

**Borough of Matawan
Public Session Minutes
April 17, 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 April 17, 2012. The meeting was called to order at 7:05 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* March 29, 2012, and by posting.

Mayor Buccellato requested a roll call.

On roll call the following members responded present:

Councilman Lopez
Councilwoman Angelini
Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

Councilwoman Gould was unable to attend due to a personal matter.

Mrs. Bascom was working the polls in Neptune, which was one of two municipalities that choose to hold School Elections.

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

Mayor Buccellato asked everyone to remember the family of Brian Quinn who left us too soon. Mayor Buccellato asked everyone to stand for a moment of silence.

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

Approval of Minutes

Mayor Buccellato requested a motion to approve the minutes of October 18, 2011. Councilwoman Angelini made the motion, seconded by Councilman Urbano. Council agreed. Motion passed.

Mayor Buccellato requested a motion to approve the minutes of November 1, 2011. Councilwoman Clifton made the motion, seconded by Councilman Lopez. Council agreed. Motion passed.

Mayor Buccellato requested a motion to approve the minutes of November 14, 2011. Councilman Lopez made the motion, seconded by Councilman Urbano. Councilwoman Clifton and Councilwoman Angelini abstained. Council agreed. Motion passed.

Proclamation – Fireman Fund Drive

Mayor Buccellato presented a Proclamation to Councilman Lopez for the Fire Department proclaiming June 1, though July 31, 2012, as Fireman's Fund Drive. He urged everyone to support their Fire Department.

Mayor Buccellato stated that he is adding Resolution 12-04-45: A Resolution of the Borough Council of the Borough of Matawan Authorizing the Use of the Last Three Years Collection Rates for the Calculation of the Reserve for Uncollected Taxes., and Resolution 12-04-46: Resolution of the Borough of Matawan, County of Monmouth, State of New Jersey to Amend Approved Budget in Accordance with the Provisions of 40A:4-9, that the Clerk distributed earlier. He stated that he was also adding an Ordinance for introduction, Ordinance 12-10: An Ordinance to Amend Chapter II – Administration Section 2-14.7 and Chapter IX – Personnel Policies Section 9-29.2(C).

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Mayor Buccellato stated is was also moving Resolution 12-04-30: Resolution to Read the Budget by Title Only at the Public Hearing, from the New Business. Mayor Buccellato requested a motion. Councilman Lopez made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 12-04-30
RESOLUTION TO READ THE BUDGET BY
TITLE ONLY AT THE PUBLIC HEARING**

WHEREAS, N.J.S.40A:4-8 provides that the budget be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full Governing Body, providing that at least one week prior to the date of hearing, a complete copy of the approved budget as advertised has been posted in the Borough Hall, a copy has been delivered to the local Library and copies have been made available by the Clerk to persons requiring them; and

WHEREAS, these conditions have been met.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Matawan does hereby adoption of this Resolution confirming the 2012 budget of the Borough of Matawan shall be read by title only.

Public Hearing – 2012 Budget

Mayor Buccellato requested a motion to open the Public Hearing for the 2012 Budget. Councilman Fitzsimmons made the motion, seconded by Councilman Lopez. Council agreed. Motion passed. Mayor Buccellato requested comments. There were no comments. Mayor Buccellato requested a motion to close the Public Hearing. Councilman Fitzsimmons 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.

There were no comments.

Mayor Buccellato closed the privilege of the floor.

Old Business

Mayor Buccellato read by title Ordinance 12-04: An Ordinance to Fix and Determine the Salaries and Wages of Officers, Management, Supervisory Personnel and General Employees Not Represented by an Organized Bargaining Unit and Employed by the Borough of Matawan, County of Monmouth, State of New Jersey. Mayor Buccellato requested a motion to open the public hearing. Councilwoman Angelini made the motion, seconded by Councilman Lopez. 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 Angelini. Council agreed. Motion passed. Mayor Buccellato ready by title on third and final reading Ordinance 12-04: An Ordinance to Fix and Determine the Salaries and Wages of Officers, Management, Supervisory Personnel and General Employees Not Represented by an Organized Bargaining Unit and Employed by the Borough of Matawan, County of Monmouth, State of New Jersey. Mayor Buccellato requested a motion to adopt on third and final

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reading. Councilman Lopez made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**ORDINANCE 12-04
AN ORDINANCE TO FIX AND DETERMINE THE SALARIES AND WAGES
OF OFFICERS, MANAGEMENT, SUPERVISORY PERSONNEL AND
GENERAL EMPLOYEES NOT REPRESENTED BY AN ORGANIZED
BARGAINING UNIT AND EMPLOYED BY THE BOROUGH OF
MATAWAN, MONMOUTH COUNTY, NJ**

Be it ordained by the Mayor and Council of the Borough of Matawan, in the County of Monmouth, NJ as follows;

Section 1. The annual salaries or compensations of the officers, management, supervisory personnel and general employees of the Borough of Matawan not covered by any organized bargaining unit, effective January 1, 2012, shall be as follows;

<u>DEPARTMENT/TITLE</u>	<u>STATUS</u>	<u>PAYMENT CATEGORY</u>	<u>RANGE FROM</u>	<u>TO</u>
<u>Administration and Executive</u>				
Mayor	Elected	Annual	\$4,000.00	\$6,000.00
Council	Elected	Annual	\$3,000.00	\$5,000.00
Administrator Assistant	Full Time	Annual	\$25,000.00	\$40,000.00
Business Administrator	Full Time	Annual	\$48,000.00	\$110,000.00
Borough Clerk	Full Time	Annual	\$35,000.00	\$60,000.00
Deputy Borough Clerk	Full Time	Annual	\$25,000.00	\$40,000.00
Part Time Hourly Employee Clerical	Part Time	Hourly	\$15.00	\$25.00
Borough Attorney	Part Time	Annual	\$25,000.00	\$50,000.00
Elections Clerk	Full Time	Annual	\$1,000.00	\$4,000.00
Deputy Elections Clerk	Part Time	Annual	\$200.00	\$600.00
Downtown Redevelopment Coordinator	Part Time	Annual	\$10,000.00	\$20,000.00
Systems Coordinator	Part Time	Annual	\$4,000.00	\$10,000.00
Clerical-Starting Salary All Departments	Full-Time	Annual	\$25,000.00	27,500.00
Registrar	Part-Time	Annual	\$3,000.00	\$5,000.00
Deputy Registrar	Part-Time	Annual	\$1,000.00	\$2,000.00
<u>Construction, Inspections & Property Maintenance Offices</u>				
Construction Official/ Zoning Officer/Bldg Insp.	Part Time	Annual	\$30,000.00	\$45,000.00
Construction Official/Zoning Officer/Bldg Insp.	Full Time	Annual	\$50,000.00	\$75,000.00
Bldg Sub-Code Official or Building Inspector	Part Time	Hourly	\$28.00	\$50.00
Plumbing Sub-Code Official	Part Time	Annual	\$5,000.00	\$10,000.00
Plumbing Inspector	Part Time	Annual	\$5,000.00	\$10,000.00
Plumbing Sub-Code Official or Plumbing Insp.	Part Time	Hourly	\$28.00	\$50.00
Electrical Sub-Code Official	Part Time	Annual	\$5,000.00	\$10,000.00
Electrical Inspector	Part Time	Annual	\$5,000.00	\$10,000.00
Electrical Sub-Code Official or Electrical Insp.	Part Time	Hourly	\$28.00	\$50.00
Fire Sub-Code Official	Part Time	Annual	\$5,000.00	\$10,000.00
Fire Inspector	Part Time	Annual	\$5,000.00	\$10,000.00
Fire Sub-Code Official or Fire Inspector	Part Time	Hourly	\$28.00	\$50.00
Technical Assistant	Full Time	Annual	\$25,000.00	\$50,000.00
Clerk/Typist Construction/Zoning/Fire Prev.	Full Time	Annual	\$25,000.00	\$35,000.00
Property Maintenance Officer	Part Time	Annual	\$8,000.00	\$15,000.00
Assistant Property Maintenance Officer	Part Time	Annual	\$6,000.00	\$10,000.00
<u>Fire Prevention Bureau</u>				
Fire Prevention Officer/Inspector	Part-Time	Annual	\$10,000.00	\$35,000.00
Fire Prevention Inspector	Part-Time	Annual	\$6,000.00	\$10,000.00
<u>Finance/Tax Offices</u>				
CFO/Treasurer	Full Time	Annual	\$60,000.00	\$85,000.00
CFO	Part Time	Hourly	\$50.00	\$100.00

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<i>Tax Assessor</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$10,000.00</i>	<i>\$25,000.00</i>
<i>Revenue Collector/Assessing Clerk</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$25,000.00</i>	<i>\$35,000.00</i>
<i>Tax Collector</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$35,000.00</i>	<i>\$50,000.00</i>
<i>Tax Collector</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$35.00</i>	<i>\$55.00</i>
<i>Deputy Tax Collector</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$25,000.00</i>	<i>\$40,000.00</i>
<i>Supervisor/Payroll, Personnel & Accounting Services</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$35,000.00</i>	<i>\$60,000.00</i>
<i>Bookkeeper</i>	<i>Part-time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$30.00</i>
<u>Municipal Court</u>				
<i>Court Administrator</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$35,000.00</i>	<i>\$60,000.00</i>
<i>Deputy Court Administrator</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$25,000.00</i>	<i>\$35,000.00</i>
<i>Deputy Court Administrator</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$30.00</i>
<i>Magistrate</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$12,000.00</i>	<i>\$35,000.00</i>
<i>Prosecutor</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$8,000.00</i>	<i>\$25,000.00</i>
<i>Public Defender</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$4,000.00</i>	<i>\$20,000.00</i>
<u>Public Safety</u>				
<i>Chief of Police</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$79,000.00</i>	<i>\$130,000.00</i>
<i>Captain of Police</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$74,000.00</i>	<i>\$120,000.00</i>
<i>Lieutenant of Police</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$69,000.00</i>	<i>\$105,000.00</i>
<i>Police Matron</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$25.00</i>
<i>School Crossing Guard (based on 10 Months)</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$7,500.00</i>	<i>\$9,500.00</i>
<i>School Crossing Guard</i>	<i>Part Time</i>	<i>Per Post</i>	<i>\$15.00</i>	<i>\$30.00</i>
<i>Substitute School Crossing Guard</i>	<i>Part Time</i>	<i>Per Post</i>	<i>\$23.00</i>	<i>\$28.00</i>
<i>Police Secretary</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$25,000.00</i>	<i>\$45,000.00</i>
<i>Police Records Clerk</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$25,000.00</i>	<i>\$45,000.00</i>
<i>Class Two Specials</i>	<i>Part-Time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$30.00</i>
<i>Class One Specials</i>	<i>Part-Time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$30.00</i>
<i>Emergency Management Chief</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$500.00</i>	<i>\$3,500.00</i>
<i>Emergency Management 1st Deputy</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$300.00</i>	<i>\$1,000.00</i>
<i>Emergency Management 2nd Deputy</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$300.00</i>	<i>\$1,000.00</i>
<i>Emergency Management Secretary</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$200.00</i>	<i>\$1,500.00</i>
<i>Railroad Parking Enforcement Officer</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$25.00</i>
<u>Public Works</u>				
<i>Superintendent of Public Works</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$60,000.00</i>	<i>\$105,000.00</i>
<i>Recycling Coordinator</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$2,000.00</i>	<i>\$7,000.00</i>
<u>Recreation</u>				
<i>Summer Program Director</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$1,700.00</i>	<i>\$6,000.00</i>
<i>Assistant Summer Program Director</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$1,260.00</i>	<i>\$4,500.00</i>
<i>Canoe Renter-1st Year</i>	<i>Seasonal/PT</i>	<i>Hourly</i>	<i>\$8.00</i>	<i>\$20.00</i>
<i>Canoe Renter-2nd Year</i>	<i>Seasonal/PT</i>	<i>Hourly</i>	<i>\$8.50</i>	<i>\$20.00</i>
<i>Director</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$10,000.00</i>	<i>\$20,000.00</i>
<i>Apprentice Summer Counselors</i>	<i>Seasonal/PT</i>	<i>Hourly</i>	<i>\$7.15</i>	<i>\$10.00</i>
<i>Junior Summer Counselors</i>	<i>Seasonal/PT</i>	<i>Hourly</i>	<i>\$7.65</i>	<i>\$12.00</i>
<i>Senior Summer Counselors</i>	<i>Seasonal/PT</i>	<i>Hourly</i>	<i>\$8.15</i>	<i>\$14.00</i>
<u>Sewer</u>				
<i>Licensed Waste Water Personnel</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$1,000.00</i>	<i>\$4,000.00</i>
<u>Water</u>				
<i>Licensed Water Plant Operator</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$50,000.00</i>	<i>\$95,000.00</i>
<i>N-1 Licensed Water Personnel</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$1,000.00</i>	<i>\$3,500.00</i>
<i>Water/Sewer Clerk</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$22.00</i>
<u>Boards</u>				
<i>Board, Commission and Agency Secretary</i>	<i>Part Time</i>	<i>Per Meeting</i>	<i>\$100.00</i>	<i>\$250.00</i>
<i>Planning/ Zoning Board Attorney</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$5,000.00</i>	<i>\$15,000.00</i>

Section 2. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance shall be and the same are hereby repealed.

Section 3. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.

Section 4. This ordinance shall take effect upon final passage and publication as provided by law.

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Mayor Buccellato read by title Ordinance 12-05: Amending Borough of Matawan Code Chapter 6-3.4 Alcoholic Beverage Control. Mayor Buccellato requested a motion to open the public hearing. Councilwoman Clifton made the motion, seconded by Councilman Fitzsimmons. Council agreed. Motion passed. Mayor Buccellato requested comments. There were no comments. Mayor Buccellato requested a motion to close the public hearing. Councilwoman Clifton made the motion, seconded by Councilman Fitzsimmons. Council agreed. Motion passed. Mayor Buccellato read by title on third and final reading Ordinance 12-05: Amending Borough of Matawan Code Chapter 6-3.4 Alcoholic Beverage Control. Mayor Buccellato requested a motion to adopt on third and final reading. Councilwoman Clifton made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**ORDINANCE 12-05
AMENDING BOROUGH OF MATAWAN CODE
CHAPTER 6-3.4 ALCOHOLIC BEVERAGE CONTROL**

BE IT ORDAINED by the Mayor and Council of the Borough of Matawan that Chapter 6-3.4 License Fees; Maximum Number, be and is hereby amended as follows:

Under Chapter 6-3.4 License Fees; Maximum Number, delete the following paragraphs:

11-3.4. License Fees; Maximum Number:

<i>Class of License</i>	<i>Amount License Fee</i>
<i>Plenary Retail Consumption License</i>	<i>\$1,244.16</i>
<i>Plenary Retail Distribution License</i>	<i>\$746.40</i>
<i>Club License</i>	<i>\$188.00</i>

Replace that paragraph with the following:

11-3.4 License Fees; Maximum Number:

<i>Class of License</i>	<i>Amount License Fee</i>
<i>Plenary Retail Consumption License</i>	<i>\$1,492.99</i>
<i>Plenary Retail Distribution License</i>	<i>\$895.68</i>
<i>Club License</i>	<i>\$188.00</i>

Mayor Buccellato read by title Ordinance 12-06: Calendar Year 2012 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (NJSA 40A:4-45.14). Mayor Buccellato requested a motion to open the public hearing. Councilman Lopez made the motion, seconded by Councilman Clifton. Council agreed. Motion passed. Mayor Buccellato requested comments. There were no comments. Mayor Buccellato requested a motion to close the public hearing. Councilman Fitzsimmons made the motion, seconded by Councilwoman Angelini. Council agreed. Motion passed. Mayor Buccellato read by title Ordinance 12-06: Calendar Year 2012 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (NJSA 40A:4-45.14). Mayor Buccellato requested a motion to adopt on third and final reading. Councilman Fitzsimmons made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Lopez
Councilwoman Angelini

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Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

Motion passed.

**ORDINANCE 12-06
CALENDAR YEAR 2012
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A 40A:4-45.14)**

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

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

WHEREAS, the Borough Council of the Borough of Matawan in the County of Monmouth finds it advisable and necessary to increase its CY 2012 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Borough Council of the Borough of Matawan hereby determines that a 1.0% increase in the budget for said year amounting to \$81,324.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

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

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Matawan, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final Appropriations of the Borough of Matawan shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14 be increased by 3.5% amounting to \$284,635.00 and that the CY 2012 municipal budget for the Borough of Matawan be approved and adopted in accordance with this ordinance; and

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

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

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

Mayor Buccellato read by title 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*. Mayor Buccellato requested a motion to open the public hearing. Councilwoman Angelini made the motion, seconded by Councilwoman Clifton. Council agreed. Motion passed. Mayor Buccellato requested comments. There were no comments. Mayor Buccellato requested a motion to close the public hearing. Councilman Fitzsimmons made the motion, seconded by Councilwoman Clifton. Council agreed. Motion passed. Mr. Menna stated that the Council would not vote on this ordinance tonight. Because this is a Zoning Ordinance they are waiting for the Planning/Zoning Boards recommendations. Mayor Buccellato stated he had received a copy of their comments from their Attorney. He said the Planning/Zoning Board to "no" exception to it. Mr. Menna stated that then they can vote on this ordinance. Councilman Lopez asked if this limits the area of Matawan as to where Tattoo Parlors can locate. Mr. Menna stated yes, except for the ones that are already established. Mayor Buccellato read by title on third and final reading Ordinance 12-07: An

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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*. Mayor Buccellato requested a motion to adopt on third and final reading. Councilwoman Angelini made the motion, seconded by Councilman Lopez. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Lopez
Councilwoman Angelini
Councilwoman Urbano
Councilman Fitzsimmons

No: Councilwoman Clifton

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 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.

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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 open the public hearing. Councilman Lopez made the motion, seconded by Councilman Urbano. Council agreed. Motion passed. Mayor Buccellato requested comments. There were no comments. Mayor Buccellato requested a motion to close the public hearing. Councilwoman Angelini made the motion, seconded by Councilman Urbano. Council agreed. Motion passed. 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 adopt on third and final reading. Councilman Lopez made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: 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 1.

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 2.

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 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 3.

(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.*

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Section 4.

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 5.

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 6.

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 7.

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 8.

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 9.

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 10.

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

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Mayor Buccellato read by title 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. Mayor Buccellato requested a motion. Councilman Lopez made the motion, seconded by Councilman Fitzsimmons. Councilwoman Angelini asked if the Borough had received all reports that they had requested. Mayor Buccellato stated with this we are now in a position for them to come in. Mayor Buccellato stated the attachment outlines all of the procedures. Mr. Keady outlined what the Conti Group had agreed to. Currently scheduled for next week. It will take approximately 10 minutes per truck to go through the Borough and they have approximately 6 trucks. Mayor Buccellato stated Conti is responsible for police escorts. They are also to post a \$10,000 escrow check to cover the expense of the Engineer, Police and Fire Department it needed. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**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**

WHEREAS, the Borough of Matawan has agreed to allow the Conti Group transport the Wind Turbine Assembly for the Bayshore Regional Sewerage Authority project Wind-to-Energy Project in Union Beach along Route 79 and Main Street.

NOW, THEREFORE, BE IT RESOLVED, the Council of the Borough of Matawan, approves the Agreement between the Borough and the Conti Group to transport the Wind turbine Assembly for the Bayshore Regional Sewerage Authority project Wind-to-Energy Project in Union Beach along Route 79 and Main Street and hereby authorizes the Mayor to execute said Agreement consistent with the terms set forth therein.

February 27, 2012

Mr. Robert Keady
C/O T&M Associates
11 Tindall Rd.
Middletown, NJ 07748

Subject: BRSA Wind Turbine Project-Transportation Agreement

Dear Mr. Keady,

Following below is a checklist previously provided to Conti, which details the Matawan requirements for the transport of the wind turbine components. By signing the bottom of this document, both Conti and the Borough of Matawan agree that these and only these requirements apply for the transport of the components. Conti requests a pre-transport approval letter from the Borough stating that Conti has met the requirements to transport the components as this is required by Monmouth County.

1. Record on digital video, the entire proposed delivery route through the Borough. Record the condition of the existing infrastructure (curb, sidewalk and pavement) prior to deliveries. Provide the Borough with a copy of the DVD and a written report. The contractor will be required to video inspect the entire route after delivery and provide the Borough a detailed report as to the condition. The governing body will require a representative of the Borough to accompany the contractor to note conditions during the video inspections. The Borough will require 15 days prior notification. The representative will review the videos to verify conditions.
2. Record on digital video, both pre and post transportation, all subsurface storm drains and sanitary sewer pipes along the proposed truck route. Provide a copy of the DVD and a written report of the existing conditions to

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the Borough. Conti requests that maps be provided by the Borough, if available, to assist with the digital video. Prior to performing the video inspection, contractor will verify the location of all subsurface facilities along the proposed truck route. All costs to be borne by the contractor. The governing body will require a representative of the Borough to accompany the contractor during the video inspections. The representative will review the videos to verify conditions.

3. *Provide a performance bond in the amount of \$250,000 to cover all costs for the replacement of any infrastructure that has the potential to be damaged as a result of the truck route. A maintenance bond in the amount of \$250,000 will be in place for a period of 2 years. These bonds shall make the Borough of Matawan the protected party with the right to secure payment for work performed by the Borough to repair damage incurred during these deliveries.*
4. *Contractor to post fees in escrow account to cover the cost for the time expended by all police, public works and Borough representatives and employees. The fees shall include all previous time spent by Borough employees and representatives of the Borough attending meetings and gathering information and any other tasks performed as a result of the transportation route. The initial posting shall be \$10,000. The contractor shall replenish the escrow if additional funds are required.*
5. *Provide an insurance certificate from each carrier naming the Borough, its employees and representatives as additional insured. The insurance should cover any claims by residents of damage to their homes as a result of vibration or any other claims as a result of the truck traffic.*
6. *Provide a detailed schedule of the delivery dates, times and duration. The schedule must be provided to the Borough 30 days prior to delivery and must be approved by the governing body.*
7. *Provide 30 day, 72 hour and 48 hour notice to all residents along the truck route. Provide a list of all residents and businesses being notified. The proposed notice letter must be submitted to the Borough 15 days prior to distribution.*
8. *All temporary parking restrictions will be coordinated with the Matawan Police Department.*
9. *Traffic control plans signed by the NJ licensed engineer must be submitted to the Matawan Police Department traffic officer for review and approval. The plan must be submitted 45 days prior to delivery. If there are different truck routes proposed, a separate plan will be required for each route. Matawan Police Department will require 4 officers for each delivery.*
10. *Copies of all NJDOT and County permits must be submitted to the Borough prior to delivery.*
11. *Deliveries are prohibited on weekends, Fridays and holidays.*
12. *All damages resulting from the transport of the equipment shall be repaired to an acceptable condition as reviewed and approved by the Borough.*

Should you have any questions, please feel free to contact me.

Sincerely,

*Michael Earls
Field Engineer
O-718.981.4218
C-732.484.9147*

Conti Representative

Borough of Matawan Representative

Name: _____

Name: _____

Title: _____

Title: _____

Signature: _____

Signature: _____

Date: _____

Date: _____

Clerk's Report

No report.

Mayor's Report

Mayor Buccellato stated he needed a confirmation from the Council for the "Parents of Special People", from May 21, 2012 to May 27, 2012, to have the same art exhibit as they had last year. On May 21st at 7:00 PM a proclamation will be presented to the group at the Board of Education Meeting. Council agreed.

Administrator's Report

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No report.

Attorney's Report

No report.

Engineer's Report

Mr. Keady gave an update on the rehab of the Water Plant.

Mr. Keady gave an update on the 2011 Road Program. Mayor Buccellato asked Mr. Keady to call the Contractor and have him sweep Rustic Lane. Mr. Keady stated he would continue to do that.

Daryl Kriska, 7 Wilson Avenue, he gave a copy of a letter from the Contractor to the residents. He stated every morning everyone would move their cars to accommodate the Contractor and the Contractor never showed up. He stated he had a Port-a-John on his lawn. They ran over all his reflectors and stones that he had in front of his house. Mayor Buccellato asked Mr. Keady why was there a Port-a-John on this man's front yard. Mayor Buccellato asked Mr. Kriska if he had given them permission to put the Port-a-John on his property. He stated he had not done so nor did anyone even asked permission. Mr. Keady stated he would check out Mr. Kriska's property. Mayor Buccellato stated that if it is on Mr. Kriska's property he wants it removed or have the Contractor at least ask Mr. Kriska's permission. Mr. Keady stated he would tell the Contractor to update his letters to the property owners if his schedule changes. Mr. Kriska asked why there were no curbs being installed. Mr. Keady stated he spoke to the Police Department who felt due to the narrowness of the roadway if curbs were to be installed it would be a safety hazard. Mr. Kriska stated that means just let the kids walk on the road so if they get hit their blood is on your hands. Mr. Keady stated he was not saying kids should be walking on roads. Mr. Kriska stated everyone else has curbs and sidewalks. Mr. Keady informed them of the scheduled paving. Mr. Keady stated if anyone has damage on any street from this project should like the Borough know immediately and they will add it to the Punch List for the Contractor.

Personnel, Redevelopment, Main Street, Construction, Community Affairs

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

Councilman Lopez stated he had not received the monthly report from the Fire Department.

Police, Railroad Parking, Library

No report.

Public Works, Water/Sewer, Property Maintenance

Councilman Urbano thanked Mr. Keady for bringing the Council and the residents up to date on the 2011 Road Program.

Councilman Urbano stated there is a sewer blockage on the Park Avenue Sewer line. B&W was brought in to clear the blockage. He should have more information tomorrow.

Councilman Urbano stated that he is forming an ADA Committee along with John Quinn, Construction Department and Rob Keady, Borough Engineer. They will keep the Borough up to date on our ADA requirements. He stated they would like to have a resident that is physical challenged to join them on the Committee. Councilman Urbano stated if anyone is interested please contact him. Mr. Menna asked that the list, once completed be forwarded to his office. The Borough is still in

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ligation. Mayor Buccellato suggested Councilman Urbano met with Mrs. Conte after tonight's meeting.

Recreation, Historic Sites, Technology

No report.

Finance, Sanitation/Recycling

No report.

Consent Agenda

Mayor Buccellato read by title Resolutions 12-04-20 through 12-04-29. Mayor Buccellato requested a motion to adopt en masse. Councilwoman Clifton made the motion, seconded by Councilman Lopez. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 12-04-20
REDEMPTION OF TAX SALE CERTIFICATE
WEN LU
CERTIFICATE #11-00006**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00006 which was sold to Wen Lu, 144-90 41st Ave., Apt. 515, Flushing, NY 11355; and

WHEREAS, Certificate #11-00006 has been paid and fully redeemed for the property owner, Block 7, Lot 6 otherwise known as 86 Main St.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,001.68 to the above for the redemption of Tax Sale Certificate #11-00006.

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

**RESOLUTION 12-04-21
REDEMPTION OF TAX SALE CERTIFICATE
WEN LU
CERTIFICATE #11-00018**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00018 which was sold to Wen Lu, 144-90 41st Avenue, Apt. 515, Flushing, NY 11355; and

WHEREAS, Certificate #11-00018 has been paid and fully redeemed for the property owner, Block 19, Lot 8 otherwise known as 109 Broad.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$993.30 and a Premium of \$400.00 to the above for the redemption of Tax Sale Certificate #11-00018.

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

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**RESOLUTION 12-04-22
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR PROCAPITAL I, LLC
CERTIFICATE #11-00088**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00088 which was sold to US Bank Cust. For Pro Capital, LLC, 50 S 16th St., Ste 1950, Philadelphia, PA 19102; and

WHEREAS, Certificate #11-00088 has been paid and fully redeemed for the property owner, Block 114, Lot 12 otherwise known as 6 Fierro Ave.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$2,008.82 and a premium of \$500.00 to the above for the redemption of Tax Sale Certificate #11-00088.

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

**RESOLUTION 12-04-23
REDEMPTION OF TAX SALE CERTIFICATE
MTAG SERVICES AS CUST FOR ATCF II NEW JERSEY, LLC
CERTIFICATE #11-00110**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00110 which was sold to MTAG Services as Cust for ATCF II New Jersey, LLC, PO Box 54292, New Orleans, LA 70154-4292; and

WHEREAS, Certificate #11-00110 has been paid and fully redeemed for the property owner, Block 123, Lot 59 otherwise known as 39 Poet Dr.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$12,070.98 and a Premium of \$7,500.00 to the above for the redemption of Tax Sale Certificate #11-00110.

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

**RESOLUTION 12-04-24
APPROVAL OF RAFFLE LICENSE
WOMAN'S CLUB OF MATAWAN
50/50 CASH
RL-612**

BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the raffle license for Woman's Club of Matawan Fundraiser.

<u>Name & Location of Organization's Event</u>	<u>Date & Time</u>
Woman's Club of Matawan	December 3, 2012
199 Jackson Street	12 Noon
Matawan, New Jersey 07747	

**RESOLUTION 12-04-25
APPROVAL OF SIDEWALK CAFÉ LICENSE RENEWAL
STEWART'S**

WHEREAS, Stewart's, (Restaurant/Cafe) has passed the required Police Department background checks; and

WHEREAS, on the condition that Stewart's, has received the required permits from the Construction Office, Fire Prevention Office and the Board of Health.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the following sidewalk café license:

*Business: Stewart's
347 Main Street
Matawan, New Jersey 07747*

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*Applicant: Augusto Fonseca
21 Scheurman Terrace
Warren, New Jersey 07059*

**RESOLUTION 12-04-26
APPROVAL OF SIDEWALK CAFÉ LICENSE RENEWAL
THE PIZZA POST, LLC DBA ESPOSITO'S PIZZA & PASTA**

WHEREAS, The Pizza Post, LLC DBA Esposito's Pizza & Pasta, (Restaurant/Cafe) has passed the required Police Department background checks; and

WHEREAS, on the condition that The Pizza Post, LLC DBA Esposito's Pizza & Pasta, has received the required permits from the Construction Office, Fire Prevention Office and the Board of Health.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the following sidewalk café license renewal:

*Business: The Pizza Post, LLC DBA Esposito's Pizza & Pasta
930 Route 34
Matawan, New Jersey 07747*

*Applicant: James Esposito
384 Dogwood Drive
Brick, New Jersey 08725*

**RESOLUTION 12-04-27
APPROVING TAXI DRIVER LICENSE
ARIF H. JAFFREY**

WHEREAS, Arif H. Jaffrey, has passed the required Police Department background checks; and

WHEREAS, Arif H. Jaffrey, has filed the proper documentation with the Borough Clerk's office.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the following Taxi Driver License:

*Applicant: Arif H. Jaffrey
22 Skytop Gardens, Apt. #15
Parlin, New Jersey 08859*

**RESOLUTION 12-04-28
APPROVING TAXI DRIVER LICENSE
JOSEPH M. NELAN**

WHEREAS, Joseph M. Nelan, has passed the required Police Department background checks; and

WHEREAS, Joseph M. Nelan, has filed the proper documentation with the Borough Clerk's office.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the following Taxi Driver License:

*Applicant: Joseph M. Nelan
19 Mathiasen Place
Matawan, New Jersey 07747*

**RESOLUTION 12-04-29
APPROVING TAXI DRIVER LICENSE
ROBERT SIWAKOWSKI**

WHEREAS, Robert Siwakowski, has passed the required Police Department background checks; and

WHEREAS, Robert Siwakowski, has filed the proper documentation with the Borough Clerk's office.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the following Taxi Driver License:

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*Applicant: Robert Siwakowski
39 Village Green Way
Hazlet, New Jersey 07730*

New Business

Mayor Buccellato read by title Resolution 12-04-31: Resolution Providing for the Form, Maturities and Other Details of Not to Exceed \$4,468,000 General Obligation Refunding Bonds of the Borough of Matawan, New Jersey and Providing for Their Sale. 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: Councilman Lopez
Councilwoman Angelini
Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-04-31
RESOLUTION PROVIDING FOR THE FORM, MATURITIES AND OTHER DETAILS OF NOT TO
EXCEED \$4,468,000 GENERAL OBLIGATION REFUNDING BONDS OF THE BOROUGH OF MATAWAN,
NEW JERSEY AND PROVIDING FOR THEIR SALE**

April 17, 2012

WHEREAS, the Borough Council of the Borough of Matawan, in the County of Monmouth, New Jersey (the "Borough"), has heretofore issued the following series of bonds: General Obligation Bonds, Series 2004, consisting of General Improvement Bonds, Series 2004 and Water/Sewer Improvement Bonds, Series 2004, 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 General Obligation Bonds, Series 2005, consisting of General Improvement Bonds, Series 2005 and Sewer Utility Bonds, Series 2005, 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

WHEREAS, the Borough desires redeem the Refunded Bonds on any date at a redemption price of 100% of the principal amount of the Refunded Bonds and has adopted a bond ordinance entitled "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," which authorized refunding bonds to be issued to refund the Refunded Bonds;

BE IT RESOLVED BY 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) that:

Section 1. There shall be issued bonds of the Borough in an amount not to exceed \$4,468,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 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."

Section 2. The bonds referred to in Section 1 hereof are sometimes hereinafter collectively referred to as the "Bonds." The Bonds may be issued in two series as "General Improvement Refunding Bonds, Series 2012" and "Water/Sewer Improvement Refunding Bonds, Series 2012". The Bonds of said issue (i) shall be dated the date of delivery of the Bonds, (ii) shall mature in the years 2012 through 2024, or such other years as may be determined by the Chief Financial Officer, (iii) shall bear interest at the interest rates per annum as determined by the Chief Financial Officer, (iv) shall be sold at such price or prices as determined by the Chief Financial Officer, and (v) may be subject to

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redemption prior to their stated maturities as determined by the Chief Financial Officer, as shall be set forth in the proposal for the purchase of the Bonds acceptance of which is authorized pursuant to Section 5 hereof. The Bonds shall be numbered one consecutively upward, and will be issued in fully registered form.

Section 3. The Bonds shall be payable as to interest at the corporate trust office of U.S. Bank, National Association, Morristown, New Jersey, payable on the May 15 and November 15 prior to each June 1 and December 1, commencing December 1, 2012, in an amount equal to the interest accruing to each such June 1 and December 1, and payable as to principal at the corporate trust office of U.S. Bank, National Association, payable on the fifteenth day of the month immediately preceding the due date therefor. Interest on the Bonds shall be calculated on the basis of a 360-day year or twelve 30-day calendar months.

The Bonds shall be subject to the parameters set forth as follows and otherwise consistent with the terms included in the application submitted by the Authority (as hereinafter defined) on behalf of the Borough to the Local Finance Board in the Department of Community Affairs, State of New Jersey (the "Local Finance Board") on February 21, 2012 (the "Application"): (i) the aggregate principal amount of the Bonds does not exceed \$4,468,000, (ii) the maturity structure or weighted average maturity for the Bonds is substantially similar to the structure submitted to the Local Finance Board in the Application, and (iii) all conditions described in the Application as submitted to the Local Finance Board for the sale of the Bonds are satisfied.

Section 4. The Bonds shall be signed by the Mayor or Deputy Mayor and the Borough Chief Financial Officer, by their manual or facsimile signatures, and the corporate seal of the Borough shall be affixed thereto, or imprinted or reproduced thereon and shall be attested by the manual or facsimile signature of the Clerk or Deputy Clerk of the Borough.

Section 5. The Bonds are hereby sold and awarded to the Monmouth County Improvement Authority (the "Authority") by an Authorized Officer at a price determined by the Authorized Officer pursuant to the terms of a Bond Purchase Agreement between the Borough and the Authority (the "Bond Purchase Agreement"). The Mayor and Deputy Mayor are hereby authorized on behalf of the Borough to execute the Bond Purchase Agreement by and between the Borough and the Monmouth County Improvement Authority and the Continuing Disclosure Agreement by and between the Borough and U.S. Bank, National Association.

Section 6. The Bonds and the registration provisions endorsed thereon shall be in substantially the following form:

No. 2012 __

**UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF MONMOUTH**

**BOROUGH OF MATAWAN
GENERAL IMPROVEMENT REFUNDING BOND, SERIES 2012
OR
WATER/SEWER IMPROVEMENT REFUNDING BOND, SERIES 2012**

DATE OF
ORIGINAL
ISSUE: May 16, 2012

BOROUGH OF MATAWAN in the County of Monmouth, New Jersey, hereby acknowledges itself indebted and for value received promises to pay to

**THE MONMOUTH COUNTY IMPROVEMENT
AUTHORITY (the "Authority")
c/o U.S. BANK, NATIONAL ASSOCIATION
(the "Trustee")**

the principal sums on the dates and in the amounts set forth on Schedule A attached hereto and made a part hereof and to pay interest on such sum from the DATE OF ORIGINAL ISSUE of this bond until payment in full at the interest rates per annum and in the amounts shown on Schedule A attached hereto and made a part hereof. Interest is payable to the Authority at the corporate trust office of the Trustee on the May 15 and November 15 prior to each June 1 and December 1, commencing December 1, 2012, in an amount equal to the interest accruing to each such June 1 and December 1. This bond as to principal will be payable on the fifteenth day of the month immediately preceding the due date therefor at the corporate trust office of the Trustee. Amounts not paid when due hereunder shall bear interest at the Late Payment Rate until paid. This bond shall be prepayable as set forth in Section 1303 of the bond resolution adopted by the Authority on March 15, 2012 (as the same may be supplemented and amended, the "Bond Resolution").

Both principal of and interest on this bond is payable in lawful money of the United States of America and in

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immediately available funds.

As used herein, "Business Day" shall mean any day that is not a Saturday, a Sunday or a legal holiday in the State of New Jersey or the State of New York or a day on which the Trustee is legally authorized to close. "Late Payment Rate" shall mean a rate per annum equal to the lower of (i) the greater of (a) three percent above the interest rate that JPMorgan Chase publicly announces from time to time as its prime lending rate, such interest rate to change on the effective date of each announced change in such rate and (b) the rate then payable on this bond, and (ii) the maximum interest rate allowed by law.

The Bonds are subject to redemption prior to their stated maturities.

This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law of New Jersey, and is one of the Bonds referred to in a resolution of the Borough of Matawan adopted on April 17, 2012 and entitled "Resolution Providing For The Form, Maturities And Other Details Of Not To Exceed \$4,468,000 General Obligation Refunding Bonds Of The Borough Of Matawan, New Jersey And Providing For Their Sale," and the bond ordinance referred to therein, in all respects duly approved and published as required by law.

The full faith and credit of the Borough of Matawan are hereby irrevocably pledged for the punctual payment of the principal of and the interest on, and all other amounts due under, this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the Borough of Matawan, is within every debt and other limit prescribed by such Constitution or statutes.

The Borough of Matawan agrees to pay (i) all costs and expenses (including legal fees) in connection with the administration and enforcement of this bond and (ii) its share of the amounts payable pursuant to Section 9(vi)(B) of the Bond Purchase Agreement between the Borough of Matawan and the Authority.

IN WITNESS WHEREOF, the **BOROUGH OF MATAWAN**, in the County of Monmouth, New Jersey has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor or Deputy Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its Borough Clerk, and this bond to be dated the DATE OF ORIGINAL ISSUE as specified above.

BOROUGH OF MATAWAN

By: _____
Paul Buccellato, Mayor

ATTEST:

Jean B. Montfort, Clerk

By: _____
Monica Antista, Chief Financial Officer

(Assignment Provision on Back of Bond)

ASSIGNMENT

FOR VALUE RECEIVED _____ hereby sells, assigns and transfers unto _____ (Please Print or Type Name and Address of Assignee) the within bond and irrevocably appoints _____ as Attorney to transfer this bond on the registration books of the _____ with full power of substitution and revocation.

NOTICE

The signature of this assignment must correspond with the name as it appears on the face of the within bond in every particular.

Dated:
Signature of Guarantee:

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Schedule of Principal and Interest Payments

Section 7. The Borough Chief Financial Officer is hereby authorized and directed (a) to cause a copy of the written opinion with respect to the Bonds which is to be rendered by the firm of Gibbons P.C. (complete except for omission of its date) to be printed or referred to on the Bonds, and at the time of the original delivery of payment for the Bonds and when such written opinion is rendered, to cause the Borough Clerk to certify to the truth and correctness of such copy of opinion by executing on each of said Bonds, by manual or facsimile signature, a certificate subjoined to each such copy, and to file a signed duplicate of such written opinion in such Clerk's office and at each place at which the Bonds are payable, (b) to cause the applicable CUSIP number (if any) assigned for each of said Bonds by the CUSIP Service Bureau of Standard & Poor's Corporation of New York, New York, to be printed on each of the Bonds, and (c) to cause, in the event that the Bonds shall qualify for issuance of any policy of municipal bond insurance at the option of the purchaser thereof, such legend or reference (if any) of such insurance to be printed (at the expense of such purchaser) on the Bonds.

Section 8. Upon the date of issue of the Bonds, being the date of delivery of the Bonds to the Authority and the payment of the purchase price thereof in accordance with the Bond Purchase Agreement, the Borough Chief Financial Officer is hereby authorized and directed as of said date of issue, to execute and deliver to said purchaser (a) an arbitrage certification with respect to the Bonds under and for the purpose of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and (b) an accompanying opinion of Gibbons P.C. as of said date of issue with respect to said arbitrage certification for the purposes of said Section 148.

Section 9. The proceeds of the Bonds shall be applied to refund the outstanding Refunded Bonds and pay for the costs of issuance associated with the Bonds.

Section 10. The Mayor or Deputy Mayor and Borough Chief Financial Officer are hereby authorized and directed, as is the Borough Clerk, to execute all documents and certificates, necessary for the sale and delivery of said Bonds in order to effectuate the refunding of the outstanding amount of the Refunded Bonds.

Section 11. This resolution shall take effect immediately.

AYES:
NAYS:
ABSTAIN:
ABSENT:

Mayor Buccellato read by title Resolution 12-04-32: A Resolution to Fix and Determine the 2012 Salaries and Wages of Officers, Management, Supervisory Personnel and General Employees not Represented by an Organized Bargaining Unit and Employed by the Borough of Matawan, Monmouth County, New Jersey. Mayor Buccellato requested a motion. Councilman Urbano made the motion, seconded by Councilman Fitzsimmons. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

RESOLUTION 12-04-32

A RESOLUTION TO FIX AND DETERMINE THE 2012 SALARIES AND WAGES OF OFFICERS, MANAGEMENT, SUPERVISORY PERSONNEL AND GENERAL EMPLOYEES NOT REPRESENTED BY AN ORGANIZED BARGAINING UNIT AND EMPLOYED BY THE BOROUGH OF MATAWAN, MONMOUTH COUNTY, NEW JERSEY

WHEREAS, the range of the annual salaries or compensations are provided in the Borough of Matawan Ordinance 07-41 adopted November 20, 2007 amended and supplemented by Ordinance 08-08 adopted October 6, 2008, Ordinance 08-17 adopted December 2, 2008, Ordinance 09-21 adopted December 1, 2009, Ordinance 10-01 adopted March 16, 2010, and Ordinance 11-12-30 adopted December 19, 2011; and

WHEREAS, the following resolution sets the individual salaries and wages for 2012 retroactive to January 1,

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2012; and

WHEREAS, funds for this purposes are available in the 2012 Budget and the Chief Financial Officer as so certified in writing.

NOW, THEREFORE BE IT RESOLVED that the 2012 Salaries and Wage for the Borough of Matawan Employees not represented by an organized bargaining unit be and are hereby set as follows:

<u>TITLE</u>	<u>EMPLOYEE</u>	<u>2012 SALARY July 1, 2011 - December 31, 2011</u>
Administration/Finance		
Mayor		\$3,824.07
Council		\$3,206.35
Borough Clerk	J. Montfort	\$51,597.05
Deputy Borough Clerk	K. Wynne	\$28,294.62
Election Clerk	J. Montfort	\$2,478.07
Deputy Election Clerk	K. Wynne	\$371.71
Administrator's Assistant	G. Rainforth	\$33,870.67
Systems Coordinator	G. Rainforth	\$6,381.00
Treasurer/CFO	M. Antista	\$75,468.11
Supervisor Payroll	M. Bodino	\$51,597.05
P/T Bookkeeper	N. Palermo	\$18.50 per Hour
P/T Tax Collector	P. Warren	\$46.69 per Hour
Deputy Tax Collector	K. Fitzgerald	\$34,157.98
Tax Assessor	E. Zanetti	\$22,640.43
Revenue Collector/Assessing Clerk	M. Mc Murray	\$28,294.62
Registrar V/S	K. Fitzgerald	\$3,177.38
Dep. Registrar V/S	G. Rainforth	\$1,059.13
Recreation Director	D. Ring	\$12,240.00
Construction/Fire Prevention/Property Maintenance		
Construction Official/Zoning/Bldg.	J. Quinn	\$40,254.52
Technical Assistant	L Kramer	\$44,743.01
Electric Sub Code	N. Fabiano	\$7,542.00
Electric Inspector	N. Fabiano	\$7,154.28
Fire Sub Code	J. Borden	\$7,542.00
Fire Inspector	J. Borden	\$7,542.00
Plumbing Sub Code	R. Nelson	\$8,624.00
Property Maintenance Officer	R. Bittle	\$12,000.00
Fire Prevention Officer	G. Turner	\$30,600.00
Clerk/Typist-Construction/Zoning/Fire	A. McCarty	\$28,294.62
Department Public Works		
Superintendent	J. Applegate	\$96,136.38
Asst. H20/Sewer	J. Jorgensen	\$16.64 per Hour
Recycling Coordinator	R. Strang	\$3,071.46
Licensed Waste Water	Dougherty	\$3,000.00
Police		
Police Secretary		
Records Clerk	J. Salvatore	\$38,088.90
Crossing Guards		\$8,605.21
Substitute Crossing Guards		\$23.40 per Crossing
P/T Railroad Parking Officer	J. Hourihan	\$18.90 per Hour
Court		
Court Administrator	P. Sickels	\$51,597.05
Deputy Court Administrator	M. Scalzo	\$27,206.36
Magistrate	J. Colannino	\$25,000.00

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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 Various Department's Budget (Salary & Wages) of the Borough of Matawan.

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: April 17, 2012

Mayor Buccellato read by title Resolution 12-04-33: Unified Planning & Zoning Board of Adjustments of the Borough of Matawan – Recommendation of Compensation Increase for Recording Secretary. Mayor Buccellato requested a motion. Councilman Lopez made the motion, seconded by Councilwoman Angelini. Mayor Buccellato stated that when the Council discussed this was this to be retroactive or from April 1, 2012. The Council agreed it was not retroactive and would be effective April 1, 2012. Mayor Buccellato state on the fourth papagraph instead on January 1st it will be changed to April 1, 2012. Mayor Buccellato requested an amended motion. Councilman Lopez made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

***RESOLUTION 12-04-33
APPROVAL OF UNIFIED PLANNING & ZONING BOARD OF THE ADJUSTMENTS OF THE BOROUGH
OF MATAWAN
RECOMMENDATION OF COMPENSATION INCREASE FOR
RECORDING SECRETARY***

WHEREAS, the Unified Planning & Zoning Board of Adjustments (“Board”) of the Borough of Matawan is a public body corporate and politic of the State of New Jersey with offices at 201 Broad Street, Matawan, New Jersey; and

WHEREAS, the Municipal Land Use Law (NJSA 40:55D-1 et seq.) empowers the Board of Adjustments to designate and arrange for such staff as it shall deem necessary and appropriate; and

WHEREAS, the Board requires an individual to serve as recording secretary for the Board, and to perform the functions of such position; and

WHEREAS, Karen Wynne is capable of performing the services of recording secretary for the Board and having accepted this position, the Board appointed Karen Wynne to such position for the calendar year 2012 effective April 1, 2012, with a term expiring December 31, 2012.

WHEREAS, it is the recommendation of the Unified Planning & Zoning Board of Adjustments to increase the compensation of its Recording Secretary to be commensurate with the requirements of the position from One Hundred Dollars and No Cents (\$100.00) per meeting to Two Hundred Dollars and No Cents (\$200.00) per meeting.

NOW, THEREFORE, BE IT FURTHER RESOLVED the Council of the Borough of Matawan hereby agrees with the compensation recommendation of the Unified Planning & Zoning Board of Adjustments from One Hundred Dollars and No Cents (\$100.00) to Two Hundred Dollars and No Cents (\$200.00) per meeting to the position of its

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Recording Secretary to the Board for the calendar year 2012 effective January 1, 2012, with a term expiring December 31, 2012, at a compensation rate of Two Hundred Dollars and No Cents (\$200.00) per meeting.

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 2-01-21-180-180 Budget of the Borough of Matawan to Karen Wynne as the Unified Planning & Zoning Board of Adjustments of the Borough of Matawan Recording Secretary from One Hundred Dollars and No Cents (\$100.00) to Two Hundred Dollars and No Cents (\$200.00) per meeting.

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: April 17, 2012

Mayor Buccellato read by title Resolution 12-04-34: Authorizing the Reclassification of James Archibald as a Full-Time Field Technician with the Borough of Matawan – Department of Public Works. 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: Councilman Lopez
Councilwoman Angelini
Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-04-34
AUTHORIZING THE RECLASSIFICATION OF JAMES ARCHIBALD
AS A FULL-TIME FIELD TECHNICIAN WITH THE
BOROUGH OF MATAWAN DEPARTMENT OF PUBLIC WORKS**

WHEREAS, *James Archibald has completed the required ninety day probationary period as required by the International Brotherhood of Electrical Workers (IBEW) Local 400 contract (Article 6 – Introductory Period, Section 1. New Employees); and*

WHEREAS, *John Applegate, the Superintendent of Public Works, has reviewed Mr. Archibald's performance and has recommended that Mr. Archibald be reclassified as a Permanent Employee of the Borough of Matawan's Department of Public Works.*

NOW, THEREFORE, BE IT RESOLVED *by the Council of the Borough of Matawan authorizes the reclassification of James Archibald as a Permanent Employee, effective May 1, 2012.*

Mayor Buccellato read by title Resolution 12-04-35: Authorizing the Reclassification of Ed Ramirez as a Full-Time Field Technician with the Borough of Matawan – Department of Public Works. 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: Councilman Lopez
Councilwoman Angelini
Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

Motion passed.

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**RESOLUTION 12-04-35
AUTHORIZING THE RECLASSIFICATION OF ED RAMIREZ
AS A FULL-TIME FIELD TECHNICIAN WITH THE
BOROUGH OF MATAWAN DEPARTMENT OF PUBLIC WORKS**

WHEREAS, *Ed Ramirez has completed the required ninety day probationary period as required by the International Brotherhood of Electrical Workers (IBEW) Local 400 contract (Article 6 – Introductory Period, Section 1. New Employees); and*

WHEREAS, *John Applegate, the Superintendent of Public Works, has reviewed Mr. Ramirez’ performance and has recommended that Mr. Ramirez be reclassified as a Permanent Employee of the Borough of Matawan’s Department of Public Works.*

NOW, THEREFORE, BE IT RESOLVED *by the Council of the Borough of Matawan authorizes the reclassification of Ed Ramirez as a Permanent Employee, effective May 1, 2012.*

Mayor Buccellato read by title Resolution 12-04-36: Authorizing the Extension of Robert Gamble’s Probationary Period as a Full-Time Field Technician with the Borough of Matawan – Department of Public Works. Mayor Buccellato requested a motion. Councilman Urbano made the motion, seconded by Councilman Lopez. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilman Lopez
Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

Abstain: Councilwoman Angelini

Motion passed.

**RESOLUTION 12-04-36
AUTHORIZING THE EXTENSION OF ROBERT GAMBLE’S PROBATIONARY PERIOD
AS A FULL-TIME FIELD TECHNICIAN WITH THE
BOROUGH OF MATAWAN DEPARTMENT OF PUBLIC WORKS**

WHEREAS, *Robert Gamble was hired as an employee of the Borough of Matawan Public Works Department effective January 15, 2012; and,*

WHEREAS, *Article 6 Section 1 of the current IBEW 400 Contract provides for each new employee to serve an introductory period of ninety (90) calendar days; and,*

WHEREAS, *Mr. Gamble has not obtained his CDL as required for the position he was hired for, his Supervisor and the Administrator the Personnel Committee have met and agreed to recommend that he be given a thirty (30) day extension of this introductory period in order to obtain the required license.*

NOW, THEREFORE, BE IT RESOLVED *that the Borough Council of the Borough of Matawan does hereby authorize an extension of the ninety (90) day introductory period for an additional thirty (30) days during which he must obtain the CDL required to perform the duties of an employee of the Borough of Matawan Public Works Department.*

BE IT FURTHER RESOLVED *a certified copy of this resolution be forwarded to the Supervisor or Public Works, Chief Financial Officer, Employee and Personnel.*

Mayor Buccellato read by title Resolution 12-04-37: Amending Resolution 11-06-28 – Approving Extended Sick Leave – Request for Ptl. Joseph Dzwil. 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: Councilman Lopez
Councilwoman Angelini
Councilwoman Urbano

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Councilwoman Clifton
Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-04-37
AMENDING RESOLUTION 11-06-28
APPROVING EXTENDED SICK LEAVE
REQUEST FOR PTL. JOSEPH DZWIL**

WHEREAS, Joseph Dzwil, Patrolman for the Police Department for the Borough of Matawan; and,

WHEREAS, according to the Code for the Borough of Matawan, Chapter 9-4.5,a2 Extended Leave If the employee has served for more than ten years, he shall be entitled to a leave of absence with full pay for twenty-six (26) weeks, plus an additional thirteen (13) weeks at half pay; and,

WHEREAS, Joseph Dzwil was hired as a Police Officer (full time) effective January 18, 1989; and

WHEREAS, Joseph Dzwil works a twelve hour shift; and

WHEREAS, on May 25, 2011, Joseph Dzwil formally requested that Mayor and Council approve a request for extended sick leave pursuant to the provisions of the Code of the Borough of Matawan; and

WHEREAS, the Borough has reviewed the extended sick leave request, and conferred with its medical professionals as well as the Employees' medical professional and the Business Administrator; and

WHEREAS, it is in the best interest of the Borough of Matawan and the employee to approve the extended sick leave request upon a certification submitted by the employee; and,

WHEREAS, the employee has requested a leave based upon the Code for the Borough of Matawan, Chapter 9-4.5 Extended Leave; and,

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Matawan that the employee's extended sick leave request is granted pursuant to the Code for the Borough of Matawan, Chapter 9-4.5 Extended Leave, and said request for a leave with full pay for twenty-six (26) weeks is herewith granted subject to an additional thirteen (13) weeks of leave of absence at 1/2 pay pursuant to the Code for the Borough of Matawan, Chapter 9-4.5,a2 Extended Leave, since the employee has more than ten (10) years of service with the Borough of Matawan;

BE IT FURTHER RESOLVED that the period for the leave commences on May 21, 2012, which date is 240 hours after the exhaustion of the 30 days of sick leave permitted under the contract.

Mayor Buccellato read by title Resolution 12-04-38: Amending Resolution 11-10-16: Approving Extended Sick Leave – Request for Officer Christopher Stark. Mayor Buccellato requested a motion. Councilwoman Angelini made the motion, seconded by Councilman Lopez. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 12-04-38
AMENDING RESOLUTION 11-10-16
APPROVING EXTENDED SICK LEAVE
REQUEST FOR OFFICER CHRISTOPHER STARK**

WHEREAS, Christopher Stark, is a Patrolman employed by the Borough of Matawan Police Department; and,

WHEREAS, according to the Agreement between Borough of Matawan and Matawan Policemen's Benevolent Association – PBA Local 179 – January 1, 2009 through December 31, 2010 bargaining agreement:

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K. *Extended Leave - Page 34*

- a. *After using thirty (30) days of sick leave, any bargaining unit member who shall be injured, ill or disabled from any cause not connected with his service as an employee so as to become physically unfit for work, shall be entitled to a leave of absence with pay, provided that said leave of absence is authorized by resolution of the Borough Council and in accordance with the following schedule:*

WHEREAS, Christopher Stark was hired as a Patrolman for the Borough of Matawan effective September 15, 1998; and

WHEREAS, Christopher Stark works a twelve hour shift; and

WHEREAS, on September 8, 2011 Lt. Ben J. Smith formally requested that Mayor and Council approve a request for extended sick leave pursuant to the provisions of the Agreement between Borough of Matawan and Matawan Policemen's Benevolent Association – PBA Local 179 – January 1, 2009 through December 31, 2010 bargaining agreement for Christopher Stark; and

WHEREAS, as of August 15, 2011, Christopher Stark has fulfilled his requirement for extended sick leave by utilizing a total of 360 sick hours as required under the terms of the bargaining unit contract; and

WHEREAS, the Borough has reviewed the extended sick leave request, and received documentation from the Employees' medical professional and Lt. Ben J. Smith; and,

WHEREAS, it is in the best interest of the Borough of Matawan and the employee to approve the extended sick leave request upon a certification submitted by the employee; and,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that the employee's extended sick leave request is granted pursuant to the Agreement between Borough of Matawan and Matawan Policemen's Benevolent Association – PBA Local 179 – January 1, 2009 through December 31, 2010 bargaining agreement.

BE IT FURTHER RESOLVED that the period for the leave commences 30 days after the exhaustion of the 30 days of sick leave permitted under the Agreement between Borough of Matawan and Matawan Policemen's Benevolent Association – PBA Local 179 – January 1, 2009 through December 31, 2010 bargaining agreement.

Mayor Buccellato read by title Resolution 12-04-39: Resolution Authorizing the Sale of Certain Land and Property to Owners of Real Property Contiguous to Real Property Being Sold by the Borough of Matawan – Annmar Drive – Block 113.01, Lot 10. Mayor Buccellato requested a motion. Councilman Lopez made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 12-04-39
RESOLUTION AUTHORIZING THE SALE OF
CERTAIN LAND AND PROPERTY TO OWNERS OF REAL PROPERTY CONTIGUOUS TO REAL PROPERTY
BEING SOLD
BY THE BOROUGH OF MATAWAN
ANNMAR DRIVE – BLOCK 113.01, LOT 10**

WHEREAS, the Borough of Matawan is the owner of certain lands within the Borough of Matawan Block 113.01 Lot 10, Annmar Drive; and

WHEREAS, the Borough Council of the Borough of Matawan does hereby determine that the land set forth in Schedule A is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement; and

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WHEREAS, the Borough of Matawan desires to make available for sale to the owners of contiguous land said lands in accordance with N.J.S.A. 40A:12-13(b) (5).

WHEREAS, there is more than one owner with real property contiguous thereto, said property shall be sold to the highest bidder from among all such owners; and

WHEREAS, such sale shall be for not less than the fair market value; and

WHEREAS, Eric Zanetti, Tax Assessor, has determined the fair market value to be Five Thousand Dollars (\$5,000.00).

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Matawan, in the County of Monmouth, State of New Jersey, as follows:

SECTION 1. The Borough Council hereby declares that the land set forth in Schedule A less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement and should be sold in accordance with the appropriate statutes of the State of New Jersey and ordinances of the Borough of Matawan.

SECTION 2. The Borough Council of the Borough of Matawan hereby authorizes desires to offer for sale to the highest bidder by contiguous property owners at by sealed bid, the property described in Schedule A attached hereto and made a part hereof.

SECTION 3. All sealed bids should be received by the Borough Clerk on or about April 26, 2012 by 4:00 PM.

SECTION 4. The successful bidder shall submit a personal check or money order for the balance of the deposit of 10% of the total cost and shall execute an Agreement of Sale. Said Agreement of Sale shall be binding upon the high bidder until such time that the municipal council either 1) does not accept the bid in which case bidders deposit will be returned, or, 2) accepts the bid whereupon the municipality shall execute the Agreement of Sale and both parties shall be held bound by the terms and conditions contained therein. The balance of the purchase price shall be paid at closing which shall occur not later than 60 days following the acceptance of the bid by the Borough. The purchaser shall be entitled to possession immediately following closing of title.

SECTION 5. In the event the Borough of Matawan is unable to convey clear and marketable title, insurable at regular rates by a title insurance company licensed to do business in the State of New Jersey, the Borough will forthwith return to the purchaser any and all deposit moneys previously submitted by the purchaser, and neither party shall have any further rights against the other. The acceptance of a deed by the purchaser from the Borough shall extinguish any claims that said purchaser may have against the Borough of Matawan in connection with the quality of title conveyed.

SECTION 6. The property herein sold is subject to existing encumbrances, liens, easements, zoning ordinances, other restrictions of record, such facts as an accurate survey would reveal and any present or future assessments for the construction of improvements benefiting said property. The Borough makes no representations as to the presence or absence of wetlands or any other environmental conditions on the property and the purchaser assumes the risk of any such condition, all property being sold "as is."

SECTION 7. All conveyances by the Borough shall be made by Bargain and Sale Deed with Covenants against Grantor's Acts.

SECTION 8. The Borough reserves the right to waive any and all defects and informalities in any bid and to accept or reject any and all bids at the public sale and to not award to the highest bidder. No bid shall be considered finally accepted until passage of a resolution by the Borough Council.

SECTION 9. Acceptable bids shall be confirmed by resolution of the Borough Council no later than the first regular meeting of the Borough Council following the date of such sale.

SECTION 10. In the event the successful bidder fails to close on the property, he shall forfeit the ten percent (10%) deposit.

SECTION 11. This resolution shall take effect immediately.

SCHEDULE A

	<u>Block</u>	<u>Lot</u>	<u>Acreage</u>	<u>Zone</u>	<u>Location</u>
A Portion of Note:	113.01	10	.2732	R-75	Annmar Drive

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Mayor Buccellato read by title Resolution 12-04-40: Authorizing Robert Brady to Sign on Behalf of the Borough of Matawan Recycling Reports. Mayor Buccellato requested a motion. Councilman Lopez made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 12-04-40
AUTHORIZING ROBERT BRADY TO SIGN ON BEHALF OF THE BOROUGH OF MATAWAN
RECYCLING REPORTS**

WHEREAS, the New Jersey's Recycling Enhancement Act (REA) requires that reports or other recycling related documents be signed/certified by a Certified Recycling Professional (CRP)

WHEREAS, Robert Brady has completed all necessary certifications and is a Certified Recycling Professional; and

WHEREAS, the Borough of Matawan wishes to comply with the New Jersey's Recycling Enhancement Act (REA); and

WHEREAS, Robert Brady has agreed to accept the responsibilities of the Borough of Matawan's Certified Recycling Professional (CRP) in an amount not to exceed Five Hundred Dollars (\$500.00).

NOW, THEREFORE, BE IT RESOLVED, the Council of the Borough of Matawan, appoints Robert Brady as the Borough of Matawan's Certified Recycling Professional (CRP) in an amount not to exceed Five Hundred Dollars (\$500.00).

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 2-01-26-305-200 Budget of the Borough of Matawan to Robert Brady as Certified Recycling Professional (CRP) for the Borough of Matawan in an amount not to exceed Five Hundred Dollars (\$500.00).

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: April 17, 2012

Mayor Buccellato read by title Resolution 12-04-41: Resolution Authorizing an Agreement with the Monmouth County Mosquito Extermination Commission. 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: Councilman Lopez
Councilwoman Angelini
Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

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Motion passed.

**RESOLUTION 12-04-41
RESOLUTION AUTHORIZING AN AGREEMENT WITH THE MONMOUTH COUNTY MOSQUITO
EXTERMINATION COMMISSION**

WHEREAS, the Monmouth County Mosquito Extermination Commission requesting permission to resume their annual aerial surveillance and treatment program in the Borough of Matawan ; and

WHEREAS, the Mayor and Council of the Borough of Matawan is desirous of this service for the residents of the Borough of Matawan; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Matawan does hereby authorize the Monmouth County Mosquito Extermination Commission to apply pesticides as per the attached agreement.

BE IT FURTHER RESOLVED, the Council of the Borough of Matawan resolves that Paul Buccellato or the successor to the office of Mayor is hereby authorized as signatory on behalf on the Borough of Matawan to sign said document.

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 their corporate seal affixed hereto.

Agreement

The Governing Body of the Borough of Matawan in the County of Monmouth, State of New Jersey, a municipal corporation, does hereby authorize the Monmouth County Mosquito Extermination Commission to apply pesticides from aircraft to control mosquitoes over portions of the Borough of Matawan.

We understand that all pesticides used are registered with the NJDEP for aerial application by the State and the USEPA.

It is further understood that the areas being treated are only those found to have a significantly high mosquito population and may present either a public health nuisance or disease factor.

This approval is subject to the Monmouth County Mosquito Extermination Commission notifying the local police department prior to each and every application.

(Signature on File)

Honorable Paul Buccellato, Mayor

I, Jean B. Montfort, Municipal Clerk of the Borough of Matawan, do hereby attest that the foregoing authorization was adopted at a regular meeting of the Governing Body of the Borough of Matawan held on April 17, 2012.

(Signature on File)

*Jean B. Montfort, RMC
Municipal Clerk*

Mayor Buccellato read by title Resolution 12-04-42: Authorizing a State Contract Purchase for the Public Works Department – Trucks. 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: Councilman Lopez
Councilwoman Angelini
Councilwoman Urbano
Councilman Fitzsimmons

Abstain: Councilwoman Clifton

Motion passed.

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**RESOLUTION 12-04-42
AUTHORIZING A STATE CONTRACT PURCHASE FOR THE PUBLIC WORKS
DEPARTMENT - TRUCKS**

WHEREAS, there is a need for a utility truck for use by the Borough of Matawan Department of Public Works; and

WHEREAS, the Borough of Matawan Council has authorized the purchase of this vehicle with the adoption of Ordinance 09-13; and

WHEREAS, John Applegate, Public Works Superintendent, has found pricing and availability for a 2012 Ford F350 4WD Regular Cab vehicle with Utility Body and Lighting as needed under New Jersey State Contract A78848; and

WHEREAS, the Chief Financial Officer has reviewed the findings of the Public Works Superintendent; and

WHEREAS, it is the recommendation of the Chief Financial Officer and Public Works Superintendent that this vehicle be purchased from Warnock Fleet & Leasing, 175 Route 10, East Hanover, NJ 07936, under state contract for an amount not to exceed Forty Thousand, Two Hundred Three Dollars and Sixty Cents (\$40,203.60); and

WHEREAS, Monica Antista, CFO/Treasurer has certified that funds are available for this purchase.

***NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Matawan that Monica Antista, Chief Financial Officer, is hereby authorized to purchase a 2012 Ford F350 4WD Regular Cab vehicle with Utility Body and Lighting from Warnock Fleet & Leasing under New Jersey State Contract A78848 for an amount not to exceed Forty Thousand, Two Hundred Three Dollars and Sixty Cents (\$40,203.60).*

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 C-04-NB-900-165 Budget of the Borough of Matawan to Warnock Fleet & Leasing for the purchase of a 2012 Ford F350 4WD Regular Cab vehicle with Utility Body and Lighting in an amount not to exceed Forty Thousand, Two Hundred Three Dollars and Sixty Cents (\$40,203.60).

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: April 17, 2012

2012 Ford F-350 4WD Reg Cab SRW 137" XL

CONTRACT #A78848

- | | |
|---|--|
| <i>6.2L SOHC 16-valve EFI NA V8 flex-fuel engine</i> | <i>AM/FM stereo-inc: clock, (2) speakers</i> |
| <i>TorqShift 6-speed manual transmission</i> | <i>HD vinyl 40/20/40 split bench front seat</i> |
| <i>3.73 axle ratio</i> | <i>Driver manual lumbar support</i> |
| <i>Stationary elevated engine idle control (SEIC)</i> | <i>Black vinyl full-floor covering</i> |
| <i>Manual transfer case & hubs</i> | <i>Color-keyed scuff plates</i> |
| <i>4-wheel drive</i> | <i>Removable locking tailgate w/black handle</i> |
| <i>72 amp/hr (650 CCA) battery</i> | <i>Multifunction switch message center</i> |
| <i>155-amp HD alternator</i> | <i>SecuriLock anti-theft ignition</i> |
| <i>Trailer tow pkg-inc: 7-wire harness w/relays,</i> | <i>3-blink lane change signal</i> |
| <i>12.5K trailer hitch receiver-inc: 2" hitch</i> | <i>(4) air registers w/positive shut-off</i> |
| <i>8' pickup box</i> | <i>(2) aux pwr outlets in instrument panel</i> |
| <i>(2) front tow hooks</i> | <i>Dash-top tray</i> |
| <i>Mono-beam front axle w/coil spring suspension</i> | <i>Glove box</i> |
| <i>HD gas shock absorbers</i> | <i>Instrument panel mounted storage bin & trash bag hook</i> |
| <i>Front stabilizer bar</i> | <i>Color-keyed molded door trim panel</i> |

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<p><i>Pwr steering w/steering damper</i></p> <p><i>Pwr 4-wheel disc brakes w/vacuum boost</i></p> <p><i>2-ton mechanical jack</i></p> <p><i>(5) LT245/75R17E all-season BSW tires</i></p> <p><i>(4) 17" argent painted steel wheels</i></p> <p><i>Full-size spare tire w/lock & carrier</i></p> <p><i>Black painted steel front bumper</i></p> <p><i>Black painted rear bumper</i></p> <p><i>Front fender vents</i></p> <p><i>Box-rail & tailgate top-edge moldings</i></p> <p><i>Black molded-in-color grille</i></p> <p><i>Dual beam halogen headlamps</i></p> <p><i>Pickup box/cargo lights</i></p> <p><i>Underhood service light</i></p> <p><i>Manual telescoping trailer tow mirrors</i></p> <p><i>Solar tinted glass</i></p> <p><i>Interval windshield wipers</i></p> <p><i>Front/rear license plate brackets</i></p> <p><i>Black door handles</i></p>	<p><i>Color-keyed cloth headliner</i></p> <p><i>Front passenger-side roof ride handle</i></p> <p><i>Driver & passenger grab handles</i></p> <p><i>Dual color-keyed vinyl sunvisors</i></p> <p><i>Door operated dome lamp w/time delay off & IP switch</i></p> <p><i>Map lamps</i></p> <p><i>Dual color-keyed coat hooks</i></p> <p><i>4-wheel anti-lock braking system (ABS)</i></p> <p><i>AdvanceTrac w/roll stability control (RSC)</i></p> <p><i>Hill assist control</i></p> <p><i>Trailer sway control</i></p> <p><i>Driver & front passenger airbags</i></p> <p><i>Driver & front passenger side air bag</i></p> <p><i>SOS post crash alert system</i></p> <p><i>Color-keyed safety belts w/height adjustable D-rings</i></p> <p><i>Front center seat integrated restraints (SIR)</i></p> <p><i>BeltMinder seatbelt-not-buckled chime</i></p> <p><i>Child seat tethers on passenger seat</i></p> <p><i>Tire pressure monitoring system</i></p>
	<p><i>Base Price</i> \$ 21,655.60</p>

F350 Options

<i>Torqshift 6-Speed Automatic Transmission w/ OD</i>	\$	1,490.00
<i>3.73 Axle Ratio w/Electronic Locking Rear Axle</i>	\$	390.00
<i>(4) LT245/75R17E All-Season BSW Tires w/ Spare duell wheel</i>	\$	350.00
<i>Power Equipment Group</i>	\$	1,701.00
<i>10,000 GVW</i>	\$	850.00
<i>Snow Plow Prep Package</i>	\$	250.00
<i>Skid Plate Package</i>	\$	85.00
<i>Roof Clearance Lights</i>	\$	100.00
<i>Tilt Steering Wheel</i>	\$	130.00
<i>Trailer Plug Installed</i>	\$	150.00
<i>Meyers 8' Plow</i>	\$	185.00
<i>Timberance in Front</i>	\$	4,695.00
<i>Back Up Alarm</i>	\$	425.00
<i>Rust Proof and Undercoat</i>	\$	175.00
<i>Dome Light</i>	\$	390.00
<i>Stirrup Step</i>	\$	158.00
<i>Whelan justice light bar no siron or switch box</i>		\$ 439.00
<i>Utility body</i>	\$	2,260.00
<i>Option Total</i>	\$	18,548.00
<i>Budget Total</i>	\$	40,203.60

Mayor Buccellato read by title Resolution 12-04-43: Emergency Temporary Appropriation. Mayor Buccellato requested a motion. Councilman Fitzsimmons made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 12-04-43
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 \$6,297,118.01.

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-04/17/12

	<i>Salary & Wages</i>	<i>Other Expenses</i>	
<i>GENERAL ADMIN</i>	(2,275.00)		
<i>TAX ASSES ADMIN</i>		300.00	
<i>LEGAL SERVICES</i>		10,000.00	
<i>BLDG & GROUNDS</i>		3,000.00	
<i>SOLID WASTE COLL</i>		60,000.00	
<i>INSURANCE-LIABILITY</i>		60,941.64	
<i>INSURANCE-WORKERS COMP</i>		85,652.92	
<i>PROSECUTOR</i>		125,000.00	
<i>STREET LIGHTING</i>		10,000.00	
<i>RECREATION</i>		2,500.00	
<i>UTILITIES</i>		10,000.00	
<i>MUNICIPAL COURT</i>		1,000.00	
 <i>SUBTOTAL</i>	 (2,275.00)	 368,394.56	
 <i>TOTAL TEMPORARY EMERGENCY APPROPRIATIONS</i>		 366,119.56	 4,240,622.85
 <i>WATER SEWER UTILITY</i>			
 <i>OPERATING</i>		 150,000.00	
<i>SOCIAL SECURITY</i>		5,000.00	
<i>SUBTOTAL</i>	-	155,000.00	

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TOTAL WATER SEWER UTILITY TEMPORARY EMERGENCY APPROPRIATIONS **155,000.00** **2,056,495.16**

Mayor Buccellato read by title Resolution 12-04-44: 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: Councilman Lopez
 Councilwoman Angelini
 Councilwoman Urbano
 Councilwoman Clifton
 Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-04-44
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>	\$343,331.47
<i>Water & Sewer</i>	\$38,814.72
<i>Borough Capital</i>	\$225.00
<i>Water Capital</i>	\$225.00
<i>Grant</i>	\$987.50
<i>Borough Trust</i>	\$42,181.23
<i>Developers Escrow Account</i>	\$665.65
Total	\$426,430.57

Mayor Buccellato read by title Resolution 12-04-45: A Resolution of the Borough Council of the Borough of Matawan Authorizing the Use of the Last Three Years Collection Rates for the Calculation of the Reserve for Uncollected Taxes. 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: Councilman Lopez
 Councilwoman Angelini
 Councilwoman Urbano
 Councilwoman Clifton
 Councilman Fitzsimmons

Motion passed.

**RESOLUTION 12-04-45
A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MATAWAN AUTHORIZING
THE USE OF THE LAST THREE YEARS COLLECTION RATES FOR THE CALCULATION OF THE
RESERVE FOR UNCOLLECTED TAXES**

***WHEREAS**, the Division of Local Government Services allows a municipality to average the last three (3) years in the computation of the Appropriation Reserve for Uncollected Taxes in the current Budget; and*

***WHEREAS**, the collection rates for the last three years were as follows:*

2009 - 99.52%
2010 - 99.51%
2011 - 98.32%
Average - 99.11%

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NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Matawan, that 99.11% be used to calculate the Appropriation Reserve for Uncollected Taxes in the 2012 Budget.

Mayor Buccellato read by title Resolution 12-04-46: Resolution of the Borough of Matawan, County of Monmouth, State of New Jersey, to Amend Approved Budget in Accordance with the Provisions of 40A:4-9. 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: Councilman Lopez
Councilwoman Angelini
Councilwoman Urbano
Councilwoman Clifton
Councilman Fitzsimmons

Motion passed.

RESOLUTION 12-04-46

**RESOLUTION OF THE BOROUGH OF MATAWAN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
TO AMEND APPROVED BUDGET
IN ACCORDANCE WITH THE PROVISIONS OF 40A:4-9**

WHEREAS, the local municipal budget for 2012 was approved on March 20, 2012; and

WHEREAS, the public hearing on said budget has been held as advertised; and

WHEREAS, the Borough Council desires to amend said approved budget;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Matawan, County of Monmouth that the following amendments to the approved budget of 2012 be made:

CURRENT FUND

<u>REVENUES</u>	<u>From</u>	<u>To</u>
6. Amount to be Raised by Taxes:		
Local Tax for Municipal Purposes	\$ 7,384,049.83	\$ 7,412,198.57
7. Total General Revenues	<u>\$ 10,606,136.50</u>	<u>\$ 10,634,285.24</u>
 <u>APPROPRIATIONS</u>		
(A) Operations – Excluded From “CAPS”:		
Reserve for Tax Appeals	\$ 100,000.00	\$ 40,000.00
Total Other Operations – Excluded From “CAPS”	495,420.00	435,420.00
Total Operations – Excluded From “CAPS”	546,158.67	486,158.67
Detail:		
Other Expenses	546,158.67	486,158.67
(H-2) Total General Appropriations for Municipal Purposes Excluded From “CAPS”	2,314,067.67	2,254,067.67
(O) Total General Appropriations Excluded From “CAPS”	2,314,067.67	2,254,067.67
(L) Subtotal General Appropriations	10,466,136.50	10,406,136.50

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(M) Reserve for Uncollected Taxes	140,000.00	228,148.74
9. Total General Appropriations	<u>\$ 10,606,136.50</u>	<u>\$ 10,634,285.24</u>

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S.A. 40A: 4-9, be published in The Independent in the issue of April 26, 2012 and that said publication contain notice of public hearing on said amendment to be held at the Borough Hall on May 15, 2012 at 7:00 pm.

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for certification of the 2012 Local Municipal Budget as amended.

Mayor Buccellato read by title on introduction of Ordinance 12-10: An Ordinance to Amend Chapter II – Administration Section 22-14.7 and Chapter IX – Personnel Policies Section 9-29.2(C). Mayor Buccellato requested a motion. Councilwoman Angelini made the motion, seconded by Councilman Lopez. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed. Mayor Buccellato stated the Public Hearing on this Ordinance will be May 1, 2012.

**ORDINANCE 12-10
AN ORDINANCE TO AMEND
CHAPTER II – ADMINISTRATION SECTION 2-14.7 AND
CHAPTER IX – PERSONNEL POLICIES SECTION 9-29.2(C)**

Section 1: Ordinance 2-14.7, “Initial Hiring of Police Officers” under Chapter II, “Administration” of the Borough of Matawan Code is hereby deleted.

Section 2: Ordinance 2-14.7 is replaced by the existing Ordinance 9-29.2, “Advertising” of the Article 9 of the Code of the Borough of Matawan concerning “Personnel Policies.”

Section 3: Existing Ordinance 9-29.2(c) is amended to read:

“Initial applications will be available during normal business hours four days a week (7:30 AM to 5:00 PM) at the Clerk’s office, 201 Broad Street, Matawan, New Jersey. Public Advertisements seeking applications must be published in an approved newspaper of general circulation approved by the Mayor and Council and must run for two days within a two week span, one of which days shall include publication on a Sunday, and further that for those two weeks, the Notice shall be posted on the web site of the Borough of Matawan.”

Privilege of the Floor

Mayor Buccellato opened the Privilege of the Floor.

There were no comments.

Mayor Buccellato closed the Privilege of the Floor.

Adjournment

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

The time was 7:45 PM.

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Jean B. Montfort, RMC
Municipal Clerk