

**Organization Meeting of the Borough Council  
Of the Borough of Matawan, New Jersey  
For the Year 2013**

**Matawan Municipal Community Center  
201 Broad Street  
Matawan, New Jersey 07747**



**January 1, 2013  
12:00 Noon**

**Roll Call**

**Salute to the Flag**

**Administration of the Oath of Office To:**

**Councilwoman Toni Marie Angelini  
Councilwoman – Elect Kimberly Daly**

**The Invocation:      Rev. Kisenwether  
(Pastor – First Baptist Church, Matawan, New Jersey)**

**Roll Call**

**Citizen of the Year:    Office of Emergency Management  
Volunteer Fire Department  
DPW-Water/Sewer  
Police Department  
First Aid**

**RESOLUTION 13-01-01  
COUNCIL PRESIDENT APPOINTMENT**

**WHEREAS**, it is necessary that a member of the Council be elected President of said Council to fulfill the duties of the Mayor during the absence of the Mayor, for the year ending December 31, 2013.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that, Donna Gould, a member of the Council, be elected as President of said Council.

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**RESOLUTION 13-01-02  
AUTHORIZING THE APPOINTMENT OF BOROUGH ATTORNEY  
UNDER FAIR AND OPEN**

**WHEREAS**, there exists the need for legal services in the Borough of Matawan, County of Monmouth; and

**WHEREAS**, the firm of The Menna Law Firm has submitted qualifications as part of a “Fair and Open Process” pursuant to the provisions of NJSA 40:44A-20.5 et seq. and the Borough Council finds this firm to be the most qualified for the legal services sought by the Borough of Matawan; and

**WHEREAS**, NJSA 19:44A-20.5 et seq. allows a municipality through a “Fair and Open Process” to seek and solicit qualifications by advertising for such qualifications and appointing the firm based on said contractor’s qualifications and merit.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby appoint Pasquale Menna, Esq. of the firm of The Menna Law Firm, as Borough Attorney for the Borough of Matawan for the year 2012, said term to expire December 31, 2013.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the Council of the Borough of Matawan that the Mayor be and is hereby authorized to sign the contract for Borough Attorney between the firm of The Menna Law Firm on behalf of the Borough of Matawan.

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**RESOLUTION 13-01-03  
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 2013 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 2013 pursuant to the provisions of Chapter 96, PL 1951 (NJSA 40A:4-20) including this resolution total \$1,216,293.32.

**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 2012 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 2013 County, and Local School District Taxes, which are not included in this temporary budget, shall be paid as and when due.

2013 Temporary Budget-12/17/12

	Salary & Wages	Other Expenses
MAYOR & COUNCIL	5,229.53	682.50
MUNI CLERK	15,127.88	5,466.56
GENERAL ADMIN	2,730.00	17,456.25
AUDIT	-	-
FINANCE ADMIN	14,568.75	3,163.13
TAX ASSES ADMIN	10,237.50	826.88
TAX COLLECTOR	11,027.63	1,792.88
LEGAL SERVICES	-	31,736.25
ENGINEERING	-	21,000.00
BLDG & GROUNDS	18,375.00	10,368.75
PLAN/ZONING BD	4,462.50	2,821.88
SHADE TREE COMM	315.00	3,005.63
ENVIRON HEALTH	-	-
SOLID WASTE COLL	800.63	141,750.00
INSURANCE-GROUP HEALTH	-	283,500.00
INSURANCE-LIABILITY	-	61,000.00
INSURANCE-WORKERS COMP	-	85,000.00
PROSECUTOR	-	-
FIRE	-	27,615.00
FIRE-AID TO DEPARTMENT	-	3,885.00
FIRE PREVENTION	14,437.50	1,468.69

POLICE	660,450.00	63,735.00
STREETS & ROADS	70,055.74	18,755.63
STREET LIGHTING	-	38,062.50
BD OF HEALTH	1,128.75	7,875.00
	-	-
RECREATION	3,215.63	4,068.75
	-	-
HISTORICAL SITES	315.00	3,366.56
	-	-
	-	-
OEM	-	3,675.00
PROP MAINT	3,675.00	95.81
RR PARKING	52,500.00	25,000.00
DOWNTOWN REDEV	-	-
UTILITIES	-	76,518.75
VEHICLE MAINT	5,866.88	13,125.00
CONSTR OFFICIAL	34,125.00	4,869.38
ACCUM SICK LEAVE	-	-
OASI	-	28,875.00
PERS	-	-
P/F RETIREMENT	-	-
MUNICIPAL COURT	-	-
PUBLIC DEFENDER	-	-
FREE PUBLIC LIBRARY	-	88,047.75
EMERGENCY 911	-	-
LOSAP		-
GREEN TRUST LOAN		9,172.50
PAYMENT OF BOND PRINCIPAL		205,000.00
PAYMENT OF BANS		-
INTEREST ON BONDS		118,000.00
INTEREST ON NOTES		-
SPECIAL EMERGENCY		-
MCIA LEASE INTEREST		6,700.00
MCIA LEASE PRINCIPAL		-
CAPITAL IMPROVEMENT FUND		-
		-
SUBTOTAL	928,643.89	1,417,482.00
TOTAL TEMPORARY EMERGENCY APPROPRIATIONS		2,346,125.89
WATER SEWER UTILITY		

OPERATING	164,996.48	277,483.50
PAYMENT ON BOND PRINCIPAL		140,000.00
ACQUISITION OF WATER/BULK WATER		135,187.50
BRSA		336,571.46
INTEREST ON BONDS		89,000.00
INTEREST ON NOTES		-
SURPLUS		-
WASTEWATER LOAN		12,750.00
WASTEWATER LOAN INTEREST		46,916.88
PERS		-
SOCIAL SECURITY		13,387.50
 SUBTOTAL	 164,996.48	 1,051,296.84
 TOTAL WATER SEWER UTILITY TEMPORARY EMERGENCY APPROPRIATIONS		 1,216,293.32

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**OATH OF OFFICE ADMINISTERED TO THE FIRE CHIEFS**

Chief: Donald Mason, Midway Hose Company  
Assistant Chief: Peter Berliner, M.E. Haley Hose Company  
Second Assistant Chief: Brian Bernath, Washington Engine Company  
Third Assistant Chief: Zoltan Varsani, Freneau Volunteer Fire Company

Chief of Department Report

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**OATH OF OFFICE ADMINISTERED TO FIRST AID OFFICERS**

Captain: James Archibald  
First Lieutenant: Brenden Parker  
Second Lieutenant: Austin Chang  
Sergeant: Joanna Kierce

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**RESOLUTION 13-01-04  
REGULAR COUNCIL MEETINGS**

**WHEREAS**, the Open Public Meeting Law PL 1975c231 requires that advanced public notice of the Council meeting be announced at the Annual Meeting.

**NOW, THEREFORE, BE IT RESOLVED** that the following meetings shall be named and held at the Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey:

January	1 <sup>st</sup> Noon	22 <sup>nd</sup>
February	5 <sup>th</sup>	19 <sup>th</sup>

March	5 <sup>th</sup>	19 <sup>th</sup>
April	2 <sup>nd</sup>	16 <sup>th</sup>
May	7 <sup>th</sup>	21 <sup>st</sup>
June	6 <sup>th</sup> Thursday	18 <sup>th</sup>
July	2 <sup>nd</sup>	--
August	6 <sup>th</sup>	--
September	3 <sup>rd</sup>	17 <sup>th</sup>
October	1 <sup>st</sup>	15 <sup>th</sup>
November	7 <sup>th</sup> Thursday	18 <sup>th</sup>
December	3 <sup>rd</sup>	17 <sup>th</sup>

The first meeting of each month will be a Workshop meeting, followed by a Regular Council meeting. The Workshop meeting will begin at 7:00 PM.

The second meeting of each month will be a Regular Council meeting and will begin at 7:00 PM.

All Executive Session meetings will be held at 6:30 PM. prior to the workshop and regular meetings each month, or as needed.

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

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**RESOLUTION 13-01-05  
DESIGNATED DEPOSITORY OF 2012 FUNDS  
BOROUGH OF MATAWAN**

**BE IT RESOLVED** by the Council of the Borough of Matawan that the following Banks and Trust Companies be the official depositories wherein all of the accounts for the Borough of Matawan be kept:

- Amboy National Bank
- Bank of America
- Capital One Bank
- Chase
- Columbia Bank
- Hudson City Savings
- Investors Savings Bank
- Kearny Federal Saving Bank
- MBIA
- New Jersey Cash Management
- Penn Federal Savings
- PNC Bank
- Provident Bank
- Sovereign Bancorp of Matawan
- Sun National Bank
- Synergy Bank

TD Commerce Bank  
Wachovia  
Wells Fargo

**BE IT RESOLVED** that disbursements of the following accounts be made by checks signed by Mayor Paul Buccellato, the Borough Clerk Jean B. Montfort and the Borough CFO/Treasurer Monica Antista:

Borough Capital Account	Recreation Trust
Borough Trust	Tax Collector's Trust Fund
Current Fund	Water Capital Account
Developers Escrow Account	Water-Sewer Operating
Matawan Law Enforcement Trust	Unemployment
Payroll Account	

**BE IT RESOLVED** that disbursements of the following accounts be made by checks signed by the Building Inspector, John Quinn and Technical Assistant, Lynn Kramer.

Building Inspector's Account

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**RESOLUTION 13-01-06  
BOROUGH OF MATAWAN  
BUSINESS OFFICE HOURS**

**WHEREAS**, in an effort to conserve energy effective July 21, 2008 the Borough of Matawan business office hours were revised by the Borough Council to 7:30 AM to 5:00 PM Monday through Thursday, closed Friday and revised again to continue through October 31, 2008 to December 31, 2009; and

**WHEREAS**, the Borough of Matawan business office hours were revised again to continue through 2010 and 2013 by the Borough Council; and

**WHEREAS**, a compilation of results have been determined to be a cost savings of several thousand dollars and the governing body wishes to monitor the cost difference.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan, County of Monmouth, has elected to extend its revised hours of 7:30 AM to 5:00 PM Monday through Thursday, closed Friday through December 31, 2013.

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**RESOLUTION 13-01-07  
CASH MANAGEMENT PLAN - 2013**

**WHEREAS**, NJSA 40A:5-14 requires that every local unit adopt a Cash Management Plan; and

**WHEREAS**, the primary objectives of the plan are to preserve the safety of Public funds, seek investment instruments that offer liquidity and maximize interest revenue through use of authorized legal depositories and approved investment instruments.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan, County of Monmouth, State of New Jersey the following Cash Management Plan for the Borough of Matawan be adopted.

**BOROUGH OF MATAWAN**  
**CASH MANAGEMENT PLAN**

**INTRODUCTION**

The New Jersey “Local Fiscal Affairs Law”, NJSA 40A:5-14 requires that every local unit adopt a Cash Management Plan and shall deposit its funds pursuant to that plan. The primary objectives of the plan are to preserve the safety of public funds, seek investment instruments that offer liquidity and maximize interest revenue through the use of authorized legal depositories and approved investment instruments.

**I. AUTHORITY**

- a. Borough Council of the Borough of Matawan, County of Monmouth.
- b. Delegation of Authority – Authority to implement the investment program is granted to the Chief Financial Officer. The Chief Financial Officer shall act in accordance with the requirements of the Cash Management Plan, New Jersey Statutes and proper use of internal controls. No other persons may engage in investment transactions except for those subordinate officials of the Chief Financial Officer.

**II. STATEMENTS OF POLICY**

It shall be the policy of the Borough of Matawan, County of Monmouth to adopt a Cash Management Plan, and to authorize the Chief Financial Officer to administer said Plan, for the purpose of deposit and investment of the maximum of available funds in interest bearing instruments. The investment instruments shall be safe, liquid and offer market yields.

Safety of principal is the foremost objective of the Cash Management Plan. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital.

The utilized investment instruments shall remain sufficiently liquid to meet all operating cash requirements that may be reasonably anticipated.

Investments shall be planned with the objective of attaining a market rate, while taking into account legal restriction, risk and liquidity. Return on investment is secondary importance compared to safety.

**III. DEFINITIONS**

“**Arbitrage**” refers to the rules and regulation governing the issuance of Bond or Notes and the reinvestment of the proceeds at a higher yield. These regulations are promulgated by the Internal Revenue Service, regulation 1.103.

“**Cash Management Fund**” is the New Jersey Cash Management Fund. The Fund is one of a number of funds invested by the New Jersey Division of Investments of the Department of Treasury under the jurisdiction of the State of Investment Council. The Fund is authorized to receive and invest local unit funds pursuant to N.J.S.A. 40A:5-14.

“**Certificate of Eligibility**” is the certification issued by the New Jersey Department of Banking, Division of Banking that a public depository is eligible to act as a depository for public funds and qualifies as a participant in the New Jersey Governmental Unit Deposit Protection Act, GUDPA.



**“Compensating Balance Account”** is a bank account at an eligible depository which pays no interest or interest lower than ½ of 1 percent of maximum, in return for specific services, for example check sorting, payroll services, wire transfers and other services.

**“Eligible Public Depositories”** is a Banking or Savings and Loan Association with a current certificate of eligibility from the State Banking Department. The Borough of Matawan shall designate said depositories, by resolution of the governing body on January 1<sup>st</sup> of each year in accordance with N.J.S.A. 40A:5-14.

**“Eligible Securities”** are those investment instruments authorized by N.J.S.A. 40A:5-15.1.

**“Interest Bearing Account”** is an account or time deposit in an eligible public depository, earning interest, or any deposit in the State of New Jersey Cash Management Fund.

#### **IV. STANDARDS OF CARE**

1. The standard of prudence to be used by those delegated to effect investment transactions on behalf of the Borough of Matawan shall be the “prudent person” standard. Investments shall be made with judgement and care, under circumstances the prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs. Investments shall not be for speculation.
2. Employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their eligibility to make impartial decisions. Employees shall disclose any material interest in financial institutions with which business is conducted and they shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the Borough of Matawan.
3. The Chief Financial Officer is responsible for establishing and maintaining internal controls. The controls should ensure that the assets of the Borough of Matawan are protected from loss, theft or misuse.

#### **V. PROCEDURES FOR RECEIPT OF MONIES**

##### **1. Department Procedures**

- a. Department Directors will ensure that a receipt is issued in duplicate for all transactions. A copy of the receipt shall be given to the paying party and the duplicate maintained by the issuing department. The receipts shall be pre-numbered, or sequentially numbered if computer generated.
- b. All monies collected or received from any source by or on behalf of the Borough, Department, or any Board thereof, shall be forwarded to the Division of Accounts and Control within forty-eight (48) hours of receipt.
- c. The Division of Accounts and Control will prepare collected revenues for deposit to the designated legal depository.
- d. All monies received shall be placed in a secure place until forwarded for deposit.
- e. The Department/Division Director shall file with the Chief Financial Officer a monthly report of all monies received in the manner prescribed. The report also will include year to date amounts received.
- f. No department, division, or agencies shall engage in the practice of cashing checks with public funds. Cashing of employee pay checks is included in this prohibition.

##### **2. Chief Financial Officer**

- a. All monies collected or received from any source by or on behalf of the Borough shall be deposited within forty-eight (48) hours of receipt to designated banks.
- b. Ensure that all monies deposited are in an interest bearing account (s).
- c. Where compensating balances are used to offset bank expenses, an agreement between the bank(s) and the Borough shall be executed and reviewed annually.
- d. The Chief Financial Officer shall make recommendations of legal public depositories to the Matawan Borough Council who shall by resolution designate said depositories at the annual reorganization meeting of the Council. The list of authorized depositories may be amended at any time during the year.
- e. Maturity of Investments – Investments shall be limited to maturity not to exceed one year on all operating funds unless a longer maturity is permitted within the provision of the State Statute or promulgated regulations.
- f. Investment Securities – The Chief Financial Officer has the responsibility to determine which investment instruments are best suited for the Borough. However, the Chief Financial Officer shall be authorized only to invest in securities permitted by New Jersey State Statute. No investment shall be made in any depository that does not meet current Federal minimum standard for Leverage Ratio, Tier 1 Capital Ratio.

Presently, a local unit may permit investments in such institutions as permitted in Section 4 of PL 1970, Chapter 235 (6.17:19:44 and other instruments specified as follows:

Mutual Funds backed by the United States Government Obligations  
 United States Treasury Bills (T-Bills)  
 Municipal Bonds or Notes  
 Commercial Bank Deposits and Certificates of Deposit  
 Repurchase Agreements  
 Investment in Savings and Loan Associations  
 United States Government Agency and Instrumentality Obligations  
 State of New Jersey Cash Management Fund  
 School District Obligations

All designated depositories must conform to all applicable State statutes concerning depositories of public funds, and all depositories shall obtain the highest amount possible FDIC and/or FSLIC. coverage for all municipal assets.

#### **VI. FUNDS EXCLUDED FROM INVESTING**

The following types of funds are not required to be placed in interest bearing accounts:

1. Petty cash funds.
2. Cash drawn from a Federal Agency under a letter of credit which has to be paid out within five(5) working days to a vendor.
3. Deposit retainage or amounts posted by way of bond, held by the local unit for such things as faithful performance, if the local unit would be required by law to pay back any interest earned to the provider of the deposit, except where the local unit is required by law or court decision to invest in funds.
4. Amounts derived from the sale of bonds or notes, only to the extent that a specific written opinion of bond counsel states that the earning of (full) interest would result in the bonds or notes being classified as a arbitrage (not federally tax exempt) issued pursuant to Federal regulations to the extent that sum interest is allowable, it shall be deposited at such a rate if such rate is obtainable.

**VII. BOROUGH AUDITOR**

The Borough investment practices and the agreement of banking services and compensation thereof shall be reviewed by the Borough Auditor as part of the annual audit, as required by the NJSA 40A:5-4. Where a conflict exists between this Cash Management Plan and State statute the applicable statute shall govern.

**VIII SURETY BONDS**

1. The Chief Financial Officer shall be covered by a surety bond. During the annual audit the Municipal Auditor shall examine said bond to determine that proper coverage is in effect.
2. Staff members of the Division of Accounts and Control shall be covered by a Public Employee Faithful Performance Bond (blanket bond) in the minimum of \$10,000.00

**IX. REPORTING**

The Chief Financial Officer in accordance with NJSA 40A:5-14 shall prepare a written monthly investment report and submit same to the Borough Council. The summary report will be prepared in the manner which will allow the Borough Council and the administration to ascertain whether investment activities during the reporting period have conformed to the Cash Management Plan. The report shall set forth each organization holding local unit funds, the amount of securities purchased or sold, class or type of securities purchased, book value, earned income, fee incurred, and market value of all investments as of the report date. Such written report shall be included in the minutes of a regular Borough Council meeting.

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**RESOLUTION 13-01-08  
TAX GRACE PERIOD AND INTEREST ON  
DELINQUENT TAXES**

**WHEREAS**, NJSA 54:4-66 provides that taxes shall be payable in quarterly installments due on February 1<sup>st</sup>, May 1<sup>st</sup>, August 1<sup>st</sup>, and November 1<sup>st</sup>, after which dates, if unpaid, shall become delinquent; and that a period of ten calendar days grace for the payment of taxes following said date be fixed and established.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Matawan that is payment is not made by the tenth calendar day of the month on which the installment becomes payable, an interest charge of eight (8%) percent per annum will be assessed on the first \$1,500 of the delinquency and eighteen (18%) percent per annum on any amount in excess of \$1,500, to be calculated from the date the tax was payable until the date of actual payment.

**BE IT FURTHER RESOLVED**, that a taxpayer who has a delinquency in excess of \$10,000, who fails to pay that delinquency prior to the end of a calendar year will be charged a penalty of six (6) percent of the amount of the delinquency plus interest calculate to December 31<sup>st</sup>.

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**RESOLUTION 13-01-09  
DUE DATE AND INTEREST ON  
WATER/SEWER BILLS**

**WHEREAS**, NJSA 40:62-107.6 provides that the governing body of the municipality shall be authorized to set a grace period and to set penalties for water/sewer bills.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Matawan that all water rents shall be payable by the 28<sup>th</sup> day of the month that the bills are received.

**BE IT FURTHER RESOLVED**, by the Council of the Borough of Matawan that all water rents shall be payable by the 28th day of the month that the bills are issued at the office of the Water and Sewer Department. On all water rents or portion thereof remaining unpaid after billing date there shall be added a penalty in the amount of two (2%) percent for each month water rents or any portion thereof remain unpaid. On all water rents or any portion thereof remaining unpaid thirty (30) days after the billing date and due notice, the water shall be shutoff from the premises and suit may be instituted for the recovery of the fees. The fee for shutting off the water shall be forty (\$40.00) dollars or for turning on the water shall be forty (\$40.00) dollars.

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**RESOLUTION 13-01-10  
AUTHORIZATION TO SIGN FEDERAL, STATE & COUNTY APPLICATIONS ON  
BEHALF OF THE  
BOROUGH OF MATAWAN**

**WHEREAS**, The Borough of Matawan from time to time prepare Applications for Federal, State and County Permits, Grants and Loans; and

**WHEREAS**, the Borough of Matawan is required on certain Federal, State and County Applications to designate an individual to sign said Applications on behalf of the Borough.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that the Mayor be and is hereby authorized to sign any and all Federal, State and County Applications on behalf of the Borough of Matawan.

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**RESOLUTION 13-01-11  
AUTHORIZING TAX ASSESSOR OR MUNICIPAL ATTORNEY TO ACT AS AGENT  
FOR THE TAXING DISTRICT**

**WHEREAS**, from time to time, the Tax Assessor discovers an error in calculation, transposing, measurement, or typographical errors in the tax assessments on the tax list after the time the County Board of Taxation has certified the tax rates for tax year or a property becomes subject to a roll-back assessment; and

**WHEREAS**, the governing body of the Taxing District of the Borough of Matawan is desirous that every taxpayer pays his fair share of taxes; and

**WHEREAS**, if the above discovered errors are not corrected or a roll-back assessment or applied, the taxpayers affected would not be paying their fair share of taxes; and

**WHEREAS**, the method for correcting such errors is to file a Petition of Appeal or Complaint with the Monmouth County Board of Taxation.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Taxing District of the Borough of Matawan that the Tax Assessor, Municipal Attorney or Conflict Attorney is hereby authorized to act as the agent for the Taxing District during the year of 2013 and file a Petition of Appeal or Complaint with the Monmouth County Board of Taxation to correct such assessments to the proper Value and that a copy of any Petition of Appeal or Complaint filed with the Monmouth County Board of Taxation under this Resolution be filed with the Municipal Clerk; and

**BE IT FURTHER RESOLVED**, that the Tax Assessor, Municipal Attorney or Conflict Attorney is hereby authorized to execute stipulations of settlement on any tax appeal or complaint filed by the taxing district or by a taxpayer in the year 2013; and

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution be forwarded to the Monmouth County Board of Taxation with any such Petition of Appeal.

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**RESOLUTION 13-01-12  
AUTHORIZING THE APPOINTMENT FOR ENGINEERING SERVICES  
UNDER FAIR AND OPEN**

**WHEREAS**, there exists the need for Engineering Services in the Borough of Matawan, County of Monmouth; and

**WHEREAS**, the firm of T&M Associates has submitted qualifications as part of a “Fair and Open Process” pursuant to the provisions of NJSA 40:44A-20.5 et seq. and the Borough Council finds this firm to be the most qualified for the engineering services sought by the Borough of Matawan; and

**WHEREAS**, NJSA 19:44A-20.5 et seq. allows a municipality through a “Fair and Open Process” to seek and solicit qualifications by advertising for such qualifications and appointing the firm based on said contractor’s qualifications and merit.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby appoint the firm of T&M Associates as the Borough’s Engineering firm with Robert Keady, PE, as the firms representative for the Borough of Matawan for the year 2013, said term to expire December 31, 2013.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the Council of the Borough of Matawan that the Mayor be and is hereby authorized to sign the contract for Engineer Services between the firm of T&M Associates on behalf of the Borough of Matawan.

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**RESOLUTION 13-01-13  
AUTHORIZING THE APPOINTMENT OF BOROUGH BOND ATTORNEY  
UNDER FAIR AND OPEN**

**WHEREAS**, there exists the need for a Borough Bond Attorney in the Borough of Matawan,

County of Monmouth; and

**WHEREAS**, the firm of Gibbons, PC has submitted qualifications as part of a “Fair and Open Process” pursuant to the provisions of NJSA 40:44A-20.5 et seq. and the Borough Council finds this firm to be the most qualified for the Borough Bond Attorney sought by the Borough of Matawan; and

**WHEREAS**, NJSA 19:44A-20.5 et seq. allows a municipality through a “Fair and Open Process” to seek and solicit qualifications by advertising for such qualifications and appointing the firm based on said contractor’s qualifications and merit.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby appoint John J. Draikiwicz, Esq. of the firm of Gibbons, PC as Borough Bond Attorney for the Borough of Matawan for the year 2013, said term to expire December 31, 2013.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the Council of the Borough of Matawan that the Mayor be and is hereby authorized to sign the contract for Borough Bond Attorney between the firm of Gibbons, PC on behalf of the Borough of Matawan.

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**RESOLUTION 13-01-14**  
**AUTHORIZING THE APPOINTMENT OF BOROUGH LABOR ATTORNEY**  
**UNDER FAIR AND OPEN**

**WHEREAS**, there exists the need for a Borough Labor Attorney in the Borough of Matawan, County of Monmouth; and

**WHEREAS**, the firm of Cleary Giacobbe Alfieri Jacobs, LLC has submitted qualifications as part of a “Fair and Open Process” pursuant to the provisions of NJSA 40:44A-20.5 et seq. and the Borough Council finds this firm to be the most qualified for the Borough Labor Attorney sought by the Borough of Matawan; and

**WHEREAS**, NJSA 19:44A-20.5 et seq. allows a municipality through a “Fair and Open Process” to seek and solicit qualifications by advertising for such qualifications and appointing the firm based on said contractor’s qualifications and merit.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby appoint Matthew Giacobbe of the firm of Cleary Giacobbe Alfieri Jacobs, LLC as Borough Labor Attorney for the Borough of Matawan for the year 2013, said term to expire December 31, 2013.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the Council of the Borough of Matawan that the Mayor be and is hereby authorized to sign the contract for Borough Labor Attorney between the firm of Cleary Giacobbe Alfieri Jacobs, LLC on behalf of the Borough of Matawan.

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**RESOLUTION 13-01-15  
AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR THE  
APPOINTMENT OF  
MUNICIPAL AUDITOR**

**WHEREAS**, there exists the need for a Municipal Auditor in the Borough of Matawan, County of Monmouth; and

**WHEREAS**, the anticipated term of this contract is for a one-year period to expire December 31, 2013; and

**WHEREAS**, funds are or will be available for this purpose; and

**WHEREAS**, Robert W. Allison, CPA, RMA, of the firm Hutchins, Farrell, Meyer & Allison, PA, has submitted a proposal indicating they will provide the Municipal Auditor services; and

**WHEREAS**, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

**WHEREAS**, the cost to provide auditing and accounting services to the Borough of Matawan will be as follows, but not limited to:

- Perform the audit of the Borough’s financial statements for the year ended December 31, 2013 and prepare the 2013 Annual Debt Statement and Unaudited Annual Financial Statement
- Review and assist in the preparation of the Borough’s 2013 Budget
- LOSAP Audit

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that the Mayor be and is hereby authorized to sign the contract for Municipal Auditor between the firm of Hutchins, Farrell, Meyer & Allison, PA on behalf of the Borough of Matawan.

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**Nominations and Appointments to Borough Offices**

*(Made by the Mayor to be confirmed by Council.) - (One year terms, said terms to expire December 31, 2013 or as noted.)*

First Deputy Coordinator (Operations/Planning)	Firefighter Richard Michitsch	12/31/13
Second Deputy Coordinator (Resources/Logistics)	Ex-Fire Chief Timothy Clifton	12/31/13
Emergency Management Secretary	Tammy Michitsch	12/31/13
Deputy Borough Clerk	Karen Wynne	12/31/13
ADA Coordinator	Joseph Urbano	12/31/13
Property Maintenance Officer	Robert Biddle	12/31/13

Assessment Search Officer	Jean B. Montfort	12/31/13
Director of Public Recreation	Deirdre Ring	12/31/13
Tax Search Officer	Peggy Warren	12/31/13
HIPPA Privacy & Contact Person	Grace Rainforth	12/31/13
Deputy Registrar of Vital Statistic	Grace Rainforth	12/31/13
Personnel Administrator	Jean B. Montfort	12/31/13
Local Historian	Julius Kish	12/31/13

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**RESOLUTION 13-01-16  
RESOLUTION APPOINTING PAUL BUCCELLATO  
AS THE COAH MUNICIPAL HOUSING LIAISON**

**WHEREAS**, it is necessary for the Mayor and Council of the Borough of Matawan to appoint a COAH Municipal Housing Liaison; and

**WHEREAS**, it is the desire of the Mayor and Council to appoint Paul Buccellato as the COAH Municipal Housing Liaison.

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

1. That Paul Buccellato is hereby appointed as the COAH Municipal Housing Liaison for the Borough of Matawan at no additional compensation.
2. That a certified copy of this resolution be forwarded:
  - i. Omar H. Mansour, American Properties Reality, 517 Route One South, Ste. 2100, Iselin, New Jersey 08830
  - ii. Elizabeth C. McKenzie, PP, PA, 9 Main Street, Flemington, New Jersey 08822
  - iii. Lucy Voorhoeve, Council on Affordable Housing, PO Box 813, Trenton, New Jersey 08625-00813

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**RESOLUTION 13-01-17  
RESOLUTION APPOINTING PAUL BUCCELLATO  
AS THE FUND COMMISSIONERS TO THE  
MONMOUTH COUNTY MUNICIPAL JOINT INSURANCE FUND  
CENTRAL JERSEY HEALTH INSURANCE FUND**

**WHEREAS**, the Mayor and Council of the Borough of Matawan has authorized its participation in the Monmouth County Municipal Joint Insurance Fund; and

**WHEREAS**, it is necessary for the Mayor and Council of the Borough of Matawan to appoint a Fund Commissions to the Monmouth County Municipal Joint Insurance Fund; and

**WHEREAS**, it is the desire of the Mayor and Council to appoint Paul Buccellato as the Fund Commissioner to the Monmouth County Municipal Joint Insurance Fund; and



**WHEREAS**, it is the desire of the Mayor and Council to appoint Paul Buccellato as the Fund Commissioner for the Borough of Matawan to the Central Jersey Health Insurance Fund (CJHIF); and

**WHEREAS**, it is the desire of the Mayor and Council to appoint Jean B. Montfort as the Alternate Fund Commissioner to the Monmouth County Municipal Joint Insurance Fund.

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

1. That Paul Buccellato is hereby appointed as the Fund Commissioner for the Borough of Matawan to the Monmouth County Municipal Joint Insurance Fund.
2. That Jean B. Montfort is hereby appointed as the Alternate Fund Commissioner for the Borough of Matawan to the Monmouth County Municipal Joint Insurance Fund.
3. That Paul Buccellato is hereby appointed as the Fund Commissioner for the Borough of Matawan to the Central Jersey Health Insurance Fund (CJHIF)
4. That a certified copy of this resolution be forwarded to the Administrator for the Monmouth County Municipal Joint Insurance Fund and the Administrator for the Central Jersey Health Insurance Fund (CJHIF).

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**RESOLUTION 13-01-18  
FOR THE APPOINTMENT  
OF MUNICIPAL CROSS-ACCEPTANCE REPRESENTATIVE**

**WHEREAS**, the New Jersey State Planning Commission is re-examining the New Jersey State Development and Redevelopment Plan; and

**WHEREAS**, the State Planning Act provides for a process of “Cross-Acceptance”, whereby each municipality in the state has the opportunity to review and comment on the revised State Development and Redevelopment Plan; and

**WHEREAS**, the Monmouth County Planning Board has requested that the Mayor and Governing Body designate a Cross-Acceptance delegation comprised of representatives that are most knowledgeable with the Municipality’s master plan, zoning regulations, and other planning initiatives.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of Matawan Borough that Paul Buccellato is hereby designated as the representative for the Cross-Acceptance process.

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**RESOLUTION 13-01-19  
APPOINTING COMMUNITY DEVELOPMENT REPRESENTATIVE AND  
COMMUNITY DEVELOPMENT ALTERNATE REPRESENTATIVE**

**WHEREAS**, there exists in the Borough of Matawan, County of Monmouth, the need

for a Community Development Representative and a Community Development Alternate Representative; and

**WHEREAS**, Paul Buccellato is qualified for said position of Community Development Representative; and

**WHEREAS**, Jean B. Montfort is qualified for said position of Community Development Alternate Representative.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that Paul Buccellato be appointed as Community Development Representative and Jean B. Montfort be appointed as Community Development Alternate Representative.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to Community Development, Hall of Records Annex, One East Main Street, Freehold, New Jersey 07728.

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**RESOLUTION 13-01-20  
DESIGNATING STORMWATER PROGRAM COORDINATOR  
FOR THE BOROUGH OF MATAWAN**

**WHEREAS**, New Jersey Department of Environmental Protection has announced that the new rules were signed by the Commissioner on January 6, 2004; and

**WHEREAS**, the Borough of Matawan is required to register with the NJDEP and submit an application form for ATier A Municipal Stormwater General Permits and said application requires the Borough of Matawan to designate a Stormwater Program Coordinator.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that Robert Keady, PE, is hereby appointed Stormwater Program Coordinator for a one (1) year term, said term to expire December 31, 2013.

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**RESOLUTION 13-01-21  
RESOLUTION APPOINTING MUNICIPAL REPRESENTATIVES TO  
THE MONMOUTH COUNTY AREA 12 WATERSHED SUB-DISTRICT KNOWN AS  
BAYSHORE AND NAVESINK**

**WHEREAS**, the Borough of Matawan wishes to participate in the Monmouth County Watershed Program; and

**WHEREAS**, in order to implement this program the Borough has been requested to appoint two (2) representatives and two (2) alternates to each of the sub-districts listed above, to work toward and develop goals for watershed management.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that Councilman Thomas Fitzsimmons, primary and Robert Keady, PE, alternate are

appointed to the Bayshore District and Councilman Thomas Fitzsimmons, primary and Robert Keady, PE, alternate are appointed to the Navesink District, and are to represent the Borough of Matawan.

**BE IT FURTHER RESOLVED** that the Borough Clerk be and is authorized and directed to forward certified copies of this Resolution to the Monmouth County NJ DEP Region 12, Monmouth County Watershed Program, Monmouth County Planning Board, Hall of Records Annex, Second Floor, One East Main Street, Freehold, New Jersey 07728 and to the Borough of Matawan Environmental Commission.

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**RESOLUTION 13-01-22  
ADMINISTRATIVE COMMITTEES  
BOROUGH OF MATAWAN - 2013**

**WHEREAS**, it is necessary and expedient for the proper administration of government in the Borough of Matawan, to divide the administration of government into committees and appoint on said committee members of the council to facilitate the operations of the Borough between meetings of the Council.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that the administration of government be divided into:

**Finance, Education & Environmental**

**Personnel, Planning & Development**

**Property Maintenance, Technology & Sanitation**

**Public Safety, Railroad Parking & ADA**

**Public Works, Planning/Zoning & Shade Tree**

**Recreation, Historic Sites & Library**

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**NOMINATION AND APPOINTMENTS TO COMMITTEES**

*(By the Mayor)*

*(The first name of each committee serves as chairman)*

**Finance**

Finance, Education, Environmental

**Thomas Fitzsimmons**

Toni Angelini

Donna Gould

\_\_\_\_\_

**Planning & Development**

Personnel, Redevelopment, Construction, Community Development

**Donna Gould**  
Linda Clifton  
Joseph Urbano

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**Property Maintenance**

Property Maintenance, Technology, Sanitation & Recycling

**Kimberly Daly**  
Donna Gould  
Thomas Fitzsimmons

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**Public Safety**

Police, Fire, First Aid, Railroad Parking, ADA

**Joseph Ubano**  
Linda Clifton  
Toni Angelini

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**Public Works**

DPW, Water & Sewer, Planning/Zoning, Shade Tree

**Toni Angelini**  
Joseph Urbano  
Kimberly Daly

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**Recreation**

Recreation, Historic Sites, Library

**Linda Clifton**  
Toni Angelini  
Joseph Urbano

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**RESOLUTION 13-01-23  
TIME CAPSULE  
BOROUGH OF MATAWAN - 2013**

**WHEREAS**, the Tricentennial Committee of the Borough of Matawan in 1986 had reason to bury a time capsule; and

**WHEREAS**, said Time Capsule having been buried in Memorial Park, Main and Broad Streets; and

**WHEREAS**, instruction directing the said Time Capsule to be opened on January 1, 2086, or at an appropriate date during the Year 2086, determined by the then elected governing body, in conjunction with the appropriate body serving the preservation of Matawan's History, or the Quadcentennial Commission.

**NOW, THEREFORE, BE IT RESOLVED** that this Resolution, adopted this First Day of January 2013, be an ongoing resolution, and be a permanent resolution adopted at the first meeting of each year until the Year 2086, to serve as a reminder to all future governing bodies of the existence of the "Time Capsule".

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### **APPOINTMENTS MADE BY THE MAYOR**

#### **Environmental Commission**

I nominate and appoint James Tobias as Member of the Environmental Commission for a three year term, said term to expire December 31, 2015.

I nominate and appoint Sharon LaPorta as Member of the Environmental Commission for a three year term, said term to expire December 31, 2015.

I nominate and appoint Deanna Edwards as Member of the Environmental Commission for a three year term, said term to expire December 31, 2015.

I nominate and appoint Councilman Fitzsimmons as a Council Advisor of the Environmental Commission for a one year term, said term to expire December 31, 2013.

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#### **Unified Planning/Zoning Board of Adjustments**

I nominate and appoint Robert Montfort as Class II Member of the Unified Planning/Zoning Board of Adjustments for a one year term, said term to expire December 31, 2013.

I nominate and appoint Councilman Fitzsimmons as Class III Member of the Unified Planning/Zoning Board of Adjustments for a one year term, said term to expire December 31, 2013.

I nominate and appoint Angelo Gallego, Jr. as Class IV Member of the Unified Planning/Zoning Board of Adjustments for a four year term, said term to expire December 31, 2016.

I nominate and appoint John McKenna as Class IV Member of the Unified Planning/Zoning Board of Adjustments for a four year term, said term to expire December 31, 2016.

I nominate and appoint Andrew Lopez as Alternate II Member of the Unified Planning/Zoning Board of Adjustments for a two year term, said term to expire December 31, 2014.

I nominate and appoint Daniel Acquafredda as Alternate IV Member of the Unified Planning/Zoning Board of Adjustments for a two year term, said term to expire December 31, 2014.

### **Shade Tree Commission**

I nominate and appoint Larry Magee as Member of the Shade Tree Commission for a five year term, said term to expire December 31, 2017.

## **BOARD APPOINTMENTS MADE BY THE MAYOR WITH CONFIRMATION OF COUNCIL**

### **Disability Accessibility Commission**

I nominate and appoint John Applegate as Public Works Representative of the Disability Accessibility Commission for a one year term, said term to expire December 31, 2013.

I nominate and appoint John Quinn as Construction Department Representative of the Disability Accessibility Commission for a one year term, said term to expire December 31, 2013.

I nominate and appoint Rosemary Conte as Representative at Large of the Disability Accessibility Commission for a three year term, said term to expire December 31, 2015.

I nominate and appoint Councilwoman Gould as Governing Body Representative of the Disability Accessibility Commission for a one year term, said term to expire December 31, 2013.

I nominate and appoint Councilman Urbano as Governing Body Representative of the Disability Accessibility Commission for a one year term, said term to expire December 31, 2013.

### **Historic Sites Commission**

Upon the recommendation of the Historic Sites Commission I nominate and appoint Robert Montfort as a member of the Historic Sites Commission for a three year term, said term to expire December 31, 2015.

Upon the recommendation of the Matawan Historical Society I nominate and appoint Terri McKenna as a member of the Historic Sites Commission for a three year term, said term to expire December 31, 2015.

### **Library Board**

I nominate and appoint Mayor Buccellato as Mayor's representative to the Library Board for a one year term, said term to expire December 31, 2013.

I nominate and appoint Jerry D'Auria as a representative to the Library Board for a five year term, said term to expire December 31, 2017.

### **Office on the Aging**

I nominate and appoint Al Savolaine as member of the Office on the Aging for a one year term, said term to expire December 31, 2013.

I nominate and appoint Catherine Savolaine as member of the Office on the Aging for a one year term, said term to expire December 31, 2013.

**Recreation Commission**

I nominate and appoint Sue Banner as Delegate to the Recreation Commission for a five year term, said term to expire December 31, 2017.

I nominate and appoint Ruth Grant as Delegate to the Recreation Commission for a five year term, said term to expire December 31, 2017.

**Safety Committee**

I nominate and appoint Jake Applegate the Public Works/Water/Sewer Department Representative of the Safety Committee for a one year term, said term to expire December 31, 2013.

I nominate and appoint Larry Kasica the Board of Health Representative of the Safety Committee for a one year term, said term to expire December 31, 2013.

I nominate and appoint Councilman Urbano the Public Safety Committee Commissioner's Representative of the Safety Committee for a one year term, said term to expire December 31, 2013.

I nominate and appoint Deidre Ring the Member at Large Representative of the Safety Committee for a one year term, said term to expire December 31, 2013.

**Crossing Guards**

On recommendation of Lt. Jason Gallo, I nominate and appoint the following persons as school crossing guards for the Year 2013.

Melanie Murphy	Diane Monroe
Carolyn Woods	Colleen Gano
Linda Smith	June Berliner
Leslie Gilman	Sally Anne Riley

On recommendation of Lt. Jason Gallo, I nominate and appoint the following persons as part time school crossing guards for the Year 2013.

Kimberly Boswell	Sandy Hoogerheide
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**Police Matrons**

Upon the recommendation of Lt. Jason Gallo, I nominate and appoint the following persons as police matrons for the Year 2013.

Meghan Walker  
Denise Triolo

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**RESOLUTION 13-01-24  
RESOLUTION REFERRING BPM ENGINEERING LLC REPORT ON  
REDEVELOPMENT STUDY TO THE BOROUGH OF MATAWAN  
UNIFIED PLANNING/ZONING BOARD OF ADJUSTMENTS**

**WHEREAS**, Resolution 12-03-14 Authorized BMP Engineering LLC to Provide Professional Services as Redevelopment Planner for the Railroad Improvement District Zoning Study; and

**WHEREAS**, BPM Engineering LLC submitted a Train Station Redevelopment Area Planning Report for review to Mayor and Council of the Borough of Matawan; and

**NOW, THEREFORE, BE IT RESOLVED** in accordance with Municipal Land Use Law NJSA 40:55D-1 et seq the Council of the Borough of Matawan does hereby refer BPM Engineering LLC Train Station Redevelopment Area Planning report to the Borough of Matawan Unified Planning/Zoning Board of Adjustments for its review and comment on consistency with the Master Plan.

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**RESOLUTION 13-01-25  
ADOPTION OF BYLAWS  
BOARD OF FIRE OFFICERS**

**WHEREAS**, the Board of Fire Officers for the Borough of Matawan has advised the Mayor and Council the need for amending and adopting a revised and updated Bylaws for the Borough of Matawan’s Board of Fire Officers; and

**WHEREAS**, the Board of Fire Officers have recommended that these Bylaws will provide for a more efficient operation of the Borough of Matawan’s Fire Department; and

**WHEREAS**, the Mayor and Council of the Borough of Matawan desires to maintain and continue a more efficient operation under the revised Bylaws as recommended by the Board of Fire Officers.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that the revised Bylaws attached hereto and made apart hereof are hereby adopted and approved as recommended by the Board of Fire Officers.

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**The Mayor's Report**

**Privilege of the Floor**

**Adjournment**