officer of the Borough as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.*

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

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Section 8. *This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.*

Mayor Buccellato read by title Ordinance 12-03: An Amending and Revision the General Ordinance of the Borough of Matawan, County of Monmouth, Specifically by Replacing Chapter X – Use of Municipal Buildings. Mayor Buccellato requested a motion to open the public hearing. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Council agreed. Motion passed. Mayor Buccellato requested comments. There were no comments. Mayor Buccellato requested a motion to close the public hearing. Councilman Lopez made the motion, seconded by Councilwoman Clifton. Council agreed. Motion passed. Mayor Buccellato read by title on third and final reading Ordinance 12-03: An Amending and Revision the General Ordinance of the Borough of Matawan, County of Monmouth, Specifically by Replacing Chapter X – Use of Municipal Buildings. Mayor Buccellato requested a motion to adopt. Councilman Lopez made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould
Councilman Lopez
Councilwoman Angelini
Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

Motion passed.

**ORDINANCE 12-03
AN ORDINANCE AMENDING AND REVISING
THE GENERAL ORDINANCES OF THE BOROUGH OF MATAWAN, COUNTY OF MONMOUTH,
SPECIFICALLY BY REPLACING CHAPTER X USE OF MUNICIPAL BUILDINGS**

10-1 FEES ESTABLISHED FOR USE OF MUNICIPAL BUILDINGS

10-1.1 Fees for Use of Matawan Municipal Building

This chapter establishes the procedure for use of the Municipal Building/Community Center and sets the rules, regulations and schedule of fees for same.

MATAWAN MUNICIPAL COMMUNITY CENTER - FEE SCHEDULE

Schedule A-1 Room Rental Charges

Name of Room	Priority 1	Priority 2	Priority 3
<u>Weekdays</u>			
Classroom	No fee	\$20.00 per hour	\$40.00 per hour
Cafeteria	No fee	\$42.00 per hour	\$84.00 per hour
Gym	No fee	\$42.00 per hour	\$84.00 per hour

10-1.2 Custodial Set up Surcharges

If custodial set up is needed, there will be an additional surcharge. The surcharge will be based on the number of tables and chairs needed and will have a minimum charge of the cost of that specific room. There are no surcharges for Priority 1 users.

Surcharge Fees:

Set Up: \$50.00 minimum

Auditorium type set up 30 chairs or more additional \$10.00

Tables with Chairs – more than 5 additional \$2.50 each

The above fees are based on the time it would take a reasonable employee to do the set up and break down using the \$50.00 minimum for up to 29 chairs or less than 5 tables with chairs.

10-1.3 Cleaning Deposits

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Cleaning deposits are partially refundable deposits required on all Priority 2 and Priority 3 rentals and are payable with the application. The refund will be made by the Finance Department following receipt of favorable determination from the Department of Public Works (DPW) that the room(s) was found to be in good order. A Designated Representative of the DPW will determine if the facilities were left in good order and if the cleaning deposit may be returned; the applicant will be so notified. Ten (10%) of this deposit is not refundable; it is considered the cost of purchasing and maintaining equipment and supplies of the Buildings & Grounds Department to facilitate use of Building rooms.

Schedule A-2 Partially Refundable Cleaning Fee.

<i>Name of Room</i>	<i>Priority 1</i>	<i>Priority 2</i>	<i>Priority 3</i>
<u><i>Weekdays</i></u>			
<i>Cafeteria</i>	<i>No fee</i>	<i>\$75.00 per day</i>	<i>\$150.00 per day</i>
<i>Classroom</i>	<i>No fee</i>	<i>\$50.00 per day</i>	<i>\$100.00 per day</i>
<i>Gym</i>	<i>No fee</i>	<i>\$75.00 per day</i>	<i>\$150.00 per day</i>

10-2 MATAWAN MUNICIPAL COMMUNITY CENTER - BUILDING USE POLICY & PROCEDURES

10-2.1 Philosophy

The Borough of Matawan, through the rules, regulations, and ordinances adopted by the Borough Council, states its intention to make available and permit the use of the Matawan Municipal Community Center (MMCC) on a fee use basis, for activities of an educational, cultural, civic, social, recreational, and governmental nature. Such activities shall be sponsored by responsible persons, organizations, agencies or institutions that meet the requirements set herein or by the Recreation Commission.

Use of the MMCC will be granted in so far as the activities do not infringe upon or interfere with conducting the business of the Borough of Matawan, its Boards or Commissions.

Approved applicants will be bound by the rules, regulations, and fees governing the use of the MMCC.

- a. *Application and payment is to be submitted to the Recreation Director;*
- b. *Upon review by the following Departments the Recreation Director will notify the applicant of approval or denial:*

- DPW- Buildings & Grounds*
- Construction Official*
- Fire Official*
- Borough Clerk*
- Police Department – For Information Only*

A list of all room schedules will be available through the Buildings & Grounds Department.

10-2.2 Insurance

The Borough shall, in all instances, require a certificate of insurance. The limits of the policy shall be one hundred thousand dollars (\$100,000.00) each person, one hundred thousand dollars (\$100,000.00) each accident for bodily injury, and one hundred thousand dollars (\$100,000.00) for property damage liability, and an excess liability of one million dollars (\$1,000,000.00) which is equal to the Borough's coverage. The Borough of Matawan shall be named as an "additional insured" on all certificates of insurance. All insurance certificates are to be submitted ten (10) days prior to the event to the Borough Clerk's Office. All Certificates must contain the following language: "The applicant will be deemed to agree to indemnify and hold the Borough of Matawan and its officers and employees harmless from any liability, expense or costs of suit, including reasonable attorney's fees."

Applicants do not require insurance form if they are insured under the policies of the Borough of Matawan.

Due to insufficient insurance the MMCC will not be rented to individuals for personal events. Example: Baby shower, etc.

10-2.3 Priorities Governing the Use of the MMCC

First Priority: All activities that are pertinent to the efficient and safe conduct of business for all Governing Bodies in the Borough of Matawan. Examples: Borough Council, Court, JCC, Recreation Department, all Boards, Agencies, and Commissions. All Matawan Borough groups and activities that impact on the well being and safety of the citizens of Matawan; Examples: Fire and Police Departments, First Aid Squad, Matawan Boy Scouts and Matawan Girl Scouts.

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Second Priority: All licensed nonprofit groups and organizations; Examples: Rotary, Chamber of Commerce, Masons, Elks, Non-Matawan Boy or Girl Scouts, Churches/Temples, YMCA or YWCA, Matawan Women's or Jr. Women's Club, Matawan Historical Society and all Matawan/Aberdeen sporting activities other than those directly administered and/or run by the Matawan Recreation Department, any Matawan Resident.

Third Priority: All profit making groups or nonprofit making groups sponsoring a fund raising activity, organizations and any non-Matawan sporting group and any nonresident of Matawan.

10-2.4 Use of the MCCC Facilities

Organizations or individuals desiring to use the MMCC will first check the availability of the facilities for the date required by calling the Recreation Director at 732-566-3898 Ext. 130 and leaving a message with date, time, and specific facilities requested. The Recreation Director will advise the applicant if the facility is available and provide the form. The application must be completed and returned to the Recreation Director.

If alcoholic beverages will be served, an alcoholic beverage permit must be obtained from the Alcoholic Beverage Commission. The forms are available from the office of the Borough Clerk.

Please allow at least three (3) weeks for processing. All fees in connection with the permit are the responsibility of the applicant.

A sketch shall be submitted by the applicant showing the room/area. Arrangement of tables, chairs, displays must also be attached for the Fire Official and the Construction Official who may deem it necessary that additional fire protection is required. It will be the applicant's financial responsibility to provide such protection for the event.

When a completed application is received, it will be reviewed by the Recreation Director and Borough of Matawan personnel as required. Upon completion of this review, the applicant will be notified in writing of its approval or rejection. Applicable restrictions will be noted.

Payment in full, including any cleaning deposit, must be made upon notification that the building/room use is approved.

Once approved all events will be added to the Calendar maintained by DPW - Building & Grounds.

*Application must be made at least one (1) month prior to the date of the proposed use.
(NOTE: The Recreation Commission or designee can waive this requirement).*

It shall be noted that at all times a person designated by the DPW – Building & Grounds will be present to enforce the Borough of Matawan Code. Applicants will heed the requests of the designated person for the enforcement of regulations.

The applicant shall be responsible to the Borough of Matawan for all property damage to the MMCC that exceeds the deposit.

All applications are responsible for the clean up of all approved rental areas. A cleaning deposit is required, as noted in Addendum A.2. (No cleaning deposit is required for Priority 1 groups.) Failure to comply with the rules and regulations of the MMCC will result in the denial of the MMCC for future occasions.

Hours of operation: Rental hours are from 8:30 a.m. to 8:00 p.m. Monday through Thursday.

Refreshments: No alcoholic beverages shall be brought into, sold, or consumed in or on the grounds of the MMCC without prior special permission of the Matawan Borough Council, the Police Department, the Borough of Matawan's legal representative and the proper permits from the Alcoholic Beverage Control Commission. Refreshments may be served only in the area designated on the application. Refreshments not consumed must be removed from the premises. Sales of all refreshments shall be subject to any prior leases or agreements entered into by the Borough of Matawan.

Smoking: The MMCC is a Non-Smoking building.

10-2.5 TYPES OF ACTIVITIES WHICH ARE NOT ALLOWED

Activities which are discriminating, as defined by the Local, County, State, or Federal mandates.

Uses which are contrary to the laws of the United States or any political subdivision thereof.

Uses where, in the opinion of the Recreation Commission, insufficient provisions are made for supervision, fire, and Police protection to uphold rules and regulations, law and order, etc.

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Uses exceeding the seating/holding capacity of the room or facility.

Uses where the applicant does not assume full responsibility for the preservation of order and liability for any damage for or loss of Borough property, and for personal injury and strict observation of all regulations of the MMCC.

The Matawan Borough Council or Recreation Commission reserves the right, without prejudice, to prohibit use of the MMCC by any person or group.

10-2.6 RULES GOVERNING YOUTH ACTIVITIES

The MMCC will abide by the same policy procedures used by the Matawan Recreation Commission in governing youth activities.

There must be adequate adult supervision of activities that involve persons under eighteen (18) years of age.

Supervision by adults extends to the entire building and building grounds. Children are not permitted outside the approved leased/rented area on the application. Control must be exercised at pre-assembly and dismissal periods. All entrances and exits shall be controlled. Equipment usage shall be limited to authorized issue.

All athletic activities are responsible to provide their own first aid and ice packs.

10-2.7 USE OF EQUIPMENT

All furniture or equipment that is used must be cleaned and properly maintained. All furniture in the area must be returned to its proper place. All garbage must be bagged and placed in designated receptacles as directed by the building custodian. Firearms, volatile explosive, or flammable materials are not permitted without Police and Fire Official approval. All MMCC equipment that is needed by an individual or group as part of their rental must be listed on the application form. If any equipment is damaged during a rental period, it is the responsibility of the renter to pay for repair or replacement of the equipment.

10-2.8 HOLIDAYS AND OFFICIAL CLOSINGS

- | | |
|------------------------------------|---------------------------------------|
| <i>One-half day New Year's Eve</i> | <i>Columbus Day</i> |
| <i>New Year's Day</i> | <i>Election Day</i> |
| <i>Martin Luther King Day</i> | <i>Veteran's Day</i> |
| <i>Presidents' Day</i> | <i>Thanksgiving Day</i> |
| <i>Good Friday</i> | <i>The day after Thanksgiving Day</i> |
| <i>Memorial Day</i> | <i>Half-day Christmas Eve</i> |
| <i>Fourth of July</i> | <i>Christmas Day</i> |
| <i>Labor Day</i> | |

Closing may also occur due to inclement weather and certain Borough activities.

NOTE: Any request for building use on a day that the building is closed (Friday, Saturday, Sunday) should be made in writing to the Recreation Director. Any Priority 2 or 3 organizations may be charged a minimum of two times the standard weekday room charge. Other charges may apply.

If the Borough Council should change the schedule regarding days the MMCC shall be open the availability for room use will be so altered.

NOW, THEREFORE, BE IT ORDAINED that:

- (1) All ordinances or parts of ordinances which are inconsistent with or in conflict with this Ordinance or any part hereof are hereby repealed as to the extent of such inconsistencies only.*
- (2) If any provision of any section, subsection, paragraph, subdivision or clause of this Ordinance shall be adjudged by a court of competent jurisdiction as invalid, such order or judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this Ordinance or any other ordinance which is referred to herein by reference and, to this end, the provisions of this section, subsection, paragraph, subdivision or clause of this Ordinance are hereby declared to be severable.*
- (3) This Ordinance shall take effect immediately upon its final passage and publication according to law.*

Schedule A-3: Application

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APPLICATION FOR USE OF MUNICIPAL COMMUNITY COMPLEX

Date application submitted: _____

Name of Organizations: _____

Name of Person completing application: _____ Position held in Organization _____

Room Requested: _____

Type of Activity: _____

If multiple day use is requested is there equipment or supplies that will require storage? Yes/no
If Yes what type? _____

Set up Requested: _____

If tables and chairs are requested please provide layout – See Set up Charges.

Will refreshments be served and/or sold? Alcoholic Beverages? Approx # of persons attending?

If Alcoholic Beverages are available please attach a copy of the Alcoholic Beverage Permit

Persons responsible and assisting in event:

Name	Address	Home Phone	Cell

AFFIDAVIT: The organization agrees to comply with the policies and regulations of the Borough of Matawan for the use of the building or grounds of the Matawan Municipal Complex and to be responsible for any damage thereto:

Print Name: _____ Title: _____

Signature: _____ Date: _____

FOR OFFICE USE ONLY:

Initial and Date - Recreation director: _____

Construction Department: _____

Police Department: _____

Approval: _____

Fee\$ _____

Date Paid _____

Recommend Refund \$ _____

DPW-Buildings & Grounds: _____

Fire Official: _____

Borough Clerk: _____

(Recreation Director Signature/or Recreation Commissioner)

Cleaning deposit (90% refundable) \$ _____

DPW-Buildings & Grounds Dept. _____

Date Voucher sent: _____

Clerk's Report

No report.

Mayor's Report

Mayor Buccellato thanked the Fire Department for the St. Patrick Day's festivities.

Administrator's Report

Ms. Bascom reported the First Aid has applied to New Jersey Transit for a permit to hold the flea market at the train station from April to December. She advised Bayshore Regional Sewerage Authority meeting minutes of December 19, 2011 and January 23, 2012 are available in her office. Ms. Bascom informed she is in receipt of a resident request of a waiver of tax and utility penalty fees and will inform the resident by law Council is unable to waive these fees. We received a letter of resignation effective March 31, 2012 from Municipal Prosecutor, Sean Kean, Esq., due to a conflict. Ms. Bascom reminded of the Matawan-Aberdeen Library Board townwide garage sale this Saturday.

Attorney's Report

Mr. Menna supplemented Ms. Bascom's report on the Municipal Prosecutor's resignation informing he had requested Mr. Kean to reconsider but the difficulty is the appointment must be made by RFPs, and with the forthcoming joint court does it make sense to do so. In order to ensure coverage, statutorily the Municipal Attorney can substitute in the event of an infirmity by the appointed

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Municipal Prosecutor. In this regard Resolution 12-03-20: Appointing Acting Municipal Prosecutor has been prepared for tonight's agenda.

Engineer's Report

Mr. Keady reported on the 2011 Road Program:

- Installation of curbing on Highland Avenue
- Installation of Wilson Avenue water main with services to commence on Monday
- Installation of curbing on Mill Road
- Installation of concrete work and under drain on Rustic Lane
- Installation of water main and services on Aberdeen Road
- Completion of under drain work on Sapphire Lane
- Paving of all streets in program should begin on Monday

Mr. Keady reported the contractor is working submitting the shop drawings for the Water Plant with work on the Ryers Lane water tank to begin late May.

Mayor Buccellato informed he wished to have a resident who is here to comment on the Road Program step to the podium at this time.

Rosario Calanni, 54 Wilson Avenue, Matawan. Mr. Calannia questioned lack of curbing on Wilson Avenue asking Council to consider.

Daryl Kriska, 7 Wilson Avenue, Matawan. Mr. Kriska informed the catch basin adjacent to his property does not drain properly. Mr. Keady, Councilpersons Lopez and Gould will visit the site with Mr. Kriska 8:00 AM Friday.

Personnel, Redevelopment, Main Street, Construction, Community Affairs

Councilwoman Gould gave the Construction Departments report for February, 2012:

- Fees collected - \$6,391.00, year to date \$17,264.00
- Business, CCO, Miscellaneous - \$600.00, year to date \$825.00
- State Training Fees - \$194.00, year to date \$690.00
- Value of Construction Work - \$108,570.00, year to date \$490,300.00
- Permits Issued – 35, year to date 82

Fire, First Aid, Environmental, Planning/Zoning, Shade Tree

Councilman Lopez thanked everyone for the St. Patrick's Day festivities acknowledging Ray Bassford's efforts.

Councilman Lopez gave the Fire Department's report for February, 2012 with responding to various calls, such as assisting Hazlet with a recent house fire, a rubbish fire, and to smoke, fire alarms, reminding residents to change the batteries and check the age of the fire/carbon monoxide alarms.

Police, Railroad Parking, Library

Councilwoman Angelini reported the Police Department will be giving a safety class to Library employees on March 30.

Public Works, Water/Sewer, Property Maintenance

Councilman Urbano gave the Water/Sewer report for February 2012 of \$268,327.00, year to date \$768,597.00, and reminded residents of the DPW dumpster for yard debris.

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Recreation, Historic Sites, Technology

Councilwoman Clifton announced the Egg Hunt at 11:00 AM on March 31, thanking all volunteers for their efforts. Also, she regrettably announced the necessity raising fees for Summer Rec Camp but also of the addition of more programs for the program.

Finance, Sanitation/Recycling

No report.

Consent Agenda

Mayor Buccellato requested Mr. Keady to provide an update of the ongoing issue of trash disposal for American Properties where pick-up will be increased or provide a larger dumpster or a second area for an additional dumpster. Mr. Keady related previous meetings with American Properties in order to enlarge or add a second trash area they would have to go back to the Planning/Zoning Board so they elected to have a second pick up per week instead. A few weeks Mr. Keady spoke with Code Enforcement who visited the site and did not find any issues. Prior to tonight's meeting he was informed the trash does become an issue towards the end of the week on Thursdays. He was going to request the Code Enforcement Officer to visit the site again on Wednesday to ensure American Properties is in compliance or if not to contact American Properties to increase collection. After discussion Mr. Menna recommended to table Resolution 12-03-16: Release of Cash Performance Bond for American Properties at Matawan, LLC – 59 Freneau Avenue – Block 120, Lots 5, 5.02 & 6 until a written agreement confirming resolution of the matter. Councilwoman Angelini made the motion, seconded by Councilman Fitzsimmons. Council agreed. Motion passed.

Mayor Buccellato moved Resolutions 12-03-15 and 12-03-17 to the Consent Agenda requesting a motion to approve en masse. Councilman Fitzsimmons made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould
Councilman Lopez
Councilwoman Angelini
Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-03-15
RELEASE OF ESCROW FUNDS
MICHAEL P. MCLEAN
44 RAVINE DRIVE - BLOCK 82, LOT 13**

WHEREAS, Michael P. McLean have requested the release of the balance on their escrow account, Block 82, Lot 13, otherwise known as 44 Ravine Drive, Matawan, New Jersey; and

WHEREAS, on December 21, 2010 Michael P. McLean posted total escrow in the amount of Three Thousand Seven Hundred Fifty Dollars and No Cents (\$3,750.00); and

WHEREAS, as certified by the Treasurer/CFO the remaining cash portion balance as of February 13, 2012 is One Thousand Nine Hundred Sixteen Dollars and Twenty-Seven Cents (\$1,916.27); and

WHEREAS, Robert Keady, Jr., PE, CMC of T&M Associates has recommended the release of the escrow.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan hereby approves the release of the balance on the escrow funds in the amount of One Thousand Nine Hundred Sixteen Dollars and Twenty-

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Seven Cents (\$1,916.27) posted by Michael P. McLean for 44 Ravine Drive - Block 82, Lot 13, Matawan, New Jersey.

CERTIFICATION FOR RELEASE OF FUNDS

I, Monica Antista, Chief Financial Officer of the Borough of Matawan do hereby certify that as of February 13, 2012 the balance of the Escrow Account for Michael P. McLean is approximately One Thousand Nine Hundred Sixteen Dollars and Twenty-Seven Cents (\$1,916.27).

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)

*Monica Antista, CMFO
Dated: March 20, 2012*

**RESOLUTION 12-03-17
AMENDING
RESOLUTION 12-01-05
REGULAR COUNCIL MEETINGS**

WHEREAS, Resolution 12-01-05: Regular Council Meetings names Thursday, April 19, 2011 as a regularly scheduled meeting of the governing body; and

WHEREAS, as the Matawan-Aberdeen Board of Education has moved the School Election from April to November; and

WHEREAS, an Executive Session meeting will be held, if required, at 6:30 PM for the discussion of Personnel Issues, Contact Negotiations, and Possible Litigation.

NOW, THEREFORE, BE IT RESOLVED that Council of the Borough of Matawan has chosen to reschedule their meeting from Thursday, April 19, 2012 to Tuesday April 17, 2012, 7:00 PM, at the Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey 07747.

BE IT FURTHER RESOLVED that the Asbury Park Press and the Independent be named as the official newspapers to who all notices of meetings shall be sent.

New Business

Mayor Buccellato read by title Resolution 12-03-18: Middlesex Road Water Treatment Plant Authorized Representative. Mayor Buccellato requested a motion. Councilman Urbano made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould
Councilman Lopez
Councilwoman Angelini
Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-03-18
MIDDLESEX ROAD WATER TREATMENT PLAN
AUTHORIZED REPRESENTATIVE**

WHEREAS, the Borough of Matawan intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for the Borough's Middlesex Road Water Storage Tank Improvements Project:

The proposed project includes rehabilitation of the existing water storage tank including replacement

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of existing valving and vent pipes, new external and interior ladders, handrails and safety cages to comply with OSHA requirements, new cathodic protection, new mixer and external and interior coating of the tank shell.

NOW, THEREFORE BE IT RESOLVED, that John Applegate, Director of Public Works, be authorized to act as the Authorized Representative to represent the Borough of Matawan in all matters relating to the project undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted at:

Borough of Matawan
201 Broad Street
Matawan, New Jersey 07747
(732) 566-3898

Mayor Buccellato read by title Resolution 12-03-19: Appointing Licensed Site Remediation Professional. Mayor Buccellato requested a motion. Councilwoman Clifton made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould
Councilman Lopez
Councilwoman Angelini
Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-03-19
APPOINTING LICENSED SITE REMEDIATION PROFESSIONAL**

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) now requires each municipality in the State of New Jersey to appoint a Licensed Site Remediation Professional (LSRP) help facilitate in the remediation of any Borough owned property; and

WHEREAS, Rohan Tadas, CHMM, LSRP, of T&M Associates, is a fully qualified certified Licensed Site Remediation Professional (LSRP).

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that Rohan Tadas, CHMM, LSRP, of T&M Associates, be appointed as Licensed Site Remediation Professional for the Borough of Matawan under the terms and conditions of the current 2012 Professional Engineering Services Contract with T&M Associates said term to expire December 31, 2012.

Mayor Buccellato read by title Resolution 12-03-20: Appointing Acting Municipal Prosecutor. Mayor Buccellato requested a motion. Councilwoman Angelini made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould
Councilman Lopez
Councilwoman Angelini
Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-03-20
APPOINTING ACTING MUNICIPAL PROSECUTOR**

WHEREAS, there exists the need for an Municipal Prosecutor; and

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WHEREAS, Pasquale Menna, Esq. of The Menna Law Firm, LLC, the Borough's Attorney, who is fully qualified to act in this regard, has agreed to substitute for on as needed basis in the event that the Municipal Prosecutor is unable to fulfill his/her duties or in the event of a conflict.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that Pasquale Menna, Esq. of The Menna Law Firm, LLC be appointed as Acting Municipal Prosecutor for the Borough of Matawan effective April 1, 2012 if required to serve due to the inability of the Municipal Prosecutor to serve, and until such time as a Municipal Prosecutor can be appointed by the Governing Body.

Mayor Buccellato read by title Resolution 12-03-21: Fair and Open Request for Qualifications for Professional Services and to Direct the Clerk to Advertise for Requests for Qualifications for Municipal Prosecutor. Mayor Buccellato requested a motion. Councilwoman Angelini made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould
Councilman Lopez
Councilwoman Angelini
Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

Motion passed.

RESOLUTION 12-03-21

FAIR AND OPEN REQUEST FOR QUALIFICATION FOR PROFESSIONAL SERVICES AND TO DIRECT THE CLERK TO ADVERTISE FOR REQUESTS FOR QUALIFICATIONS FOR MUNICIPAL PROSECUTOR UNDER THE FAIR AND OPEN PROCESS

WHEREAS, the Borough of Matawan has elected to undertake the appointment of a Municipal Prosecutor 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 19:44-A20, et seq; and,

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

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

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

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

Mayor Buccellato read by title Resolution 12-03-22: Authorizing the Borough Administrator to Undertake Any Necessary Steps for the Public Advertisement and Accept Bids for Emergency Apparatus for the Borough of Matawan Volunteer Fire Department. Councilman Fitzsimmons noted the second paragraph should be deleted. Mayor Buccellato requested a motion with the revision. Councilman Lopez made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould
Councilman Lopez
Councilwoman Angelini

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Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-03-22
AUTHORIZING THE BOROUGH ADMINISTRATOR
TO UNDERTAKE ANY NECESSARY STEPS FOR THE PUBLIC ADVERTISEMENT & ACCEPT BIDS FOR
EMERGENCY APPARATUS FOR THE
BOROUGH OF MATAWAN VOLUNTEER FIRE DEPARTMENT**

WHEREAS, the Mayor and Council of the Borough of Matawan is desirous of purchasing an Emergency Apparatus for the Borough of Matawan Volunteer Fire Department; and,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that it herewith authorizes the Borough Administrator to prepare any and all necessary specifications and documents for general distribution and public advertisement and accept bids for an Emergency Apparatus for the Borough of Matawan Volunteer Fire Department.

Mayor Buccellato read by title Resolution 12-03-23: Authorizing Shared Service Agreements with County Municipalities to Provide MOD IV Tax System Services. Mayor Buccellato requested a motion. Councilwoman Angelini made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould
Councilman Lopez
Councilwoman Angelini
Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-03-23
RESOLUTION AUTHORIZING SHARED SERVICE AGREEMENTS WITH COUNTY MUNICIPALITIES TO PROVIDE MOD IV
TAX SYSTEM SERVICES**

WHEREAS, the New Jersey Division of Taxation prescribes a uniform system of maintaining and reporting real estate tax information for municipalities and counties throughout the State, commonly known as the MOD IV Tax System; and

WHEREAS, under the New Jersey Uniform Shared Services and Consolidation Act, namely C. 40A:65-1, et seq., local units, such as the County, may enter into Shared Service Agreements with other local units, such as the municipalities within Monmouth County, for ten of up to term (10) years; and

WHEREAS, Monmouth County has the facilities to provide MOD IV Tax System Services to the municipalities within Monmouth County, in compliance with the requirements established by the New Jersey Division of Taxation; and

WHEREAS, the County has existing Interlocal Service Agreements with most Monmouth County municipalities to provide MOD IV Tax System Services; and

WHEREAS, these existing Interlocal Service Agreements expire on December 31, 2011.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Monmouth that the County Tax Administrator be and he is are hereby authorized on behalf of the County to execute Shared Service Agreements with Monmouth County municipalities, whereby the County will provide MOD IV Tax System Services to the participating municipalities for a term of ten (10) years, commencing January 1, 2012.

BE IT FURTHER RESOLVED that the form of the new Shared Service Agreements shall be substantially similar to the existing Interlocal Service Agreements, subject to the approval of County Counsel, in consultation with the

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County Tax Administrator.

BE IT FURTHER RESOLVED that the Clerk of the Board forward a certified copy of this resolution to Matthew S. Clark, county Tax Administrator.

CERTIFICATION AS TO AVAILABLE FUNDING

I, Monica Antista, Chief Financial Officer of the Borough of Matawan do hereby certify that as of the date of this certification funds are available from the _____ Budget of the Borough of Matawan to the County of Monmouth for the Borough of Matawan in an amount not to exceed \$1,800.00

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)

Monica Antista, CMFO
Dated: March 20, 2012

SHARED SERVICES AGREEMENT

**Agreement Between the County of Monmouth and the
_____ of _____ for
MODIV Property Assessment Computer Services**

WHEREAS, rules and regulations of the State of New Jersey, Department of Treasury, Division of Taxation, provide for a uniform system of maintaining and reporting tax information as to real estate throughout the State of New Jersey by municipalities and counties, which is commonly known as MODIV Property Assessment Computer System; and

WHEREAS, the County of Monmouth has the facilities to provide the computer services necessary in order to comply with the aforesaid rules and regulations; and

WHEREAS, the Shared Services Act and Consolidation Act, namely C. 40A:65-1, provides a mechanism through which counties and municipalities may enter into agreements for the provision of services for each other.

NOW, THEREFORE, IN CONSIDERATION of the mutual promises and other conditions, covenants, and obligations made and agreed to by and between the County of Monmouth (hereinafter referred to as "County"), and the _____ of _____ (hereinafter referred to as "Municipality"), it is hereby agreed as follows:

MODIV PROPERTY ASSESSMENT COMPUTER SERVICES

1. The County will provide MODIV Property Assessment Computer Services to the Municipal Assessor and/or Municipal Tax Collector, including Master File Maintenance, Printing of the Proof Book, Tax Duplicate, Field Book, Tax List and Extended Tax Duplicate, Printing of Notification of Assessment Cards, Post Tax Year Statements, Farmland Assessment Applications, Income and Expense Statements, Initial and Further Statements and Tenant Rebate Forms, Printing of Added/Omitted Assessment Proof Books and three copies of the Added/Omitted Assessment Tax List, Tax Year Consolidation, and a copy of the Master Computer File for the Municipality, upon request, for submission to the State of New Jersey, Division of Taxation.
2. In the case of new MODIV Agreements, the Municipality will make available to the County a copy of the Municipality's current computer data file up to the effective date of the within agreement. Thereafter, the Municipality will provide to the County, via internet connection, computerized transaction files reflecting changes in property data, which will be processed by the County. The County will process the data and cause the tax record changes to be incorporated in the Municipality's Master File. This will be an ongoing service throughout the tax year. The Municipality will pick up the hard copies of all reports and other documents being supplied to the Municipality by the County.
3. In the case of existing MODIV Agreements, the Municipality will provide to the County, via internet connection, computerized transaction files reflecting changes in property data, which will be processed by the County. The County will process the data and cause the tax record changes to be incorporated in the Municipality's Master File. This will be an ongoing service throughout the tax year. The Municipality will pick up the hard copies of all reports and other documents being supplied to the Municipality by the County.
4. The Municipality will adhere to the schedule of submission of data as prescribed by the Director of the New

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Jersey State Division of Taxation and or the Monmouth County Board of Taxation, which schedule is sent to the Municipality by the Monmouth County Tax Administrator annually.

5. *The County will provide to the Municipality a report as to all transactions submitted by the Municipality to the County, indicating which data was accepted or rejected. It will be the responsibility of the Municipality to check the Transaction List and make corrections as necessary, so that the County may update the Municipality's Master File accordingly.*
6. *The County will supply the Municipality with all materials and supplies necessary in order to carry out the intent of this agreement at no additional cost, except as set forth below.*

GENERAL CONDITIONS

7. *The within agreement shall be effective January 1, 2012 or as soon thereafter as the Municipality commences use of the County's services.*
8. *This Agreement shall end, if not sooner terminated or extended, on December 31, 2021.*
9. *Either party to this agreement has the right to terminate this agreement upon ninety (90) days' written notice to the other.*
10. *The Municipality agrees that any liability for damages which it has or may have against the County for non-performance or negligent performance of the Property Assessment Computer Services described herein shall be limited to the amount paid by the Municipality to the County for the year in which the error(s) occur(s). The County shall not otherwise be liable to the Municipality for damages of any kind, including special, consequential, or punitive damages.*
11. *In the event that performance by the County of Monmouth under this agreement is delayed or prevented due to weather conditions, labor disputes affecting the County or any of the County's suppliers of materials or labor, natural acts, acts of war, emergency proclamations, governmental regulations or for any reason whatsoever beyond the County's control, any performance dates by the County will be extended for the period of time equal to the time lost by reason of any of these causes. If any of the foregoing causes make the performance of this agreement by the County impossible in the County's sole judgment, then this agreement may be immediately terminated by the County, whereupon the Municipality and the County will be released from all obligations under this agreement, subject to an equitable adjustment of costs and fees earned or paid prior to termination.*
12. *The within agreement is a New Jersey contract and shall be governed by the laws of the State of New Jersey.*
13. *The County makes no warranties, either express or implied. No representation or statement not expressly contained in the within agreement or incorporated herein by reference shall be binding on the County as a warranty.*

COSTS AND FEES

14. *The County shall supply the basic Property Assessment Computer Services as set forth hereinbefore at a cost to the Municipality of THIRTY-SEVEN CENTS (\$0.37) per line item per year. Further, there will be a minimum Annual District Processing Charge of FIVE HUNDRED DOLLARS (\$500.00).*
15. *The County shall supply to the Municipality, at the request of the Municipality, the following additional services at the following additional costs:*

*Notification of Assessment Cards - Mailed \$0.22 per card
Post Tax Year Statements - Mailed \$0.22 per statement
Farmland Applications - Mailed \$0.22 per statement
Initial & Further Statements - Mailed \$0.22 per statement
Regular Tax Bills - Printed \$0.13 per line Item
Regular Tax Bills - Mailed \$0.22 per bill
Added/Omitted Tax Bills - Printed \$0.13 per bill
Added/Omitted Tax Bills - Mailed \$0.22 per bill
Mailing Labels - \$0.03 per label*

Additional report requests:

*Tax List with Street and Owners Index (11x15) - \$ 125.00 per district
Street Index only (11x15) - \$50.00 per district
Owners Index only (11x15) - \$50.00 per district
Tax List with Street and Owners Index (8.5x11) - \$ 75.00 per district
Street Index only (8.5x11) - \$30.00 per district*

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*Owners Index only (8.5x11) - \$30.00 per district
Personalized Reports - Cost subject to mutual agreement*

- 16. *The parties further agree that the Municipality will be required to independently purchase all required report binders. The tax billing and label services are at the discretion of the County.*
- 17. *The County will bill the Municipality for the basic Property Assessment Computer Services and minimum Annual District Processing Charge after the submission of the Added/Omitted Assessment List to the Municipality.*
- 18. *The County will bill the Municipality for "additional services" and for "additional report requests" upon completion of that work.*
- 19. *The County reserves the right to modify the costs and fees for service from time to time, upon reasonable advance notice to the Municipality.*
- 20. *If this agreement is in effect for less than a full calendar year during the year of its inception or termination, the costs to the Municipality for the services provided during that year will be adjusted on an equitable basis.*

IN WITNESS WHEREOF, the parties have hereunto placed their hands and seals.

ATTEST:

COUNTY OF MONMOUTH

MARION MASNICK
Clerk of the Board

By: _____
ROBERT D. CLIFTON, Freeholder
Director

ATTEST:

BOROUGH OF MATAWAN

JEAN B. MONTFORT, RMC
Municipal Clerk

By: _____
PAUL BUCCELLATO, Mayor

MONMOUTH COUNTY BOARD OF CHOSEN FREEHOLDERS

*Freeholder Meeting Venue:
Date: Jul28, 2011 - 7:00 PM
Location: Rumson Municipal Building
Charles S. Callman Courtroom
80 East River Road
Rumson, NJ 07760*

Agenda: Resolution authorizing Shared Service Agreements with County Municipalities to provide MOD IV Tax System Services.

Official Document #		Res# 2011-0610					
Meeting Date		07/28/2011					
Introduced Date		07/28/2011					
Adopted Date		07/28/2011					
Agenda Item		10					
FREEHOLDER	PRE S	ABS	MOVE	SEC	AYE	NAY	ABST
Mallet	X		X		X		
Arnone	X				X		
Burry	X			X	X		
Curley	X				X		
Clifton	X				X		

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A TRUE COPY OF A
RESOLUTION ADOPTED BY THE BOARD OF CHOSFN
FREEHOLDERS OF THE COUNTY OF MONMOUTH AT A
MEETING HELD

July 28, 2011

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Mayor Buccellato read by title Resolution 12-03-24: CDBG Block Grant Resolution Authorizing the Mayor and Clerk to Execute a Project Agreement with Monmouth County for Performance and Delivery of FY012 Community Development Projects. Mayor Buccellato requested a motion. Councilman Urbano made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould
Councilman Lopez
Councilwoman Angelini
Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-03-24
CDBG BLOCK GRANT RESOLUTION
AUTHORIZING THE MAYOR AND CLERK
TO EXECUTE A PROJECT AGREEMENT WITH
MONMOUTH COUNTY FOR PERFORMANCE AND DELIVERY OF
FY 2012 COMMUNITY DEVELOPMENT PROJECTS**

WHEREAS, certain federal funds are potentially available to Monmouth County under the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the County of Monmouth expects to receive an allocation for FY 2012 from the United States Department of Housing and Urban Development; and

WHEREAS, the County of Monmouth has submitted its Annual Plan for FY 2012 to the U.S. Department of Housing and Urban, which included a project hereinafter referred to as Borough of Matawan with a grant allocation of \$102,019.

WHEREAS, the Borough of Matawan hereby met all the requirements for the release of funds to begin incurring costs for this project; and

WHEREAS, the Borough of Matawan has filed with the Monmouth County Community Development Program an acceptable "TIMETABLE FOR PROJECT COMPLETION AND EXPENDITURE OF GRANT FUNDS," which is included as Appendix I of the Project Agreement.

NOW, THEREFORE, BE IT ORDAINED, that the Mayor and Municipal Clerk of the Borough of Matawan authorized to execute with the County of Monmouth the attached Project Agreement.

Mayor Buccellato read by title Resolution 12-03-25: CDBG Block Grant Resolution Authorizing the Mayor to Sign a Certification Prohibiting the Use of Excessive Force and a Certification Prohibiting the Use of Federal Funds for Lobbying. Mayor Buccellato requested a motion. Councilman Urbano made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould
Councilman Lopez
Councilwoman Angelini
Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

Motion passed.

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RESOLUTION 12-03-25

CDBG BLOCK GRANT RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CERTIFICATION PROHIBITING THE USE OF EXCESSIVE FORCE AND A CERTIFICATION PROHIBITING THE USE OF FEDERAL FUNDS FOR LOBBYING

WHEREAS, certain federal funds are potentially available to Monmouth County through the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the United States Department of Housing and Urban Development has allocated funding to the County of Monmouth for FY 2012; and

WHEREAS, the County is making some of these funds available to certain participating municipalities and non-profit agencies; and

WHEREAS, it is required that the Borough of Matawan execute a project agreement with Monmouth County to undertake a project known as ADA Improvements to Municipal Community Center; and

WHEREAS, the U.S. Department of Housing and Urban Development is requiring that the Mayor of the Borough of Matawan sign additional certifications in order to receive these funds; and

WHEREAS, the Borough of Matawan has adopted a policy prohibiting the use of excessive force by its law enforcement agency (police force) within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

WHEREAS, a copy of that policy is attached to and made part of this resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Matawan has met the conditions of receiving a FY 2012 allocation by adopting a policy prohibiting the use of excessive force and by not using federal funds for lobbying or by disclosing that funds have been used for lobbying.

BE IT FURTHER RESOLVED, that the Mayor of the Borough of Matawan is hereby authorized to sign the attached certifications which will become part of the FY 2012 Project Agreement.

CERTIFICATION OF POLICY PROHIBITING USE OF EXCESSIVE FORCE

In accordance with section 519 of Public Law 101-140, the 1990 HUD Appropriations Act, the Borough of Matawan certifies that: it has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations.

The Borough of Matawan also certifies that it is enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of nonviolent civil rights demonstrations within its jurisdiction.

In order to enforce the County's policy as stated above, the County of Monmouth will require, as a condition for receiving funds from the 1990 HUD Appropriations Act, that the subrecipient Borough of Matawan provide that it has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations, and that the certification shall be made part of all subrecipient agreements.

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The Undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

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(3) *The undersigned shall require that the language of this certification be included in the award document for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.*

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Mayor Buccellato read by title Resolution 12-03-27: Authorizing the Purchase of a 2012 Dodge Charger Police Vehicle for the Borough of Matawan Police Department VIN #2C3CDXAT9CH190596. Mayor Buccellato requested a motion. Councilwoman Angelini made the motion, seconded by Councilman Fitzsimmons. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould
Councilwoman Angelini
Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

No: Councilman Lopez

Motion passed.

**RESOLUTION 12-03-27
AUTHORIZING THE PURCHASE OF A 2012 DODGE CHARGER POLICE VEHICLE FOR
THE BOROUGH OF MATAWAN'S POLICE DEPARTMENT
VIN #2C3CDXAT9CH190596**

WHEREAS, Lt. Jason Gallo, temporary Senior Commanding Officer in Charge of the Police Department of the Borough of Matawan, has advised the Mayor and Council of the need for a replacement vehicle due to the age and mileage of a current vehicle used by the Department; and

WHEREAS, the Mayor and Council of the Borough of Matawan, acting under the recommendation and opinion of Lt. Gallo regarding the above, hereby authorize the purchase of a new 2012 Dodge Charger Police Vehicle for the Borough of Matawan's Police Department;

NOW, THEREFORE, BE IT RESOLVED that Lt. Jason Gallo, temporary Senior Commanding Officer in Charge of the Police Department of the Borough of Matawan, is hereby authorized by the Council of the Borough of Matawan to enter into a Contract for the purchase of a 2012 Dodge Charger Police Vehicle for the Borough of Matawan's Police Department through the State Contract Program from Chas S. Winner Inc. Carman Dodge Joint Venture, _____, New Jersey _____, State Contract #A79009 for the total sum of Thirty-two Thousand, Eight Hundred and Fourteen Dollars and Sixty-nine Cents (\$32,814.69).

2012 Dodge Charger Police Vehicle, VIN #2C3CDXAT9CH190596

BE IT FURTHER RESOLVED that the following items are included in the purchase price:

Chas S. Winner Inc. Carman Dodge
Joint Venture
New Jersey State Contract # A79009

Dodge Charger Pursuit
Base Vehicle as per State Contract \$23,006.69

- 5.7L Hemi V8 Engine
- 5 Speed Automatic Transmission
- 220 Amp Alternator
- ABS
- Power Windows/Locks/Mirrors
- Air Conditioning
- AM/FM Stereo
- P235/55R18 Tires
- Tilt Steering

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- Rear Window Defroster
 - Radio Noise Suppression
- Cloth Front Bucket/Vinyl Rear Seat
Heavy Duty Rubber Floor
Full Size Spare
Keyed Alike
Drivers Side Spotlight
Heated Mirrors
Deactivate Rear Door Window's
Deactivate Rear Door s
Skid Plate
Red/Clear 5" Dome Light
Headlight and Taillight Flasher
EAI53 80 Amp Power Source
Paint Black and White
Total Vehicle Price \$25,389.69

<u>Marked Police Interceptor</u>	<u>\$7,425.00</u>
Whelen Liberty All LED Light Bar RED/BLUE	
Four Corner LED Vertex	
Alternating Headlamp & Taillight Flasher	
EAI Pro Switch Box with Slider Control	
HF100 Siren with Speaker and Bracket	
18" Console w/ arm rest, cup holder, mic clip	
Prisoner Partition w/side lights	
Deck Mounted LED's LED RED/BLUE	
Push Bumper	
Window Bars	
Computer Mount	
TOTAL VEHICLE PRICE:	\$32,814.69

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and caused their presence to be signed by the proper corporate officers and having them corporate seal affixed hereto.

CERTIFICATION AS TO AVAILABLE FUNDING

I, Monica Antista, Chief Financial Officer of the Borough of Matawan do hereby certify that as of the date of this certification funds are available from the Police Vehicle 2-01-25-240-272 (\$7,800.00) and C-04-NB-900-165 (\$25,014.69) Budget of the Borough of Matawan to the vendors listed above for the purchase of a fully equipment 20__ Dodge Charger Police Vehicle VIN # _____ Borough of Matawan in an amount not to exceed Thirty-two Thousand, Eight Hundred and Fourteen Dollars and Sixty-nine Cents (\$32,814.69).

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)

Monica Antista, CMFO
Dated: March 20, 2012

Mayor Buccellato read by title Resolution 12-03-28: Municipal Budget Notice – Municipal Budget of the Borough of Matawan, State of New Jersey and Specifically Section 34-70 a Permitted Principal Uses. Mayor Buccellato requested a motion. Councilman Urbano made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

- Yes:
- Councilwoman Gould
 - Councilman Lopez
 - Councilwoman Angelini
 - Councilwoman Urbano
 - Councilwoman Clifton
 - Councilman Fitzsimmons

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Motion passed.

**RESOLUTION 12-03-28
MUNICIPAL BUDGET NOTICE
Municipal Budget of the BOROUGH OF MATAWAN,
COUNTY OF MONMOUTH for the Fiscal Year 2012;**

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for year 2012;

BE IT FURTHER RESOLVED, that said Budget be published in the Independent in the issue of March 29, 2012.

The Governing Body of the **BOROUGH OF MATAWAN** does hereby approve the following as the Budget for the year 2012:

RECORDED VOTE

(insert last name)

(Gould
(Lopez
AYES (Angelini
(Urbano
(Clifton
(Fitzsimmons

ABSTAINED (

ABSENT (

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 March 20, 2012.

A Hearing on the Budget and Tax Resolution will be held at Matawan Municipal and Community Center on April 17, 2012 at 7:00 o'clock (P.M.) at which time and place objections to said Budget and Tax Resolution for the year 2012 may be presented by taxpayers or other interested persons.

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2011 MUNICIPAL BUDGET					
of the	Borough		of	Matawan	
County of	Monmouth			for the fiscal year 2011.	
Revenue and Appropriation Summaries					
			Anticipated		
			2011	Final 2010	
Summary of Revenues			Budget	Budget	
1.	Surplus		200,000.00	365,000.00	
2.	Total Miscellaneous Revenues		2,597,422.78	2,440,803.71	
3.	Receipts from Delinquent Taxes		6,270.00	6,270.00	
4.	a)	Local Tax for Municipal Purposes	7,451,655.15	7,052,703.20	
	b)	Additions to Local District School Tax			
	Tot. Amt. to be Rsd. by Taxes for Sup. Mun. Bud.		7,451,655.15	7,052,703.20	
	Tot. Gen. Revs.		10,255,347.93	9,864,776.91	
			2011	Final 2010	
Summary of Appropriations			Budget	Budget	
1.	Operating Expenses:				
	Salaries and Wages		3,683,297.00	3,616,925.00	
	Other Expenses		4,078,858.21	4,213,144.66	
2.	Deferred Charges and Other Appropriations		912,218.01	509,098.84	
3.	Capital Improvements		45,000.00	45,000.00	
4.	Debt Service (Include for School Purposes)		1,405,974.71	1,354,008.41	
5.	Reserve for Uncollected Taxes		130,000.00	126,600.00	
	Total General Appropriations		10,255,347.93	9,864,776.91	
Total Number of Employees					
2011 Dedicated			Water/Sewer	Utility Budget	
			Anticipated		
			2011	Final 2010	
Summary of Revenues			Budget	Budget	
1.	Surplus		50,000.00	48,000.00	
2.	Miscellaneous Revenues		4,560,674.49	4,296,368.94	
3.	Deficit (General Budget)				
	Total Revenues		4,610,674.49	4,344,368.94	
			2011	Final 2010	
Summary of Appropriations			Budget	Budget	
1.	Operating Expenses:				
	Salaries and Wages		685,000.00	690,000.00	
	Other Expenses		3,081,751.00	2,959,051.00	
2.	Capital Improvements		50,000.00	25,000.00	
3.	Debt Service		701,958.49	578,491.94	
4.	Deferred Charges and Other Appropriations		91,965.00	91,826.00	
5.	Surplus (General Budget)				
	Total Appropriations		4,610,674.49	4,344,368.94	
Total Number of Employees					
Balance of Outstanding Debt					
		General	W/S Utility	Utility - Other	Utility-Other
Interest		1,669,569.58	1,418,524.42		
Principal		7,572,146.22	4,715,143.46		
Outstanding Balance		9,241,715.80	6,133,667.88	0.00	
<p>Notice is hereby given that the budget and tax resolution was approved by the Governing Body</p> <p>of the Borough of Matawan, County of</p> <p>Monmouth on March 15, 2011.</p> <p>A hearing on the budget and tax resolution will be held at Borough Hall on</p> <p>April 20, 2011 at 7:00 o'clock (AM PM) at which time</p> <p>and place objections to the Budget and Tax Resolution for the year 2011 may be presented by taxpayers or other interested persons.</p> <p>Copies of the Budget are available in the office of the Borough Clerk at</p> <p>the Municipal Building 201 Broad Street, Matawan, New Jersey</p> <p>tel. no. 732/566-3898 during the hours of 7:30 am to 5:00 pm</p> <p>Monday-Thursday.</p>					

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Mayor Buccellato read by title Resolutions 12-03-29 and 12-03-31 through 12-03-35 requesting a motion to approve en masse. Councilwoman Clifton made the motion, seconded by Councilman Fitzsimmons. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould
Councilman Lopez
Councilwoman Angelini
Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-03-29
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 2012 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 2012 pursuant to the provisions of Chapter 96, PL 1951 (NJSA 40A:4-20) including this resolution total \$5,174,981.45.

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 2011 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 2012 County, and Local School District Taxes, which are not included in this temporary budget, shall be paid as and when due.

2012 Temporary Budget-03/20/12 Meeting

	Salary & Wages	Other Expenses
GENERAL ADMIN		16,000.00
INSURANCE-GROUP HEALTH		100,000.00
FIRE		10,000.00
FIRE PREVENTION	3,000.00	
RR PARKING	10,000.00	
UTILITIES		30,000.00
VEHICLE MAINT		10,000.00
PERS		152,534.00
PFRS		563,640.00
MUNICIPAL COURT	5,000.00	500.00
SUBTOTAL	18,000.00	882,674.00
TOTAL TEMPORARY EMERGENCY APPROPRIATIONS		900,674.00
 WATER SEWER UTILITY		
OPERATING		100,000.00
BULK WATER PURCHASE/ACQUISITION OF WATER		100,000.00
BAYSHORE REGIONAL SEWERAGE AUTHORITY		300,000.00
PERS		42,560.00

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<i>SUBTOTAL</i>	-	542,560.00
<i>TOTAL WATER SEWER UTILITY TEMPORARY EMERGENCY APPROPRIATIONS</i>		542,560.00

**RESOLUTION 12-03-31
APPROVING "COIN TOSS"
THE VALERIE FUND**

WHEREAS, Freneau Volunteer Fire Company has requested they be allowed to conduct a "coin toss" to help support the Valerie Fund on Saturday May 12, 2012, at their firehouse, 109 Freneau Avenue, Matawan, for such an event; and

WHEREAS, the Valerie Fund is a supporting comprehensive health care service for children with cancer and blood disorders; and

WHEREAS, the Valerie Fund has operated Camp Happy Times for children ages 5-21 who have or have had cancer; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the request of the Freneau Volunteer Fire Company for the coin toss for the Valerie Fund.

BE IT FURTHER RESOLVED, the Council of the Borough of Matawan directs the Borough Clerk to forward a copy of this resolution to County of Monmouth Counsel, Andrea I. Bazer, Esq., Hall of Records, Room 236, One East Main Street, Freehold, New Jersey 07728 for the approval of the Board of Chosen Freeholders.

**RESOLUTION 12-03-32
AMENDING THE BOROUGH OF MATAWAN
PERSONNEL POLICIES AND PROCEDURES MANUAL**

Introduction

STATEMENT OF POLICY:

Page 6

Add:

- (13) *All municipal employees and volunteer members of municipal bodies, elected and appointed officials and full and part time employees, inclusive of professional contract employees and agents of the Borough of Matawan at all times, while representatives of the Borough comport themselves with each other, the public and all other individuals with whom they come into contact with utilizing professionalism and civility at all times in the workplace.*
- (14) *No taping, video, or audio recording of any type shall be permitted to be utilized on Borough property by Borough employees in their interaction with each other without the express written permission of the Borough Administrator. Nothing in this section precludes any recording as part of a Police or other Law Enforcement Investigation or function as permitted by law.*

**RESOLUTION 12-03-33
APPROVAL OF MATAWAN FIRST AID & RESCUE SQUAD
FLEA MARKET AT THE MATAWAN TRAIN STATION PARKING LOT
YEAR 2012**

WHEREAS, the Matawan First Aid & Rescue Squad has requested they be allowed to conduct a flea market at the Matawan Train Station parking lot on Saturdays and Sundays between April and December of 2012; and

WHEREAS, the Matawan First Aid & Rescue Squad uses revenue generated from the flea market to provide the Matawan First Aid & Rescue Squad with many items that enable the department to enhance their service the community; and

WHEREAS, the governing body of the Borough of Matawan has reviewed the submitted request attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the request of the Matawan First Aid & Rescue Squad for their flea market at the Matawan Train Station parking lot on Saturdays and Sundays between April and December of 2012.

March 19, 2012

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Mayor and Council
Matawan Borough of Matawan
201 Broad Street
Matawan, NJ 07747

Re: Flea Market at train station

Dear Mayor and Council:

The Matawan First Aid and Rescue Squad would like to have your permission to use the train station parking lot on weekends to have our flea market. The flea market will commence in April and last until December.

We are in contact with New Jersey Transit and are getting them all the paper work they require.

Very truly yours,

Chuck Jameson
President

RESOLUTION 12-03-34 TEMPORARY CAPITAL BUDGET

WHEREAS, it is desired to adopt a temporary capital budget; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Matawan, County of Monmouth, that the following temporary capital budget be adopted:

AYES: NAYS ABSTAIN

ABSENT

TEMPORARY CAPITAL BUDGET (CURRENT YEAR ACTION) 2012

1 Project	2 Project Number	3 Estimated Total Cost	4 Amounts Reserved in Prior Years	5a 2012 Budget Appropriation	5b Capital Improve Fund	5c Capital Surplus	5d Grants in Aid & Other Funds	5e Debt Authorized	To Be Funded In Future Years
Acq. Of Emergency Vehicles		850,000.00			42,500.00			807,500.00	
TOTAL ALL PROJECTS		850,000.00			42,500.00			807,500.00	

1 Project	2 Project Number	3 Estimated Total Cost	4 Estimated Completion Time	Budget Year 2012	20__	20__	20__	20__
Acq. Of Emergency Vehicles		850,000.00	2012	807,500.00				
TOTAL ALL PROJECTS		850,000.00		850,000.00				

1 Project	2 Estimated Total Cost	3 Budget Appropriations	4 Capital Improve Fund	5 Capital Surplus	6 Grants in Aid & Other Funds	7 Bonds and Notes
		Current Year 2012	Future Years			General Self- Assessment School Liquidating
Acq. Of Emergency Vehicles	850,000.00			42,500.00		807,500.00
TOTAL ALL PROJECTS		850,000.00		42,500.00		807,500.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

It is hereby certified that this is a true copy of a resolution adopting a temporary capital budget by the governing on the 20th day of March, 2012.

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March 20, 2012

Jean B. Montfort, R.M.C., Clerk

Trenton, New Jersey

Approved _____

Director of Local Government Services

**RESOLUTION 12-03-35
FIXING RECREATION FEES AND USES**

BE IT RESOLVED, by the Mayor and Council of the Borough of Matawan, based on the recommendation of the Recreation Commission that the fees of the following shall be fixed for the year 2012 and future years. These are in addition to the fees established by Ordinance 91-13.

Summer Recreation Program

Matawan Residents	\$175.00 first child \$150.00 each additional sibling
Non-Matawan Residents	\$225.00 first child \$200.00 each additional sibling
Summer Recreation Counselors	\$150.00 per child

Mayor Buccellato read by title Ordinance 12-07: An Ordinance Amending and Supplementing Chapter XXIV, Development Regulations Ordinance, Borough of Matawan, County of Monmouth, State of New Jersey and Specifically Section 34-70 a Permitted Principal Uses. Mayor Buccellato requested a motion to introduce. Councilman Urbano made the motion, seconded by Councilman Lopez. Mayor Buccellato requested a roll call. A roll call vote was taken.

- Yes:
- Councilwoman Gould
 - Councilman Lopez
 - Councilwoman Angelini
 - Councilwoman Urbano
 - Councilwoman Clifton
 - Councilman Fitzsimmons

Motion passed.

**ORDINANCE 12-07
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXXIV,
DEVELOPMENT REGULATIONS ORDINANCE", BOROUGH OF MATAWAN, COUNTY
OF MONMOUTH, STATE OF NEW JERSEY AND SPECIFICALLY SECTION 34-70 a
PERMITTED PRINCIPAL USES**

BE IT ORDAINED that the Mayor and Council of the Borough of Matawan that the following section of Chapter 34-70a Permitted Principal Uses be amended as follows:

DELETE:

2. Personal service establishments limited to the following: banks and fiduciary establishments; credit agencies, security and commodity brokers; real estate and insurance offices; holding and investment company offices; laundry and dry cleaning pick up stores; photographic stores; barber and beauty shops, shoe repair shops; garment pressing, alterations and repair shops; miscellaneous repair shops other than automotive; motion picture theater other than outdoor; dance studios and schools; medical and health services, excluding veterinarian services; legal services; engineering and architectural services; accounting and bookkeeping offices; business offices; funeral homes; electrical supply stores; nonprofit clubs, lodges and fraternal, civil service or charitable organizations; and order centers or stores.

ADD:

2. Personal service establishments limited to the following: banks and fiduciary establishments; credit agencies, security and commodity brokers; real estate and insurance offices; holding and investment company offices; laundry and dry cleaning pick up stores; photographic stores; tattoo parlors, barber and beauty shops, shoe repair shops; garment pressing, alterations and repair shops; miscellaneous repair shops other than

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automotive; motion picture theater other than outdoor; dance studios and schools; medical and health services, excluding veterinarian services; legal services; engineering and architectural services; accounting and bookkeeping offices; business offices; funeral homes; electrical supply stores; nonprofit clubs, lodges and fraternal, civil service or charitable organizations; and order centers or stores.

NOW, THEREFORE, BE IT FURTHER ORDAINED that:

All ordinances or parts of ordinances which are inconsistent with or in conflict with this Ordinance or any part hereof are hereby repealed as to the extent of such inconsistencies only.

If any provision of any section, subsection, paragraph, subdivision or clause of this Ordinance shall be adjudged by a court of competent jurisdiction as invalid, such order or judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this Ordinance or any other ordinance which is referred to herein by reference and, to this end, the provisions of this section, subsection, paragraph, subdivision or clause of this Ordinance are hereby declared to be severable.

This Ordinance shall take effect immediately upon its final passage and publication according to law.

Mayor Buccellato read by title Ordinance 12-08: Bond Ordinance Providing an Appropriation of \$850,000 for a Fire Truck, Emergency Vehicles and Various Equipment for and by the Borough of Matawan in the County of Monmouth, New Jersey and, Authorizing the Issuance of \$807,500 Bonds or Notes of the Borough for Financing Part of the Appropriation. Mayor Buccellato requested a motion to introduce. Councilman Urbano made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould
Councilman Lopez
Councilwoman Angelini
Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

Motion passed.

ORDINANCE 12-08

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$850,000 FOR A FIRE TRUCK, EMERGENCY VEHICLES AND VARIOUS EQUIPMENT FOR AND BY THE BOROUGH OF MATAWAN IN THE COUNTY OF MONMOUTH, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$807,500 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

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

Section 9.

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Matawan, New Jersey (the "Borough") as general improvements. For the said Improvement there is hereby appropriated the amount of \$850,000, such sum includes the sum of \$42,500 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provisions in one or more previously adopted budgets for down payments for capital improvement purposes.

Section 10.

In order to finance the cost of the Improvements not covered by the application of the Down Payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$807,500 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be

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issued in the principal amount not exceeding \$807,500 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

Section 11.

(a) *The Improvements authorized and the purpose for the financing of which said obligations are to be issued is for acquisition of a fire truck, emergency vehicles and various equipment related thereto, all as shown on and in accordance with the plans and specifications on file with the Borough Clerk.*

(b) *The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$807,500.*

(c) *The estimated cost of the Improvements is \$850,000 which amount represents the initial appropriation made by the Borough.*

Section 12.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

Section 13.

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

Section 14.

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

(a) *The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.*

(b) *The period of usefulness of the Improvements, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 10 years.*

(c) *The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$807,500 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.*

(d) *An aggregate amount not exceeding \$75,000 for items of expense listed in and permitted under Section 10 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.*

Section 15.

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

Section 16.

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

Section 17.

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$807,500.

Section 18.

This bond ordinance shall take effect 10 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Buccellato read by title Resolution 12-03-30: Payment of Bills. Mayor Buccellato requested a motion. Councilman Fitzsimmons made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould
Councilman Lopez
Councilwoman Angelini
Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-03-30
PAYMENT OF BILLS**

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

<i>Current</i>	\$941,233.83
<i>Water & Sewer</i>	\$550,297.58
<i>Borough Capital</i>	\$368,966.77
<i>Grant</i>	\$3,128.99
<i>Borough Trust</i>	\$26,044.57
<i>Developers Escrow Account</i>	\$4,297.77
Total	\$1,893,969.51

Privilege of the Floor

Mayor Buccellato opened the Privilege of the Floor.

Fran Bucco, 79 Freneau Avenue, Matawan. Ms. Bucco asks should American Properties install a larger or second dumpster it be put somewhere else other than in the back of her house.

John McKenna, 9 Franklin Street, Matawan. Mr. McKenna stated the furnace in the Memorial Wing needs to be removed. Mayor Buccellato informs an energy audit grant has been applied for which includes a new boiler. Requests Council look to smaller government such as repeal the cat licensing ordinance.

Mayor Buccellato closed the Privilege of the Floor.

**Borough of Matawan
Public Session Minutes
March 20, 2012**

Adjournment

Mayor Buccellato requested a motion to close the public session. Councilwoman Clifton made the motion, seconded by Councilman Urbano. Council agreed.

The time was 8:20 P.M.

Jean B. Montfort, RMC
Municipal Clerk