

**Borough of Matawan
Public Session
July 3, 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 July 3, 2012. The meeting was called to order at 7:15 PM by Mayor Buccellato presiding. Mayor Buccellato called the meeting to order, pursuant to Section 5 of the Open Public Meetings Act that adequate notice of this meeting has been provided in the notice which was published in the Asbury Park Press on January 12, 2012, by sending notice to The Independent, and by posting. Mayor Buccellato requested a roll call.

On roll call the following members responded present:

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

Councilman Fitzsimmons had notified the Clerk that he would not be able to attend.

Also present was Pasquale Menna, Esq., Borough Attorney.

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

Mayor Buccellato asked everyone to stand in the Salute to the Flag.

Mayor Buccellato stated he had handed out Resolution 12-07-25: Authorizing the Hiring of Two (2) Additional Part-Time Seasonal Personnel 2012 Summer Recreation Program Counselors, which he is adding to tonight's agenda. The Recreation Department had a number of late signups.

Mayor Buccellato stated Mrs. Montfort had handed out earlier a revised Resolution 12-07-07.

Workshop Items

Clothing Donation Bins

Mayor Buccellato state he had handed out an ordinance on "Clothing Bins" for the Council's review. Mayor Buccellato stated this is a requirement by the State. Mayor Buccellato asked that this ordinance be placed on their next agenda for introduction. Mr. Menna stated this is not required by the State, however, it gives the Borough more control over these bins. This gives us the name and contact information for the owners of these bins. Councilwoman Gould stated that Mrs. Bascom was going to add a "Profit" or "Non-Profit" box on the application. So noted. The Council agreed to place this ordinance for introduction at their next meeting.

Old Business

None.

Consent Agenda

Mayor Buccellato read by title Resolutions 12-07-02 through 12-07-16 requesting a motion to approve en masse. Councilman Lopez made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

Yes: Councilwoman Gould
Councilman Lopez
Councilwoman Angelini
Councilman Urbano

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Councilwoman Clifton

Motion passed.

**RESOLUTION 12-07-02
REDEMPTION OF TAX SALE CERTIFICATE
DAXUAN WANG
CERTIFICATE #09-00104**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #09-00104 which was sold to Daxuan Wang, 11 Walnut St., Livingston, NJ 07039; and

WHEREAS, Certificate #09-00104 has been paid and fully redeemed for the property owner, Block 120.01, Lot 25 otherwise known as 8 Eisenhower Ct.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$26,745.08 and a Premium of \$700.00 to the above for the redemption of Tax Sale Certificate #09-00104.

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

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

**RESOLUTION 12-07-03
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR PROCAPITAL I, LLC
CERTIFICATE #11-00014**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00014 which was sold to US Bank Cust. For Pro Capital 1, LLC, 50 S 16th St., Ste 1950, Philadelphia, PA 19102; and

WHEREAS, Certificate #11-00014 has been paid and fully redeemed for the property owner, Block 12, Lot 1.01 otherwise known as 11 Johnson Ave.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$2,797.59 and a premium of \$1,100.00 to the above for the redemption of Tax Sale Certificate #11-00014.

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

**RESOLUTION 12-07-04
REDEMPTION OF TAX SALE CERTIFICATE
WEN LU
CERTIFICATE #11-00020**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00020 which was sold to Wen Lu, 144-90 41st Avenue, Apt. 515, Flushing, NY 11355; and

WHEREAS, Certificate #11-00020 has been paid and fully redeemed for the property owner, Block 19, Lot 19 otherwise known as 37 Park Ave.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$460.72 and a premium of \$200.00 to the above for the redemption of Tax Sale Certificate #11-00020.

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

**RESOLUTION 12-07-05
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR PRO CAPITAL 1, LLC
CERTIFICATE #11-00031**

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WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00031 which was sold to US Bank Cust for Pro Capital 1, LLC, 50 South 16th Street, Suite 1950, Philadelphia, PA 19102; and

WHEREAS, Certificate #11-00031 has been paid and fully redeemed for the property owner, Block 34, Lot 17 otherwise known as 22 Orchard St.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$4,112.00 and a premium of \$100.00 to the above for the redemption of Tax Sale Certificate #11-00031.

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

**RESOLUTION 12-07-06
REDEMPTION OF TAX SALE CERTIFICATE
WEN LU
CERTIFICATE #11-00034**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00034 which was sold to Wen Lu, 144-90 41st Ave., Apt. 515, Flushing, NY 11355; and

WHEREAS, Certificate #11-00034 has been paid and fully redeemed for the property owner, Block 35, Lot 30 otherwise known as 150 Broad St.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$994.37 and a premium of \$100.00 to the above for the redemption of Tax Sale Certificate #11-00034.

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

**RESOLUTION 12-07-07
REDEMPTION OF TAX SALE CERTIFICATE
WEN LU
CERTIFICATE #11-00054**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00054 which was sold to Wen Lu, 144-90 41st Ave., Apt. 515, Flushing, NY 11355; and

WHEREAS, Certificate #11-00054 has been paid and fully redeemed for the property owner, Block 64.02, Lot 8.01 otherwise known as 93 Aberdeen Rd.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,763.37 and a premium of \$500.00 to the above for the redemption of Tax Sale Certificate #11-00054.

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

**RESOLUTION 12-07-08
REDEMPTION OF TAX SALE CERTIFICATE
WEN LU
CERTIFICATE #11-00057**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00057 which was sold to Wen Lu, 144-90 41st Ave., Apt. 515, Flushing, NY 11355; and

WHEREAS, Certificate #11-00057 has been paid and fully redeemed for the property owner, Block 65.02, Lot 36 otherwise known as 28 Chestnut Dr.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$679.67 and a premium of \$100.00 to the above for the redemption of Tax Sale Certificate #11-00057.

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

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**RESOLUTION 12-07-09
REDEMPTION OF TAX SALE CERTIFICATE
WEN LU
CERTIFICATE #11-00069**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00069 which was sold to Wen Lu, 144-90 41st Avenue, Apt. 515, Flushing, NY 11355; and

WHEREAS, Certificate #11-00069 has been paid and fully redeemed for the property owner, Block 77, Lot 16 otherwise known as 85 Ravine Dr.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$812.31 and a premium of \$100.00 to the above for the redemption of Tax Sale Certificate #11-00069.

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

**RESOLUTION 12-07-10
REDEMPTION OF TAX SALE CERTIFICATE
INGENIOUS INTELLIGENCE BNC, INC.
CERTIFICATE #11-00081**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00081 which was sold to Ingenious Intelligence BNC, Inc., 253 Main St., Suite 135, Matawan, NJ 07747; and

WHEREAS, Certificate #11-00081 has been paid and fully redeemed for the property owner, Block 107, Lot 5 otherwise known as 12 Edgewater Dr.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,158.52 to the above for the redemption of Tax Sale Certificate #11-00081.

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

**RESOLUTION 12-07-11
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR CRESTAR CAPITAL, LLC
CERTIFICATE #11-00091**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00091 which was sold to US Bank Cust for Crestar Capital, LLC, TLSG2 Liberty Pl., 50 South 16th St., Suite 1950, Philadelphia, PA 19102; and

WHEREAS, Certificate #11-00091 has been paid and fully redeemed for the property owner, Block 117, Lot 10 otherwise known as 38 Weldon Rd.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,949.56 and a Premium of \$300.00 to the above for the redemption of Tax Sale Certificate #11-00091.

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

**RESOLUTION 12-07-12
REDEMPTION OF TAX SALE CERTIFICATE
WEN LU
CERTIFICATE #11-00092**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00092 which was sold to Wen Lu, 144-90 41st Avenue, Apt. 515, Flushing, NY 11355; and

WHEREAS, Certificate #11-00092 has been paid and fully redeemed for the property owner, Block 118, Lot 11 otherwise known as 32 Lakeside Dr.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby

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authorize payment in the amount of \$636.16 and a premium of \$100.00 to the above for the redemption of Tax Sale Certificate #11-00092.

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

**RESOLUTION 12-07-13
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR PROCAPITAL 1, LLC
CERTIFICATE #11-00095**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00095 which was sold to US Bank Cust for Pro Capital 1, LLC, 50 South 16th St., Ste 1950, Philadelphia, PA 19102; and

WHEREAS, Certificate #11-00095 has been paid and fully redeemed for the property owner, Block 119, Lot 14 otherwise known as 11 Sutphin Ave.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,432.76 and a premium of \$200.00 to the above for the redemption of Tax Sale Certificate #11-00095.

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

**RESOLUTION 12-07-14
REDEMPTION OF TAX SALE CERTIFICATE
WEN LU
CERTIFICATE #11-00096**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00096 which was sold to Wen Lu, 144-90 41st Avenue, Apt. 515, Flushing, NY 11355; and

WHEREAS, Certificate #11-00096 has been paid and fully redeemed for the property owner, Block 119, Lot 24 otherwise known as 18 Center Ave.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,179.91 and a premium of \$300.00 to the above for the redemption of Tax Sale Certificate #11-00096.

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

**RESOLUTION 12-07-15
REDEMPTION OF TAX SALE CERTIFICATE
WEN LU
CERTIFICATE #11-00108**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00108 which was sold to Wen Lu, 144-90 41st Avenue, Apt. 515, Flushing, NY 11355; and

WHEREAS, Certificate #11-00108 has been paid and fully redeemed for the property owner, Block 123, Lot 33.06 otherwise known as 3 Magnolia Ct.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$500.11 and a premium of \$300.00 to the above for the redemption of Tax Sale Certificate #11-00108.

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

**RESOLUTION 12-07-16
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR PROCAPITAL 1, LLC
CERTIFICATE #11-00115**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00115 which was sold to US Bank Cust for ProCapital 1, LLC, 50 South 16th St., Ste 1950, Philadelphia, PA 19102; and

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WHEREAS, Certificate #11-00115 has been paid and fully redeemed for the property owner, Block 123.02, Lot 19 otherwise known as 141 Freneau Ave.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$2,142.83 and a premium of \$200.00 to the above for the redemption of Tax Sale Certificate #11-00115.

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

New Business

Mayor Buccellato read by title Resolution 12-07-17: Approval of Massage Parlor License Renewal – Healing Touch & Spirit Therapeutic Massage, LLC. Mayor Buccellato requested a motion. Councilman Lopez made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 12-07-17
APPROVAL OF MASSAGE PARLOR LICENSE RENEWAL
HEALING TOUCH & SPIRIT THERAPEUTIC MASSAGE, LLC**

WHEREAS, Healing Touch & Spirit Therapeutic Massage, LLC (Massage Parlor) has passed the required Police Department background checks; and

WHEREAS, on the condition that Healing Touch & Spirit Therapeutic Massage, LLC has received the required permits from the Construction Office, Fire Prevention Office and the Board of Health.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Matawan that they hereby approve the following massage parlor license renewal:

*Business: Healing Touch & Spirit Therapeutic Massage, LLC
746 Highway 34, Suite 1
Matawan, New Jersey 07747*

*Applicant: Lois A. Bass
1401 Wellington Place
Aberdeen, New Jersey 07747*

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Construction, Monmouth County Health Department as well as Lois A. Bass.

Mayor Buccellato read by title Resolution 12-07-18: Authorizing an Extension of Grace Period for the Third Quarter 2012 Taxes. Mayor Buccellato requested a motion. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

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**RESOLUTION 12-07-18
AUTHORIZING AN EXTENSION OF GRACE PERIOD FOR THE
THIRD QUARTER 2012 TAXES**

WHEREAS, the State of New Jersey has not released all information needed for striking a rate; and

WHEREAS, this information is needed to produce the Final 2012/Preliminary 2013 tax bills; and

WHEREAS, as a result, the County of Monmouth could not release the tax rate; and

WHEREAS, the Tax Collector must allow 25 calendar days for payment from the date of mailing pursuant to NJSA 54:4-66.3.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that the Tax Collector is authorized to extend the grace period for the third quarter 2012 up to and including the 25th day after the actual bills are mailed.

BE IT FURTHER RESOLVED by the Council of the Borough of Matawan that any payments received after that date, for the third quarter 2012 will be charged interest from the original due date of August 1, 2012 by the guidelines set by NJSA 54:4-67 and Resolution No. 12-01-09 passed by the Matawan Borough Council on January 1, 2012.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Tax Collector, Chief Financial Officer and Borough Auditor.

Interpretive Statement: Extension of the grace period is needed to allow the mandated 25 days prior to payment due date. If payment for the third quarter 2012 is not received by the 25th calendar day after the delivery of the tax bills to the post office, interest will be charged back to the August 1, 2012 due date.

Peggy Warren, Tax Collector

Mayor Buccellato read by title Resolution 12-07-19: Amending Resolution 12-06-12 – Update the Family & Medical Leave Act Policy – Personnel Manual. Mayor Buccellato requested a motion. Councilwoman Angelini made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 12-07-19
AMENDING RESOLUTION 12-06-12:
UPDATE THE FAMILY & MEDICAL LEAVE ACT POLICY
PERSONNEL MANUAL**

WHEREAS, the Borough Administrator was directed to amend the Personnel Policy & Procedures Manual; and

WHEREAS, on the advice of Labor Counsel and the Borough's Family and Medical Leave Act Policy needed to be amended as follows:

Family and Medical Leave Act Policy:

Based upon length of service and several other factors as required by law, employees may be eligible for family and medical leave with no loss of position or pay rate under the FMLA and/or the NJFLA. However, employees on such leave will not continue to accrue vacation days, sick days, personal days or longevity. Employees taking family or medical leave under this section continue to be eligible for paid health insurance coverage under the Borough policy.

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Upon written notice, eligible employees may be entitled to an unpaid family or medical leave for up to twelve (12) workweeks during a 12-month period to care for a newly born or adopted child, or a child placed in foster care, or a seriously ill immediate family member, including civil union partner, or for the employee's own serious health condition that makes the employee unable to perform the functions of the employee's position. Leave may also be taken for a qualifying exigency arising out of the fact that an employee's spouse, son, daughter or parent is a covered military member on active duty or has been notified of an impending call or order to active duty in the Regular Armed Forces, National Guard or Reserves in support of contingency operations. The 12-month period is determined based on a rolling 12-month period measured backward from the date an employee uses his/her FMLA leave. Eligible employees who take leave under this policy must use all accrued available vacation and personal days during the leave. The use of accrued time will not extend the leave period. After exhausting accrued time, the employee will no longer be paid for the remainder of the leave.

The period of leave must be supported by a physician's certificate. An extension past twelve weeks can be requested, but medical verification of the need must be submitted prior to the expiration of the leave. The Borough reserves the right to deny any request for extended leave. Additional information concerning the Family Leave Policy and eligibility requirements are available from the Personnel Officer.

Procedure

- A. *The employee shall submit to the Borough Administrator a written form entitled Application for Family Medical Leave. The Application for Family Medical Leave form provides the borough with, among other things, notice that leave will be taken, the amount of leave to be taken and the reason for the leave. In addition, if the leave involves an illness, the employee shall be required to submit to the Borough Administrator a written form entitled Certification of Health Care Provider. The Certification of Health Care Provider form must be completed by a health care provider and shall include, among other things:*
- 1. The date on which the serious health condition commenced.*
 - 2. The probable duration of the condition.*
 - 3. The appropriate medical facts within the knowledge of the health care provider regarding the condition.*
 - 4. Where applicable, a statement that the employee is needed to care for a covered relation and the amount of time needed to care for said person.*

Intermittent or reduced leave medical certifications shall state:

- 1. The dates on which treatment is expected to be given and the duration of such treatment.*
- 2. A statement of the medical necessity for the intermittent or reduced leave schedule and the expected duration.*
- 3. Where applicable, a statement that an intermittent or reduced leave schedule is necessary to care for a covered relation or will assist in the recovery and the expected duration and schedule of the leave.*

The borough may require subsequent recertification on a reasonable basis. Failure to provide any certification is grounds for denial of the leave. If the borough has doubt as to the validity of the certification provided, the borough may require at its expense that the employee obtain a second opinion from a health care provider selected by the borough. If the second opinion differs from the first, a third mutually agreeable health care provider shall be selected, whose opinion shall be binding.

The application for Family Medical Leave form and the Certification of Health Care Provider form can be obtained from the Personnel Officer.

- B. *If the leave is foreseeable, the employee shall be required to provide at least 30 days notice prior to the leave beginning. If the leave needs to begin in less than 30 days, the employee must provide such notice as is practicable.*
- C. *The borough has the option of requiring that an employee use accrued vacation, sick and personal leave time for leaves under the FMLA.*
- D. *Upon return from leave the borough will restore an employee to his or her position or to a position with equivalent pay, benefits, and other terms and conditions of employment; however, the borough cannot guarantee that an employee will be returned to his or her original job. The borough will determine whether a position is an "equivalent position".*

; and

WHEREAS, *the Borough Council wishes to amend said Personnel Policy & Procedures Manual.*

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NOW, THEREFORE, BE IT RESOLVED that Resolution 12-06-12 is hereby amended by this resolution, and

BE IT RESOLVED that the Borough Administrator shall have the authority to amend this policy as may be needed to reflect recommendations from the Labor Attorney, to clarify language, or to make other changes that do not constitute a material change to the policy provided that any such changes shall be reviewed by the Borough Council and adopted by resolution on an annual basis.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to all Borough employees.

Mayor Buccellato read by title Resolution 12-07-20: Amending and Replacing Resolution 12-04-37: Approving Extended Sick Leave Request for Patrolman Joseph Dzwil. Mayor Buccellato requested a motion. Councilwoman Angelini made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 12-07-20
AMENDING AND REPLACING
RESOLUTION 12-04-37
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, 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 ½ 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 by the Mayor and Council of the Borough of Matawan that the period of commencements of the approved extended sick leave of Patrolman Joseph Dzwil is hereby amended to May 21, 2011, which date is two hundred forty (240) hours @ (twelve) 12 hour days which equals the thirty (30) days of sick leave permitted under the Matawan Borough Code and within the Matawan Policemen's Benevolent Association – PBA Local 179 Bargaining Agreement.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the

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following Borough of Matawan Departments: Administration, Clerk, Chief Financial Officer, Police, Payroll Officer as well as Patrolman Joseph Dwzil.

Mayor Buccellato read by title Resolution 12-07-21: Amending and Replacing Resolution 12-04-38: Approving Extended Sick Leave Request for Patrolman Christopher Stark. Mayor Buccellato requested a motion. Councilwoman Angelini made the motion, seconded by Councilwoman Gould. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 12-07-21
AMENDING AND REPLACING
RESOLUTION 12-04-38
APPROVING EXTENDED SICK LEAVE
REQUEST FOR PTL. CHRISTOPHER STARK**

WHEREAS, Christopher Stark, 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, Christopher Stark was hired as a Police Officer (full time) effective September 15, 1998; and

WHEREAS, Christopher Stark works a twelve hour shift; and

WHEREAS, September 8, 2011, Christopher Stark 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 ½ 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 by the Mayor and Council of the Borough of Matawan that the period of commencements of the approved extended sick leave of Patrolman Christopher Stark is hereby amended to August 15, 2011, which date is two hundred forty (240) hours @ (twelve) 12 hour days which equals the thirty (30) days of sick leave permitted under the Matawan Borough Code and within the Matawan Policemen's Benevolent Association – PBA Local 179 Bargaining Agreement.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Chief Financial Officer, Police, Payroll Officer as well as Patrolman Christopher Stark.

Mayor Buccellato read by title Resolution 12-07-22: Approving Extended Sick Leave Request for Patrolman Eric Budelman. Mayor Buccellato requested a motion. Councilwoman Angelini made the motion, seconded by Councilwoman Clifton Mayor Buccellato requested a roll call. A

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roll call vote was taken.

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

Motion passed.

**RESOLUTION 12-07-22
APPROVING EXTENDED SICK LEAVE
REQUEST FOR PTL. ERIC BUDELMANN**

WHEREAS, Eric Budelmann, 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, Eric Budelmann was hired as a Police Officer (full time) effective January 1, 1999; and

WHEREAS, Patrolman Eric Budelmann works a twelve hour shift; and

WHEREAS, June 13, 2012, Lieutenant Ben Smith formally requested that Mayor and Council approve a request for extended sick leave for Patrolman Eric Budelmann 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 ½ 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 by the Mayor and Council of the Borough of Matawan that the period of commencements of the approved extended sick leave of Patrolman Eric Budelmann commencing June 3, 2012, which date is two hundred forty (240) hours @ (twelve) 12 hour days which equals the thirty (30) days of sick leave permitted under the Matawan Borough Code and within the Matawan Policemen's Benevolent Association – PBA Local 179 Bargaining Agreement.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Chief Financial Officer, Police, Payroll Officer as well as Patrolman Eric Budelman.

Mayor Buccellato read by title Resolution 12-07-23: Approving Extended Sick Leave Request for Patrolman Brian Murphy. Mayor Buccellato requested a motion. Councilwoman Angelini made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould
Councilwoman Angelini
Councilman Urbano
Councilwoman Clifton

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Abstain: Councilman Lopez

Motion passed.

**RESOLUTION 12-07-23
APPROVING EXTENDED SICK LEAVE
REQUEST FOR PTL. BRIAN MURPHY**

WHEREAS, Brian Murphy, 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,a1 Extended Leave If the employee has served for not less than ten (10) years, he shall be entitled to a leave of absence with full pay for thirteen (13) weeks, plus an additional thirteen (13) weeks at half pay; and,

WHEREAS, Brian Murphy was hired as a Police Officer (full time) effective April 16, 2002; and

WHEREAS, Patrolman Brian Murphy works a twelve hour shift; and

WHEREAS, March 22, 2012, Lieutenant Jason Gallo formally requested that Mayor and Council approve a request for extended sick leave for Patrolman Brian Murphy 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 thirteen (13) weeks is herewith granted subject to an additional thirteen (13) weeks of leave of absence at ½ pay pursuant to the Code for the Borough of Matawan, Chapter 9-4.5,a1 Extended Leave, since the employee has less than ten (10) years of service with the Borough of Matawan;

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Matawan that the period of commencements of the approved extended sick leave of Patrolman Brian Murphy commencing March 18, 2012, which date is two hundred forty (240) hours @ (twelve) 12 hour days which equals the thirty (30) days of sick leave permitted under the Matawan Borough Code and within the Matawan Policemen's Benevolent Association – PBA Local 179 Bargaining Agreement.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Chief Financial Officer, Police, Payroll Officer as well as Patrolman Brian Murphy.

Mayor Buccellato read by title Ordinance 12-13: Amending Chapter II – Administration of the Borough of Matawan Code - Checks Written with Insufficient Funds and Other Written Instruments. Mayor Buccellato requested a motion to introduce. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call. A roll call vote was taken.

Yes: Councilwoman Gould
Councilman Lopez
Councilwoman Angelini

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Councilman Urbano
Councilwoman Clifton

Motion passed. Mrs. Montfort stated the Public Hearing on this Ordinance would be August 7, 2012, at their regularly scheduled meeting.

**ORDINANCE 12-13
AMENDING CHAPTER II – ADMINISTRATION OF
THE BOROUGH OF MATAWAN CODE
CHECKS WRITTEN WITH INSUFFICIENT FUNDS AND OTHER WRITTEN INSTRUMENTS**

WHEREAS, N.J.S.A. 40:5-19 has been enacted to allow a municipality the authority to impose a service charge to be added on an account where payment by check or other written instrument was returned for insufficient funds.

NOW, THEREFORE, BE IT ORDAINED, the Council of the Borough of Matawan, amends Chapter II-Administration, Section 2-71 Penalties Established for the issuance of Checks Written with Insufficient Funds and Other Written Instruments with the following:

The Chief Financial Officer, Tax Collector/Utility Collector, or any other Borough Official may require future payments to be tendered in certified check, cashier's check or cash.

BE IT FURTHER ORDAINED that a true certified copy of this Ordinance shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Chief Financial Officer, Tax Collector, Utility Collector and Auditor.

Mayor Buccellato read by title Resolution 12-07-24: Payment of Bills. Mayor Buccellato requested a motion. Councilwoman Clifton made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 12-07-24
PAYMENT OF BILLS**

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

Current	\$204,632.88
Water & Sewer	\$112,362.54
Borough Capital	\$78,682.42
Borough Trust	\$10,398.31
Developers Escrow Account	\$2,190.00
Railroad Parking Trust	\$11,530.75
Recreation Trust	\$1,377.16
Total	\$421,174.06

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Chief Financial Officer as well as the Borough Auditor.

Mayor Buccellato read by title Resolution 12-07-25: Authorizing the Hiring of Two (2) Additional Part-Time Seasonal Personnel 2012 Summer Recreation Program Counselors. Mayor Buccellato requested a motion. Councilwoman Clifton made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 12-07-25
AUTHORIZING THE HIRING OF TWO (2) ADDITIONAL PART-TIME SEASONAL PERSONNEL
2012 SUMMER RECREATION PROGRAM
COUNSELORS**

WHEREAS, the Mayor and Council have been advised that due to the on-site registration of several additional children to the 2012 Matawan Summer Recreation Program on Monday, July 2, 2012; and

WHEREAS, due to the higher than expected enrollment, in general, to the Matawan Summer Recreation Program; and

WHEREAS, the number of Summer Counselors are determined by the Recreation Commission and are advising the Mayor and Council that due to the increased enrollment that they recommend two (2) additional Apprentice Summer Counselors be hired at the rate of \$7.25 per hour so as to provide adequate supervision.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they authorize the hiring of:

Nicholas Rotondo and Christopher Camarote

as the two (2) additional part-time Summer Recreation Program Counselors for 2012 as recommended by the Recreation Commission.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Chief Financial Officer, Payroll Officer and Recreation Director.

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 T-14-56-850-801 Borough of Matawan to hire two (2) additional Part-Time Seasonal Personnel – Summer Recreation Program for 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: July 3, 2012

Councilman Lopez left the dais at 7:26 PM.

Privilege of the Floor

Mayor Buccellato opened the Privilege of the Floor.

Jerry Hourihan, 13 Edgewater Drive, asked about Resolution 12-07-19: Amending Resolution 12-06-12 – Update the Family & Medical Leave Act Policy – Personnel Manual. Mrs. Montfort stated this was to update our Personnel Manual on the advice of our Labor Attorney. We had some wording that didn't quite meet the State and Federal Guidelines.

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Councilman Lopez returned to the dais. The time was 7:31 PM.

Mr. Hourihan asked about the ordinance for the “Clothing Bins”. He said he wasn’t against those, but they need to watch that they do not become an eyesore. Mayor Buccellato stated this is what this ordinance is going to control. This ordinance gives the Borough the authority to regulate these bins. Mr. Hourihan asked about the “Yield” signs. He said there were a number of them in his neighborhood. They are completely useless. He said he had asked that the Yield signs be made twice the size three times and nothing has been done. Mayor Buccellato stated the size of traffic signs are under State and/or Federal Guidelines. Mr. Hourihan asked if they could put in “Stop” sign where the “Yield” signs exist. It is dangerous to walk in that area. He asked that something be done. Mayor Buccellato stated that the Police Department had reviewed the area and on the advice and recommendations of the Police Department stop signs and yield signs were installed in that area. Councilwoman Angelini will direct the Police Department to return to that area and review it again.

Mayor Buccellato closed the Privilege of the Floor.

Adjournment

Mayor Buccellato requested a motion to adjourn. Councilwoman Clifton made the motion, seconded by Councilman Urbano. Council agreed. Motion passed.

Meeting adjourned at 7:40 PM.

Jean B. Montfort, RMC
Municipal Clerk