

**Borough of Matawan
Public Session
April 16, 2013**

A regular meeting of the Borough Council of the Borough of Matawan, New Jersey, was held at the Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey on April 16, 2013. The meeting was called to order at 7:05 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 9, 2013, 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 Daly
Councilman Fitzsimmons
Councilwoman Gould
Councilwoman Clifton
Councilman Urbano
Councilwoman Angelini

Also, present were Louis Ferrara, Borough Administrator, and Pasquale Menna, Borough Attorney.

Mayor Buccellato asked everyone to stand for a moment of silence asking to keep in mind the people of Boston recovering from the Marathon bombing.

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

Mayor Buccellato welcomed Freeholder Robert Clifton to tonight's meeting.

Approval of Minutes

Mayor Buccellato requested a motion to approve the minutes of April 2, 2013. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Council agreed. Motion passed.

Old Business

Mayor Buccellato read by title Ordinance 13-09: Ordinance of the Borough of Matawan, County of Monmouth, New Jersey, Amending and Supplementing Chapter XX Planning and Zoning Regulations, Article XX, Definitions, Zoning, to Establish the Minimum Setback Required from Side and Rear Lot Lines for the Location of Standby Generators. Mayor Buccellato requested a motion to open the public hearing. Councilwoman Angelini made the motion, seconded by Councilwoman Clifton. Council agreed. Motion passed. Mayor Buccellato requested comments. There were no comments. Mayor Buccellato requested a motion to close the public hearing. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Council agreed. Motion passed. Mayor Buccellato read by title on third and final reading Ordinance 13-09: Ordinance of the Borough of Matawan, County of Monmouth, New Jersey, Amending and Supplementing Chapter XX Planning and Zoning Regulations, Article XX, Definitions, Zoning, to Establish the Minimum Setback Required from Side and Rear Lot Lines for the Location of Standby Generators requesting a motion to adopt. Councilwoman Clifton made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

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**ORDINANCE 13-09
ORDINANCE OF THE BOROUGH OF MATAWAN,
COUNTY OF MONMOUTH, NEW JERSEY
AMENDING AND SUPPLEMENTING
CHAPTER 34 DEVELOPMENT REGULATIONS, ARTICLE 34-3, DEFINITIONS, ZONING, TO
ESTABLISH THE MINIMUM SETBACK REQUIRED FROM SIDE AND REAR LOT LINES FOR
THE LOCATION OF STANDBY GENERATORS**

General Ordinances of the Borough of Matawan, Monmouth County, "Planning and Zoning Regulations", is hereby amended and supplemented to establish a minimum setback requirement for standby generators in specified zone districts:

34.3 *Definitions, is revised to include the following definition for a standby generator:*

Standby Generator

A standby generator is a back-up electrical system that automatically supplies power in the event of a utility outage. After utility power returns, the standby generator transfers the electrical load back to the utility, shuts itself off, and returns to a standby mode and awaits the next outage.

A. *Minimum side yard setbacks for standby generators shall read as follows:*

Generators must be enclosed by a sound attenuated weatherproof box or cabinet and shall be no closer than three feet (3') to any lot line provided that all screening and noise-reduction requirements are met. Standby generators shall conform to the requirements of the current International Building Code (both commercial and residential Edition) approved by the State of New Jersey.

B. *The above provisions or requirements shall pertain to all zones with the Borough of Matawan, and shall include but be not limited to, residential, commercial, general business, special business, as defined in the General Zoning Ordinance of the Borough.*

Mayor Buccellato read by title Ordinance 13-10: Amending Ordinance 08-24 – Park Avenue Sewer Rehabilitation. Mayor Buccellato requested a motion to open the public hearing. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Council agreed. Motion passed. Mayor Buccellato requested comments. There were no comments. Mayor Buccellato requested a motion to close the public hearing. Councilwoman Clifton made the motion, seconded by Councilwoman Angelini. Council agreed. Motion passed. Mayor Buccellato read by title on third and final reading Ordinance 13-10: Amending Ordinance 08-24 – Park Avenue Sewer Rehabilitation requesting a motion to adopt. Councilwoman Clifton made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

**ORDINANCE 13-10
BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 08-24
FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE
BOROUGH OF MATAWAN, NEW JERSEY ON DECEMBER 2, 2008**

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

Section 1. The Bond Ordinance of the Borough Council of the Borough of Matawan, in the County of Monmouth, New Jersey (the "Borough") entitled "Bond Ordinance Providing For Improvements to the Water/Sewer Utility In And By The Borough Of Matawan, In The County of Monmouth, New Jersey, Appropriating \$200,000 Therefor

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And Authorizing The Issuance of \$200,000 Bonds Or Notes Of the Borough For Financing The Cost.” finally adopted on December 2, 2008 (the “Ordinance”) is hereby incorporated by reference in its entirety.

Section 2. The Ordinance is hereby amended by (a) deleting the reference of “\$200,000” for the appropriation and estimated cost and “\$200,000” for the estimated maximum amount of bonds or notes and substituting in lieu therefor “\$250,000” and “\$250,000”, respectively; and by (b) deleting the reference to “\$30,000” for Section 20 costs and substituting in lieu therefor “\$50,000”.

Section 3. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolutions in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. This Section 4 constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that the Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$250,000.

Section 5. All other provisions of the Ordinance shall remain unchanged.

Section 6. This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final adoption as provided by Local Bond Law.

Clerk’s Report

No report.

Mayor’s Report

Mayor Buccellato informed of the retirement of the Borough Clerk, Jean B. Montfort. Though she could not be present as she is ill, he read the plaque dedicated to Ms. Montfort thanking her for her service.

Administrator’s Report

Mr. Ferrara informed of the introduction of Resolution 13-04-35: A Resolution Authorizing T&M Associates to Provide Professional Services – 2013 Road Program – Sunset Avenue, Monroe Street, Daniel, Mohawk and Ned Drives, William, Hoyt and Wyckoff Streets - including new traffic and directional striping; Shainey Lane and Stillwell Street “ponding” and paving on the side of Borough Hall; additional curb repair on Schenck Avenue and storm related road work on Crescent Place, Essie, Sutton and Ned Drives (damaged by Hurricane Irene). FEMA funding and the Borough Engineer’s efforts in obtaining NJS Department of Transportation grants and New Jersey Natural Gas to provide additional surface work will assist in the funding of the project. The introduction of Ordinance 13-11: Bond Ordinance Providing an Appropriation of \$2,779,101.80 for Various Road Improvements for and by the Borough of Matawan in the County of Monmouth, New Jersey and, Authorizing the Issuance of \$2,185,000 Bonds or Notes of the Borough for Financing Part of the Appropriation is a result of various bonds ordinances consolidated from leftover project monies.

Mr. Ferrara also informed of the introduction of Resolution 13-04-40: Shared Service Agreement Between the Borough of Keyport and the Borough of Matawan – Street Sweeping Services stating he hopes this is the first of more to come on behalf of the taxpayer.

Attorney’s Report

No report.

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Engineer's Report

Mr. Keady expanded on the Administrator's Report stating as previously reported New Jersey Natural Gas (NJNG) needs to replace/repair gas piping under Schenck Avenue. NJNG has agreed to replace/repair the piping and coordinate with the 2013 Road Program to repave, curb to curb with associated work, from Schenck Avenue at Main Street to Woodland Avenue continuing from Woodland Avenue around to Edgemere Drive to Lakeland and back to Woodland Avenue. As Schenck Avenue currently has a five year road opening moratorium, Mr. Keady requests Council approval. Upon same, he will review the street excavation permit and follow the curbing process. Mayor Buccellato requested a motion. Councilman Fitzsimmons made the motion, seconded by Councilwoman Angelini. Council agreed. Motion passed.

Mr. Keady reported on the progress of the rehabilitation of the Middlesex Road Water Treatment Plant informing of continued testing of equipment to continue through the remainder of April, and the installation of permanent power. We remain on target for May startup.

Also, contracted work on the Park Avenue Sanitary Sewer Rehabilitation Project will commence upon receipt of all easements. He and Mr. Menna are in progress of obtaining all necessary residential easements. Mr. Menna added all properties will be restored to its original condition after completion of the project.

Property Maintenance, Technology, Sanitation/Recycling

Councilwoman Daly had no report but wished to extend her best wishes to Jean, and will call her directly.

Finance, Education, Environmental

Councilman Fitzsimmons reported the introduction of the budget is scheduled for the May 7, 2013 Council meeting.

Also, this Saturday, 10:00 AM, is the opening ceremony at Toomer Field pending confirmation of a safe pedestrian walkway from Ravine Drive School behind the Water Plant to Toomer Field.

Personnel, Redevelopment, Construction, Community Development

Councilwoman Gould gave the Construction Department report for February 2013:

- Permit income and certificates - \$6,059.00 Year to Date - \$16,347.00
- Business, CCO, Miscellaneous - \$150.00 Year to Date - \$525.00
- State Permit Surcharge Fees - \$302.00 Year to Date - \$778.00
- Paid to State Quarterly Fees - \$0
- Value of Construction Work - \$192,260.00 Year to Date - \$504,810.00
- Permits Issued – 36 Year to Date - 88

Recreation, Historic Sites, Library

Councilwoman Clifton reported on the great success of the Easter Egg Hunt happily stating all Recreation events seem to continue to grow. She thanked Councilman Urbano on his son's outstanding performance as the "Easter Bunny." The Recreation Commission is currently in progress of coordinating the Memorial Day parade asking people to reach out to veterans; and are taking nominations via the Borough's website for Grand Marshall.

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Police, Fire, First Aid, Railroad Parking, ADA

Councilman Urbano thanked Lt. Jason Gallo, Sgt. Thomas Falco and Officer Eric Anderson, and Volunteer Firefighters Steve Dartagnan, Sean Salon, James Schnieder and Zoltan Varsanyi for providing the Easter Bunny a grand entrance on the fire truck.

He reminded all of the tuition credit program available to volunteers.

Councilman Urbano congratulated Borough of Matawan Court Clerk Patricia Sickels on her retirement thanking her for her years of service.

Public Works, Water/Sewer, Planning/Zoning, Shade Tree

Councilwoman Angelini reiterated Mr. Ferrara's comments on tonight's Resolution 13-04-40: Shared Service Agreement Between the Borough of Keyport and the Borough of Matawan – Street Sweeping Services.

Mayor Buccellato requested a motion to pull Resolution 13-04-31: Resolution Authorizing Use of the Burrowes Mansion – American Legion – Post 176 from tonight's agenda. Councilwoman Angelini made the motion, seconded by Councilwoman Clifton. Council agreed. Motion passed.

Consent Agenda

Mayor Buccellato read by title Resolutions 13-04-21 through and including 13-04-29 requesting a motion to approve en masse. Councilman Urbano made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-04-21
REDEMPTION OF TAX SALE CERTIFICATE
WEN LU
CERTIFICATE #11-00072**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00072 which was sold to Wen Lu, 144-90 41st Avenue, Apt. 515, Flushing, New York 11355; and

WHEREAS, Certificate #11-00072 has been paid and fully redeemed for the property owner, Block 85, Lot 3 otherwise known as 356 Forest Avenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,626.54 and a Premium of \$300.00 to the above for the redemption of Tax Sale Certificate #11-00072.

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

**RESOLUTION 13-04-22
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR CRESTAR CAPITAL, LLC
CERTIFICATE #12-00016**

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WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #12-00016 which was sold to US Bank Cust for Crestar Capital, LLC, TLSG 2 Liberty Pl., 50 S 16th St., Ste 1950, Philadelphia, PA 19102; and

WHEREAS, Certificate #12-00016 has been paid and fully redeemed for the property owner, Block 19, Lot 8 otherwise known as 109 Broad St.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,026.79 to the above for the redemption of Tax Sale Certificate #12-00016.

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

**RESOLUTION 13-04-23
REDEMPTION OF TAX SALE CERTIFICATE
JIAN YANG
CERTIFICATE #12-00074**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #12-00074 which was sold to Jian Yang, 144-90 41st Avenue, Apt. 515, Flushing, New York 11355; and

WHEREAS, Certificate #12-00074 has been paid and fully redeemed for the property owner, Block 85, Lot 3 otherwise known as 356 Forest Avenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,276.20 to the above for the redemption of Tax Sale Certificate #12-00074.

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

**RESOLUTION 13-04-24
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR CRESTAR CAPITAL, LLC
CERTIFICATE #12-00075**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #12-00016 which was sold to US Bank Cust for Crestar Capital, LLC, TLSG 2 Liberty Pl., 50 S 16th St., Ste 1950, Philadelphia, PA 19102; and

WHEREAS, Certificate #12-00075 has been paid and fully redeemed for the property owner, Block 85, Lot 16 otherwise known as 249 Harding Boulevard.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$745.54 to the above for the redemption of Tax Sale Certificate #12-00075.

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

**RESOLUTION 13-04-25
REDEMPTION OF TAX SALE CERTIFICATE
ATCF II NJ, LLC
MTAG AS CUST FOR ATCF II NJ, LLC
CERTIFICATE #12-00097**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #12-00097 which was sold to ATCF II NJ, LLC, MTAG as Cust for ATCF II NJ, LLC, PO Box 542952, New Orleans, LA 70154-4292; and

WHEREAS, Certificate #12-00097 has been paid and fully redeemed for the property owner, Block 123, Lot 59 otherwise known as 39 Poet Dr.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$13,240.13 and a Premium of \$11,000.00 to the above for the redemption of Tax Sale Certificate #12-00097.

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

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**RESOLUTION 13-04-26
APPROVAL OF NEW TAXI DRIVER LICENSE
EDGAR RIBON**

WHEREAS, Edgar Ribon, has passed the required Police Department background checks; and

WHEREAS, Edgar Ribon, has filed the proper documentation with the Borough Clerk's office.

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

*Applicant: Edgar Ribon
97 Morningside Ave.
Keansburg, New Jersey 07734*

**RESOLUTION 13-04-27
APPROVING BUSINESS RELOCATION
BRIAN FISHER AGENCY, INC.**

WHEREAS, Brian Fisher Agency, Inc., (insurance) was previously approved as a business operating in the Borough of Matawan; and

WHEREAS, Brian Fisher Agency, Inc. has notified the Borough of Matawan of its relocating from 750 Route 34, Suite 4 to 1016 Route 34, Unit 5, effective May 15, 2013; and

WHEREAS, this business is an approved use in its new location.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the following business relocation:

*Business: Brian Fisher Agency, Inc.
1016 Route 34, Unit 5
Matawan, New Jersey 07747*

*Applicant: Brian Fisher
29 Sylvan Drive
Neptune, New Jersey 07753*

**RESOLUTION 13-04-28
APPROVAL OF MASSAGE PARLOR LICENSE RENEWAL
WHOLE BODY HEALTHCARE CENTER**

WHEREAS, Whole Body Healthcare Center (Massage Parlor) has passed the required Police Department background checks; and

WHEREAS, on the condition that Whole Body Healthcare Center has received the required permits from the Construction Office, Fire Prevention Office and the Board of Health.

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

*Business: Whole Body Healthcare Center
1032 Highway 34
Matawan, New Jersey 07747*

*Applicant: Ji Hong Xie
4 Hunterdon Avenue
Monroe Township, New Jersey 08831*

**RESOLUTION 13-04-29
APPROVAL OF MASSEUSE LICENSE RENEWAL
JI HONG XIE**

WHEREAS, Ji Hong Xie (Masseuse) has passed the required Police Department background checks; and

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WHEREAS, on the condition that Ji Hong Xie has received the required permits from the Construction Office, Fire Prevention Office and the Board of Health.

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

*Business: Ji Hong Xie
c/o Whole Body Health Care Center, LLC
1032 Route 34
Matawan, New Jersey 07747*

*Applicant: Ji Hong Xie
4 Hunterdon Avenue
Monroe Township, New Jersey 08831*

New Business

Mayor Buccellato read by title Resolution 13-04-30: Amending Resolution 13-02-12: Resolution Accepting and Authorizing the New Jersey Transit Bus Stop – South Atlantic Avenue. Mayor Buccellato requested a motion. Councilman Urbano made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-04-30
AMENDING
RESOLUTION 13-02-12
RESOLUTION ACCEPTING AND AUTHORIZING
NEW JERSEY TRANSIT BUS STOP
SOUTH ATLANTIC AVENUE**

WHEREAS, New Jersey Transit and the Borough of Matawan have agreed to a suitable bus stop location proposal at South Atlantic Avenue:

Bus Stop:

Along Route NJ34 southbound, (westerly side) at:

South Atlantic Avenue (near-side): Beginning at the prolongation of the northerly curb line of South Atlantic Avenue and extending 105 feet northerly therefrom.

NOW, THEREFORE, BE IT RESOLVED the Council hereby accepts New Jersey Transit Municipal Review Statement Bus Stop Proposal.

BE IT FURTHER RESOLVED the Council hereby authorizes the approval of said proposal and authorizes the Mayor to execute said Statement.

Mayor Buccellato read by title Resolution 13-04-32: Approving “Coin Toss” – Matawan First Aid & Rescue Squad – Year 2013. Mayor Buccellato requested a motion. Councilman Urbano made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

Yes: Councilwoman Daly
Councilman Fitzsimmons

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Councilwoman Gould
Councilwoman Clifton
Councilman Urbano
Councilwoman Angelini

Motion passed.

**RESOLUTION 13-04-32
APPROVING "COIN TOSS"
MATAWAN FIRST AID & RESCUE SQUAD
YEAR 2013**

WHEREAS, the Matawan First Aid & Rescue Squad has requested they be allowed to conduct a "coin toss" as follows for the 2013 year:

<i>Saturday, June 1, 2013</i>	<i>9:00 AM to 1:00 PM</i>
<i>Sunday, June 2, 2013</i>	<i>9:00 AM to 1:00 PM</i>

and

<i>Saturday, June 8, 2013</i>	<i>9:00 AM to 1:00 PM</i>
<i>Sunday, June 9, 2013</i>	<i>9:00 AM to 1:00 PM</i>

and

<i>Saturday, July 13, 2013</i>	<i>9:00 AM to 1:00 PM</i>
<i>Sunday, July 14, 2013</i>	<i>9:00 AM to 1:00 PM</i>

and

<i>Saturday, July 27, 2013</i>	<i>9:00 AM to 1:00 PM</i>
<i>Sunday, July 28, 2013</i>	<i>9:00 AM to 1:00 PM</i>

and

<i>Saturday, August 17, 2013</i>	<i>9:00 AM to 1:00 PM</i>
<i>Sunday, August 18, 2013</i>	<i>9:00 AM to 1:00 PM</i>

and

<i>Saturday, September 14, 2013</i>	<i>9:00 AM to 1:00 PM</i>
<i>Saturday, September 21, 2013</i>	<i>9:00 AM to 1:00 PM</i>
<i>Saturday, October 14, 2013</i>	<i>9:00 AM to 1:00 PM</i>
<i>Saturday, October 21, 2013</i>	<i>9:00 AM to 1:00 PM</i>
<i>Saturday, November 2, 2013</i>	<i>9:00 AM to 1:00 PM</i>

Location: Route 34 and Broad Street

WHEREAS, the Matawan First Aid & Rescue Squad uses revenue generated from the "coin toss" to provide the Matawan First Aid & Rescue Squad with many items that enable the department to enhance their service the community.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they hereby approve the request of the Matawan First Aid & Rescue Squad for their "coin toss".

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

Mayor Buccellato read by title Resolution 13-04-33: Denial of Massage Parlor License (Renewal) – Hot Stone Massage Therapy. Mayor Buccellato requested a motion. Councilwoman Angelini made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-04-33
DENIAL OF MASSAGE PARLOR LICENSE (RENEWAL)
HOT STONE MASSAGE THERAPY**

WHEREAS, Hot Stone Massage Therapy, has applied for a Massage Parlor License (Renewal) License; and

WHEREAS, the Matawan Police Department recommended the license not be issued to Hot Stones Massage Therapy, as stated in Ordinance 12-14: An Ordinance Revising Chapter 4-9: Massage Parlors: Masseurs and Masseuses of the Revised General Ordinances of the Borough of Matawan, County of Monmouth, State of New Jersey – Licensing and Business Regulations, Section 13.2(B) – Grounds for Suspension or Revocation predicated on a review of eligibility criteria and standards as set forth in the applicable licensing regulations.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they hereby deny the following Massage Parlor Renewal License:

*Business: Hot Stones Massage Therapy
70 Main Street, Suite 2
Matawan, New Jersey 07747*

*Applicant: Lioudmila Tynianskikh
243 Longwood Drive
Manalapan, New Jersey 07726*

Mayor Buccellato read by title Resolution 13-04-34: Denial of Masseuse License (Renewal) – Lioudmila Tynianskikh. Mayor Buccellato requested a motion. Councilman Urbano made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-04-34
DENIAL OF MASSEUSE LICENSE (RENEWAL)
LIOUDMILA TYNIANSKIKH**

WHEREAS, Lioudmila Tynianskikh, has applied for a Masseuse License (Renewal) License; and

WHEREAS, the Matawan Police Department recommended the license not be issued to Hot Stones Massage Therapy, as stated in Ordinance 12-14: An Ordinance Revising Chapter 4-9: Massage Parlors: Masseurs and Masseuses of the Revised General Ordinances of the Borough of Matawan, County of Monmouth, State of New Jersey – Licensing and Business Regulations, Section 13.1(B) – Grounds for Suspension or Revocation predicated on a review of eligibility criteria and standards as set forth in the applicable licensing regulations.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they hereby deny the following Masseuse Renewal License:

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*Business: Hot Stones Massage Therapy
70 Main Street, Suite 2
Matawan, New Jersey 07747*

*Applicant: Lioudmila Tynianskikh
243 Longwood Drive
Manalapan, New Jersey 07726*

Mayor Buccellato read by title Resolution 13-04-35: A Resolution Authorizing T&M Associates to Provide Professional Services – 2013 Road Program. Mayor Buccellato requested a motion. Councilwoman Angelini made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-04-35
A RESOLUTION AUTHORIZING T&M ASSOCIATES TO PROVIDE PROFESSIONAL SERVICES FOR
2013 ROAD PROGRAM**

WHEREAS, the Mayor and Council of the Borough of Matawan received an estimate from T&M Associates for professional services for professional engineering and construction observation services associated with the 2013 Road Program; and

NOW, THEREFORE BE IT RESOLVED that the Council of the Borough of Matawan does hereby award the contract for professional services to T&M Associates for professional engineering and construction observation services associated with the 2013 Road Program in an amount not to exceed Five Hundred Forty-Five Thousand, Seven Hundred Dollars and No Cents (\$545,700.00).

CERTIFICATION AS TO AVAILABLE FUNDING

I, Monica Antista, Chief Financial Officer of the Borough of Matawan do hereby certify that as of the date of this certification funds are available pending adoption of the 2013 Road Program of the Borough of Matawan for T&M Associates associated with the 2013 Road Program in an amount not to exceed Five Hundred Forty-Five Thousand, Seven Hundred Dollars and No Cents (\$545,700.00).

This certification is based solely on the information encumbered into the financial records of the borough by the appropriate using division as of this date and relies on the completeness of financial records.

Chief Financial Officer

(Signature on File)

Monica Antista

Dated: April 16, 2013

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Eleven Tindall Road, Middletown, New Jersey 07748-2792
(732) 671-6400 * fax (732) 671-7365 * www.tandmassociates.com



MATN-G1301

April 9, 2013

Louis Ferrara
Borough of Matawan
201 Broad Street
Matawan, NJ 07747

**Re: 2013 Road Improvement Program
Scope and Fee Estimate
Borough of Matawan**

Dear Mr. Ferrara:

T & M Associates is pleased to submit this Scope and Fee Estimate for Professional Services associated with the Borough's 2013 Road Improvement Program.

We understand that New Jersey Department of Transportation Funding, in the amount of \$200,000, is available for the Sunset Avenue and Monroe Street improvements. In addition, we have applied for New Jersey Department of Transportation (NJDOT) Funding for the William Street improvements. However, we have not yet heard of the results of the funding awards. The remaining streets in the program are being improved with Borough funds.

There are also some drainage improvements and culvert repairs along Crestwood Drive, Essie Drive, Sutton Drive and Ned Drive. FEMA funding in the amount of \$78,601.80 is available for the improvements along Crestwood Drive, Essie Drive and Sutton Drive. The improvements noted along Ned Drive are being completely funded with Borough funds.

The total program estimated construction cost is \$3,300,000. The program will be set up as two construction contracts as described in the following assessment of existing conditions and proposed improvements that are based on recent field visits. Sunset Avenue and Monroe Street, which are partially funded by NJDOT Local Aid grants, and William Street (NJDOT Local Aid application pending), may be issued as one contract as a minimum with the other locations being issued as a separate contract.

Sunset Avenue and Monroe Street from Route 34 to Crown Avenue (700' +/-)

- The roadway has an existing concrete curb that is in fair to poor condition. All curbs are anticipated to be replaced.
- Concrete sidewalk exists along each side of the road and is in fair condition. Approximately 20% to 25% spot replacement is anticipated where damaged and at ADA ramps.

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- The pavement is in fair condition and appears to be stable. We anticipate some base repair and overlay. In addition, driveway curb cuts will be raised to accommodate the overlay. The intersection with Schenck Avenue was recently paved and will be excluded from this project. We estimate 40% to 50% base repair prior to overlay, along with raising driveway curb cuts.

William Street (1,100' +/-)

- There is an existing concrete curb on both sides of the road that is in fair to poor condition. We anticipate replacement of all curb.
- Concrete sidewalk exists along portions of the road and we anticipate 20% to 25% spot replacement where damaged and at ADA ramps.
- The pavement is mostly in poor condition with some potholes, rutting and alligating. Full reconstruction of the pavement is anticipated.
- The water main will be replaced.

Daniel Drive from Essie Drive to Union Street (2,000' +/-)

- The roadway has existing concrete curb on both sides that is in poor condition and will be replaced with combination concrete curb and gutter to match surrounding streets.
- Concrete sidewalk is in fair to good condition and we estimate 20% to 25% replacement where damaged and at ADA ramps.
- The pavement is in poor condition with potholes, rutting and alligating. We anticipate full reconstruction of the pavement surface.
- We also recommend that underdrain be added along the gutter lines.
- The water main will be replaced.

Mohawk Drive from Fawn Drive to Indian Trail (800' +/-)

- The existing concrete curb is in fair to poor condition and is anticipated to be replaced with combination concrete curb and gutter to match surrounding streets.

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- Concrete sidewalk is in fair condition and we estimate 25% to 30% replacement where damaged and at ADA ramps.
- The pavement is in poor condition with potholes, rutting and alligating. We anticipate full reconstruction of the pavement surface.
- We also recommend that underdrain be added along the gutter lines.
- The water main will be replaced.

Ned Drive (1,900' +/-)

- The roadway has existing concrete curb on both sides that is in poor condition and is anticipated to be replaced with combination concrete curb and gutter to match surrounding streets.
- Concrete sidewalk is in fair condition. Approximately 20% to 25% spot replacement is anticipated where damaged and at ADA ramps.
- The pavement is in poor condition with potholes, rutting and alligating and full reconstruction is anticipated.
- We also recommend that underdrain be added along the gutter lines.
- The water main will be replaced.

Hoyt Street (250' +/-)

- Hoyt Street is a local street with a pavement width of approximately 17'. Parking is prohibited along both sides of the roadway.
- There is existing concrete curb along portions of the road that is in poor condition and full replacement is anticipated.
- There are no sidewalks, and none are proposed.
- The pavement is in poor condition and reconstruction is anticipated.

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Wyckoff Street Underdrain Installation (450' +/-)

- Underdrain will be installed along approximately 450' of the easterly curb line to ease the wet condition and connect sump pump drains to the inlets at the corner of Wyckoff Street and Spring Street.

Miscellaneous Traffic Striping

- Traffic striping will be installed at various locations throughout the Borough to be determined by the Borough.

Shainy Lane Ponding

- There is an existing problem with ponding water along the curb line in the cul-de-sac of Shainy Lane. There are existing inlets in place. It is anticipated that the cul-de-sac pavement will be re-graded to eliminate the ponding.

Stillwell Street Ponding

- There is a water ponding problem along the gutters of Stillwell Street just opposite the existing tennis courts and adjacent to the bike path. It is anticipated that the problem will be corrected with additional inlets and piping that will discharge into the adjacent ditch.

Borough Hall Pavement Removal

- There is a section of pavement located behind the Church Street curb along the building that will be removed and replaced with topsoil and seed.

Curb and Base Repair along Streets with NJNG Improvements (Schenck Area)

- Provide curb replacement and roadway base repair along sections of the roadway where New Jersey Natural Gas (NJNG) has replaced gas mains. NJNG will provide overlay of the roadway. **The design for these improvements will be provided at no cost to the Borough.**

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Crestwood Road Storm Damage Repair

- During Hurricane Irene, slope failure occurred on the wooded slope north of 7 Crestwood Road and adjacent to and south of Crestwood Road. The storm also damaged the road infrastructure including pavement, curbing and guide rail.
- The repair includes clearing the site of debris (approximately 130 feet by 15 feet) and installing approximately 250 cubic yards of new clean soil to fill the area back to grade. The slope will be stabilized with four inches of topsoil and seeded. Jute topsoil stabilization matting is anticipated to stabilize the slope while the seed germinates. In order to replace existing trees and shrubs that were providing additional slope stabilization, the area will also be reforested with approximately three native trees and 150 shrubs.
- The damaged pavement will be restored with four inches of Dense Graded Aggregate Base Course, four inches of Hot Mix Asphalt Base Course and two inches of Hot Mix Asphalt Surface Course.
- Damaged curb will be replaced and guide rail will be replaced with Federal Highway standard Steel Backed Timber Guide Rail.

Essie Drive Storm Damage Repair

- During Hurricane Irene, slope failure occurred on the wooded slope along a stream behind the rear yards of #14 and #16 Essie Drive. In addition to the slope failure, the storm damaged the drainage outfall and manhole.
- The repair includes clearing the site of debris (80 feet by 70 feet), then replacing approximately 40 feet of the drainage pipe. The manhole will be replaced. Approximately 1,040 cubic yards of new clean soil will be installed to fill the area back to grade.
- The slope will be stabilized with four inches of topsoil, jute stabilization matting and seeded. The area will also be reforested with approximately three native trees and 280 shrubs.

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Sutton Drive Storm Damage Repair

- During Hurricane Irene, slope failure occurred on the wooded slope adjacent to and south of Sutton Drive. The storm damaged two drainage inlets, some concrete curb, pavement, outfall pipe and concrete headwall.
- The repair includes clearing the site of debris (80 feet by 50 feet) and installing approximately 800 cubic yards of new clean soil to fill the area back to grade. The slope will be stabilized with four inches of topsoil, jute stabilization matting and seeded. The area will also be reforested with approximately two native trees and 195 shrubs.
- The damaged drainage outfall and headwall will be replaced.

Ned Drive Storm Damage Repair

- During Hurricane Irene, slope failure occurred at an existing drainage outfall that collects storm water runoff from Ned Drive. The outfall is located on a slope across from 28 Ned Drive. The storm water caused the outfall to fail, eroding the stream, washing away the existing rip rap stone and causing three trees to fall across the stream.
- The repair includes replacing approximately 180 feet of the storm drainage outfall with 36" diameter Reinforced Concrete Culvert Pipe. New stone rip rap will be placed at the lower end of the pipe. The stream and the slope will be stabilized with four inches of topsoil, jute stabilization matting and seeded. The area will also be reforested with approximately one native tree and 90 shrubs. A new fence will be installed along the adjacent property line to separate the neighboring property from the outfall.

The existing roadway widths will generally be maintained for all streets. Badly damaged or missing sidewalk will be replaced. Driveway aprons will be replaced, if required by grading. ADA ramps will be provided at intersections within the project limits where sidewalks exist. Restoration and cleanup, including topsoiling, fertilizing and seeding will be included. Manhole castings and drainage heads will be reset where required for grading. Unsafe inlet grates will be replaced with bicycle safe grates and all curb pieces will be replaced with Type N ECO pieces.

As part of the water main work, on the streets identified above, services will be replaced to the curb, and hydrants will be replaced.

In order to achieve the Borough's objectives, we propose the following scope of services.

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A. PRE-DESIGN PHASE

1. Field survey will be provided to determine existing cross slopes and gutterline profiles. Field surveys will be acquired by conventional "on the ground" methods and may be supplemented with aerial mapping. Streets to receive a gutter base repair and overlay will require cross-sections at 50' intervals. Streets that do not have curb, and/or are scheduled for reconstruction will require full survey as denoted below.
 - a. A baseline will be set along the roadway as an open traverse line with assumed coordinates to locate the items listed below.
 - b. Topographic features will be located between existing sidewalks, including trees, shrubs, signs, fences, mailboxes, roof drains, visible utilities and drainage systems.
 - c. Existing property corners will be located (along the roadway), where visible, for depicting existing right-of-way.
 - d. Using an assumed datum, benchmarks will be set for vertical control during construction.
 - e. Visible utilities will be located and utility pole numbers recorded.
 - f. Cross-sections at 50 feet intervals will be acquired between existing sidewalks.
 - g. Existing driveway centerlines will be profiled to fifteen feet beyond the existing sidewalks.
 - h. Grate and rim elevations for storm water and sanitary structures will be provided.
2. Base maps for the streets will be prepared at a scale of 1" = 20'. For those streets not requiring full survey, base maps will be prepared using aerial mapping and the cross-sections obtained in the field. Utility information on roads where water main replacement is proposed will be added based on in-house mapping, field investigation and consultation with the Borough. Tax map accuracy right-of-way lines will be shown on the base maps.

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3. Copies of the base maps will be forwarded to each utility company (and the Borough Department of Public Works) so they can verify the location and sizes of their facilities. We will also inquire whether they have plans for future relocation or expansion.
4. Soil borings will be acquired in the areas where water mains are being replaced to identify soil conditions and groundwater information. A total of ten borings are anticipated to a depth of approximately ten feet. We assume that the Borough will provide police traffic directors if required. The boring contractor fees are estimated to be approximately \$6,000.

B. DESIGN PHASE

1. Once field surveys have been completed and base maps prepared, a preliminary design for each street will be prepared and will include the following items:
 - a. Graphical horizontal geometry denoting pavement widths, curve radii, limits of curbing, approximate limits of reconstruction, and existing right-of-way lines.
 - b. A graphical profile, where grade changes are required.
 - c. Proposed typical sections.
 - d. A preliminary construction cost estimate.
 - e. Potential areas of utility conflicts will be identified on the preliminary design.
 - f. The preliminary plans will be reviewed with appropriate Borough officials prior to proceeding with final design.
2. Final construction plans will be prepared in AutoCAD and consist of the following:
 - a. Title sheet with key map;
 - b. Standard Legend and Typical Section Sheet;
 - c. Construction and Layout Plan Sheets (1" = 20');

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- d. Existing Conditions and Grading Plan Sheets, if required by the engineer;
 - e. Soil Erosion and Sediment Control Plans;
 - f. Maintenance and Protection of Traffic Plan; and
 - g. Construction Details Sheets.
3. Water mains will be laid out on the construction plans, along with valves, hydrants, wet taps and services. We will coordinate pipe material selection with the Borough Water Department to assure consistency with their standards. For the purposes of this proposal, we have assumed that the new mains will be 8" diameter ductile iron and 6" diameter ductile iron pipe and appropriate adapters, valves and fittings will be installed for the new hydrants.
 4. Quantities will be estimated by item, and a final construction cost estimate will be provided.
 5. Specifications will be prepared in book form, in T&M Associates' format, based on the 2007 New Jersey Department of Transportation Standard Specifications for Road and Bridge Construction.
 6. An application for a utility opening permit will be prepared and submitted to the New Jersey Department of Transportation (NJDOT) for the proposed water main construction at the intersection of William Street and Route 79.
 7. An application for a permit to construct or modify the public community water system will be prepared and submitted to the New Jersey Department of Environmental Protection (NJDEP).
 8. An application for soil erosion and sediment control certification will be prepared and submitted by T&M Associates to the Soil Conservation District on behalf of the Borough.
 9. As required by the Administrative Order No 2012-2013; we will prepare an inventory of storm related damage and submit the information to the NJDEP. This inventory is required to be submitted by May 1, 2013. Upon completion of our submittal, we will coordinate with NJDEP to obtain written correspondence to satisfy the FEMA requirements for funding. Please note that this task is not inclusive of the preparation

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of permit documents and is subject to NJDEP acceptance of the storm related damage inventory.

10. The application fees are not included as part of this estimate and will be the responsibility of the Borough. T&M will inform the Borough of the required fees approximately two weeks prior to the anticipated application filing dates. We estimate the NJDOT permit fee to be approximately \$1,200; the NJDEP permit fee for water main extension to be approximately \$4,000; and the soil conservation fees to be approximately \$6,000.

11. We will submit final plans and specifications to the Borough for final review prior to the preparation of bid documents.

C. BIDDING PHASE

1. Upon completion of the plans and specifications, we will present the project to the Borough and NJDOT (for Sunset Avenue/Monroe Street and William Street) requesting approval and authorization to advertise the project for bids. T&M Associates will print and distribute the contract documents, including final plans and specifications, to prospective contractors. The cost of the printing will be offset by the purchase price of the plans and specifications.
2. T&M Associates will answer questions that arise during the bidding phase of the project, either from Borough officials, NJDOT or prospective bidders.
3. We will attend the receipt of bids with the appropriate municipal officials.
4. T&M Associates' representatives will assist Borough officials with the bid review process including an evaluation of the contractors' bid submissions. As part of this effort, T&M Associates will prepare a bid tabulation sheet comparing the various bids received, review the credentials of the low bidder, and prepare a recommendation for award. We will also submit to NJDOT for award concurrence.

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**D. CONSTRUCTION PHASE –
CONTRACT ADMINISTRATION AND CONSTRUCTION OBSERVATION**

We will provide a part-time Project Manager (PM) and a part-time Inspector with additional support services from our office staff, as required by the PM, for the inspection portion of the contract. In addition to supporting the PM, the inspector will be responsible to observe and document the construction effort to determine that the materials were manufactured and the work installed in general conformance with the contract documents and approved submittals. The assigned personnel will have experience in municipal roadway construction. The following is a description of the services we will provide, the anticipated performance period for these services and the budget for the cost of same.

The PM will perform the following tasks:

1. Upon receiving concurrence of award from NJDOT, prepare and distribute construction contract package for execution, provide engineering review of contract, insurance certification, performance and payment bond and subcontractor registration certificate and distribute executed package to the Borough Attorney for final review and execution by the Mayor and receive and distribute executed copies (including NJDOT).
2. Conduct a pre-construction conference among project's participants, inviting the contractor, Borough officials, NJDOT rep, utility representatives, police and our construction team, and produce minutes of this meeting. Coordinate and review initial project submittals including baseline project schedule, insurance certificates, emergency call lists, etc. Pre-construction phase assumed to last less than one month.
3. Conduct periodic job meetings, as determined by the PM, with representatives of the contractor, subcontractor, and utility companies to review progress, performance and to address any questions or problems that may have arisen. Borough representatives or other officials, as determined by the PM, will be invited to attend these meetings. Minutes of these meetings will be generated and distributed.
4. Review and coordinate submittals received from the contractor including contractor's schedules, shop drawings, product data and samples and material certifications of conformance for general compliance with Contract Documents.

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5. Perform quality assurance audits of the project file, determining that contemporaneous documentation, such as inspection reports, quantity log books, material submittals and certifications, material testing records, labor interview forms, manpower status reports, is being generated and complete.
6. After review and input from the Inspector, prepare monthly estimates of payment to the Contractor.
7. Review and issue written recommendation to the Borough following receipt of a written claim or dispute from Contractor.
8. Receive draft punchlist from Inspector and administer the monitoring of its completion.
9. Prepare final closeout documents, including Final Payment Certificate and Change Order, and other closeout documents.
10. Notify NJDOT of completion and coordinate any punchlist items noted, prepare and transmit to NJDOT all other required close-out documents, including final pay voucher.

The following tasks will be accomplished by our inspector during the construction phase of the project:

1. Provide part time construction observation services for the duration of the base construction contract. We do not anticipate, or have budgeted for, a stop and go, less than full time effort by the contractor. We anticipate a total of 12 months of fully engaged on-site construction effort interrupted by three months of total inactivity due to winter shutdown. During the three month shutdown, no construction management effort is anticipated or budgeted. In addition, we anticipate a part-time six week effort after substantial completion for project closeout.
2. Perform on-site observation of work to determine general conformance to the contract plans and specifications.
3. Determine that certificates of conformance are submitted for those materials used on site that require such.

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4. Prepare job reports indicating weather, equipment, personnel, work accomplished on the project and other relevant matters such as issues discussed and direction given. Reports will be furnished to the Borough upon request.
5. Respond to Contract Document interpretation requests and other requests for information from the Contractor and assist in resolution of questions and/or disputes.
6. Review Contractor's monthly estimates of work performed and invoices submitted for payment. Measure pay items of work for the Contractor's monthly estimates. Provide payment input to the Project Manager.
7. Support Project Manager with review and input following receipt of a written claim or dispute from Contractor.
8. Prepare initial punchlist and monitor corrective action work, participate in final NJDOT inspection and also monitor any required corrective action cited.
9. Finalize with the contractor as-built quantities.

As discussed above, our contract administration and inspection fee for the 2013 Road Improvement Program contract is based on two contracts which can be split in various ways which will shorten the overall construction period. However, if one contract is administered, the contract completion date will be approximately 360 calendar days after the Notice of Award is issued. If the contractor does not reach substantial completion of the work by agreed upon contract completion time, and our budget for contract administration and inspection services prior to substantial completion is fully expended, we will ask the Borough to enforce section IB 4.2 of the contract allowing the town to deduct payment to the contractor in order to pay for continued engineering services. Similarly should our services be required beyond 10 hours on any day and/or on Sundays, we will also ask the Borough to enforce section IB 4.2 of the contract allowing the Borough to deduct payment to the contractor in order to pay for the excess hours.

We are prepared to proceed upon your authorization, and suggest an estimated fee of \$545,700 to be billed monthly utilizing current billing rate schedule. Following are the estimated "soft cost" requirements for the project:

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Survey & Design Fee.....	\$ 313,500.00
Construction Admin and Inspection Fee....	\$ 215,000.00
Total Engineering Fee....	\$ 528,500.00
Soil Borings	\$ 6,000.00
Permit Fees.....	\$ 11,200.00
Total.....	\$ 545,700.00*

** As discussed, I recommend an additional \$50,000 be budgeted for contract, administration & inspection, should the construction extend beyond the contracted duration.*

On behalf of T&M Associates, I would like to thank you and the Governing Body for the opportunity to submit this scope of services and fee estimate. We look forward to our continued successful work with you and members of your staff.

Very truly yours,

T&M ASSOCIATES


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

RRK:DJM:dw

c: Jean B. Montfort, Borough Clerk

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Mayor Buccellato read by title Resolution 13-04-36: Acceptance of Retirement – Police Department – Patricia Sickels. Mayor Buccellato requested Ms. Sickels to please join Mayor and Council at its May 7, 2013 meeting. Mayor Buccellato requested a motion. Councilwoman Gould made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

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**RESOLUTION 13-04-36
ACCEPTANCE OF RETIREMENT
POLICE SECRETARY
PATRICIA SICKELS**

WHEREAS, Patricia Sickels, has given over 25 years of valued service to the residents of the Borough of Matawan; and

WHEREAS, prior to the dissolution of the Municipal Court of the Borough of Matawan Patricia Sickels served as the Court Administrator for over 20 years; and

WHEREAS, Patricia Sickels has submitted her letter of retirement effective December 31, 2012; and,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan accepts the retirement effective December 31, 2012, of Patricia Sickels, subject to the terms and conditions as outlined in the Policies and Procedures Manual of the Borough of Matawan.

Council congratulated Ms. Sickels and thanked her for her years of service.

Mayor Buccellato read by title Resolution 13-04-37: Acceptance of Retirement – Municipal Clerk – Jean B. Montfort. Mayor Buccellato requested a motion. Councilman Urbano made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-04-37
ACCEPTANCE OF RETIREMENT
MUNICIPAL CLERK - JEAN B. MONTFORT**

WHEREAS, Jean B. Montfort, has given over 15 years of valued service to the residents of the Borough of Matawan as the Municipal Clerk; and

WHEREAS, Jean B. Montfort has submitted her letter of retirement effective April 30, 2013; and,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan accepts the retirement effective April 30, 2013, of Jean B. Montfort, subject to the terms and conditions as outlined in the Policies and Procedures Manual of the Borough of Matawan.

Council congratulated Ms. Montfort and thanked her for her years of service.

Mayor Buccellato read by title Resolution 13-04-38: Resolution Appointing a Senior Commanding Officer in Charge of the Police Department of the Borough of Matawan. Mayor Buccellato requested a motion. Councilman Urbano made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

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**RESOLUTION 13-04-38
RESOLUTION APPOINTING AN ACTING POLICE CHIEF IN
CHARGE OF THE POLICE DEPARTMENT OF
THE BOROUGH OF MATAWAN**

WHEREAS, there is a need to have a command structure in place to address day-to-day administrative and operational issues of the Police Department and for the orderly command structure of the Department; and

WHEREAS, the Borough Administrator and Borough Attorney are to immediately enter into contract negotiations with Lt. Jason Gallo for the position of Chief of Police for Matawan Borough; and

WHEREAS, the Mayor and Council have reviewed the issue of day-to-day administrative leadership of the Department and have recommended that an Acting Police Chief in Charge of the Department be appointed until further action of the Governing Body; and

WHEREAS, Lt. Jason D. Gallo, is the senior officer of the Matawan Police Department and is qualified to undertake day-to-day administrative and operational control of the Police Department on a permanent basis.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that it herewith appoints Lt. Jason D. Gallo, as the Acting Police Chief in Charge of the Police Department of the Borough of Matawan until June 6th when the Governing Body will take further action by appointing Lt. Gallo, Chief of Police for the Borough of Matawan, in a ceremony at 7:00 PM at the Borough Council Meeting Room.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately and that the authority granted herein shall be vested in Lt. Gallo.

BE IT FURTHER RESOLVED that a copy of the within Resolution be presented to the Monmouth County Prosecutor's Office and to Lt. Gallo, and be posted as an Order of the Day upon adoption at the Police Department.

Mayor Buccellato read by title Resolution 13-04-39: Authorizing Borough Administrator to Advertise and Interview for Municipal Clerk. Mayor Buccellato requested a motion. Councilwoman Gould made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-04-39
AUTHORIZING BOROUGH ADMINISTRATOR TO
ADVERTISE AND INTERVIEW FOR
MUNICIPAL CLERK**

WHEREAS, there is a need for a Full-Time Municipal Clerk for the Borough of Matawan; and,

NOW, THEREFORE, BE IT RESOLVED by Council of the Borough of Matawan that the Borough Administrator of the Borough of Matawan, is hereby authorized to advertise, interview, and make recommendations for the position of Full-Time Municipal Clerk for authorization by the Council and subject to a certification of available funding submitted by the CFO.

Mayor Buccellato read by title Resolution 13-04-40: Shared Service Agreement Between the Borough of Keyport and the Borough of Matawan – Street Sweeping Services. Mayor Buccellato requested a motion. Councilwoman Angelini made the motion, seconded by Councilwoman Clifton. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-04-40
SHARED SERVICES AGREEMENT
BETWEEN THE BOROUGH OF KEYPORT AND BOROUGH OF MATAWAN FOR
STREET SWEEPING SERVICES**

WHEREAS, the Borough of Matawan currently owns a street sweeper for use by the Department of Public Works to sweep the streets in the Borough of Matawan; and

WHEREAS, the Borough of Keyport does not have a street sweeper and is desirous of implementing a Shared Services Agreement with the Borough of Matawan; and

WHEREAS, the New Jersey Uniform Shared Services and Consolidation Act (C.40A:65-1, et seq.) authorizes local units such as these Municipalities to enter into Shared Services Agreement with other local units; and

WHEREAS, it is in the best interest of the Borough of Matawan to enter into a shared services agreement with the Borough of Keyport.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that the Borough of Matawan enter into the attached Shared Services Agreement with the Borough of Keyport, and hereby authorizes Mayor Paul Buccellato to execute this Agreement on behalf of the Borough of Matawan.

**INTERLOCAL SERVICES AGREEMENT
BETWEEN THE BOROUGH OF KEYPORT
AND THE BOROUGH OF MATAWAN FOR
STREET SWEEPING SERVICES**

This agreement is entered into this day of , 2013, by and between the Borough of Keyport, a body politic, with offices at 70 West Front Street, Keyport, New Jersey 07735 (hereinafter referred to as "Keyport"), and the Borough of Matawan, with offices at 201 Broad Street, Matawan, New Jersey, 07747 (hereinafter referred to as "Matawan").

IT IS AGREED:

1. *The Borough of Matawan, under the auspices of the Department of Public Works, will provide the rental of one 2009 Freightliner, with an Allianz Johnston Model MT 350 Sweeper, license Plate is MG81438 to the Borough of Keyport.*
2. *This agreement will be in effect for the period of April 1, 2013, through December 31, 2013 unless extended by authorization of both governing bodies.*
3. *The Sweeper will be picked up by an authorized and licensed heavy equipment operator of the Keyport Public Works Department with an empty collection hopper, and will be returned to the Matawan Public Works Yard empty after each use.*
4. *Use of Sweeper will be limited no more than (3) days per week schedule to be arranged by both DPW Superintendents.*
5. *The Agreement will be for the period stated above with the stipulation that either party may withdraw from the agreement at the end of any calendar year providing it gives 30 days written notice to the other party.*
6. *Keyport will pay the amount of \$300.00 per day of use on the last day of every quarter that the equipment is used. The entire agreement shall not exceed \$20,000.00*
7. *The Borough of Matawan reserves the right to terminate this Agreement at any point with 30 days written notice for the following reasons:*
 - (a) *The Municipality failed to pay for services rendered.*
 - (b) *The Municipality failed to comply with the State and County System Guidelines.*
 - (c) *The Municipality determined the equipment was being abused or damaged.*
 - (d) *Due to accident or inoperative nature of the equipment.*
8. *The Borough of Matawan shall maintain the insurance on the equipment.*

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- 9. *The Borough of Keyport employee shall be covered by the Keyport workers' compensation policy at all times of use, including the pickup and return of equipment.*

IN WITNESS WHEREOF, the parties have executed this Agreement.

ATTEST:

BOROUGH OF KEYPORT

Valerie Tomick Heilweil, RMC

Honorable

ATTEST:

BOROUGH OF MATAWAN

Karen Wynne, RMC

Honorable Paul Buccellato, Mayor

Mayor Buccellato read by title Resolution 13-04-41: Emergency Temporary Appropriation. Mayor Buccellato requested a motion. Councilman Fitzsimmons made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-04-41
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 \$2,281,903.64.

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 2013 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.

Mayor Buccellato read by title Ordinance 13-11: Bond Ordinance Providing an Appropriation of \$2,779,101.80 for Various Road Improvements for and by the Borough of Matawan in the County of Monmouth, New Jersey and, Authorizing the Issuance of \$2,185,000 Bonds or Notes of the Borough for Financing Part of the Appropriation (2013 Road Program). Mayor Buccellato requested a motion to introduce. Councilman Fitzsimmons made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

ORDINANCE 13-11

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$2,779,101.80 FOR VARIOUS ROAD IMPROVEMENTS FOR AND BY THE BOROUGH OF MATAWAN IN THE COUNTY OF MONMOUTH, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$2,185,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

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

Section 1.

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Matawan, New Jersey (the "Borough") as general improvements. For the said Improvement there is hereby appropriated the amount of \$2,779,101.80, such sum includes the sum of (a) \$400,000 expected to be received from the New Jersey Department of Transportation, (b) \$79,101.80 expected to be received from the Federal Emergency Management Agency, and (c) \$115,000 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provisions in one or more previously adopted budgets for down payments for capital improvement purposes.

Section 2.

In order to finance the cost of the Improvements not covered by the application of the Down Payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$2,185,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$2,185,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

Section 3.

(a) The Improvements authorized and the purpose for the financing of which said obligations are to be issued is for various road improvements including but not limited to Sunset Avenue/Monroe Street, Daniel Drive, Mohawk Drive, Ned Drive, William Street, Hoyt Street, Wyckoff Street, Shainy Lane ponding, Stillwell Street ponding, Crestwood Road, Essie Drive, Sutton Drive, Schenck Avenue/Lakeland Road/Woodland Avenue, Borough Hall pavement removal and traffic striping, including drainage and curbing, and including all work materials, necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications on file with the Borough Clerk.

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$2,185,000.

(c) The estimated cost of the Improvements is \$2,779,101.80 which amount represents the initial appropriation made by the Borough.

Section 4.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price

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plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

Section 5.

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

Section 6.

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

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

(b) The period of usefulness of the Improvements, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 19.13 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$2,185,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$560,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

Section 7.

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

Section 8.

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

Section 9.

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$2,185,000.

Section 10.

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The public hearing is scheduled for May 21, 2013.

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Mayor Buccellato read by title Ordinance 13-12: Bond Ordinance Providing an Appropriation of \$400,000 for Replacement of Water Mains on Various Streets for and by the Borough of Matawan in the County of Monmouth, New Jersey and, Authorizing the Issuance of \$400,000 Bonds or Notes of the Borough for Financing Part of the Appropriation (Park Avenue Sanitary Sewer Rehabilitation). Mayor Buccellato requested a motion to introduce. Councilwoman Angelini made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call. A roll call vote was taken.

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

Motion passed.

ORDINANCE 13-12

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$400,000 FOR REPLACEMENT OF WATER MAINS ON VARIOUS STREETS FOR AND BY THE BOROUGH OF MATAWAN IN THE COUNTY OF MONMOUTH, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$400,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

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

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Matawan, New Jersey (the "Borough") as general improvements. For the said Improvement there is hereby appropriated the amount of \$400,000. No down payment is required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law") as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this ordinance.

SECTION 2:

In order to finance the cost of the Improvements, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$400,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$400,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements authorized and the purpose for the financing of which said obligations are to be issued is for replacement of water mains on Daniel Drive, Mohawk Drive, Ned Drive and William Street, including all work materials, necessary therefore or incidental thereto, all as shown on and in accordance with the plans and specifications on file with the Borough Clerk.

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$400,000.

(c) The estimated cost of the Improvements is \$400,000 which amount represents the initial appropriation made by the Borough.

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SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when the sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

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

SECTION 6:

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

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

(b) The period of usefulness of the Improvements, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$400,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$85,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A 40A:2-44(c).

SECTION 7:

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

SECTION 8:

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

SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures

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with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$400,000.

SECTION 10:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The public hearing is scheduled for May 21, 2013.

Mayor Buccellato read by title Resolution 13-04-42: Payment of Bills. Mayor Buccellato requested a motion. Councilman Fitzsimmons made the motion, seconded by Councilwoman Angelini. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 13-04-42
PAYMENT OF BILLS**

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

<i>Current</i>	<i>\$386,448.05</i>
<i>Water & Sewer</i>	<i>\$45,527.92</i>
<i>Borough Capital</i>	<i>\$3,000.00</i>
<i>Water Capital</i>	<i>\$376,016.12</i>
<i>Borough Trust</i>	<i>\$28,916.76</i>
<i>Developers Escrow Account</i>	<i>\$5,998.00</i>
<i>Railroad Parking Trust</i>	<i>\$1,602.15</i>
<i>Recreation Trust</i>	<i>\$200.00</i>
 Total	 <i>\$847,709.00</i>

Privilege of the Floor

Mayor Buccellato opened the Privilege of the Floor.

Joseph Peller, 163 Matawan Avenue, Matawan. Mr. Peller is a displaced person whom FEMA temporarily placed in the Hampton Apartments of Matawan. Mr. Peller told of the inability to be heard by his landlord and upstairs neighbors with regard to excessive noise and construction. Overcome with emotion Mr. Peller told of the effect of his frustration and lack of sleep on his health, particularly his diabetes. Mayor Buccellato requested Mr. Ferrara and Lt. Gallo to speak with Mr. Peller after the meeting to address his concerns.

Rosemary Conte, 4 Eisenhower Court, Matawan. Ms. Conte requested the building entrance doors by the Construction office be unlocked on a daily basis. Mayor agreed. She also commented on the confusion of the handicapped signage in front of Borough Hall. Mr. Menna clarified ADA changes to the building are due to be made with County funding.

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James Shea, 5 Franklin Street, Matawan. Mr. Shea, representing the American Legion Post 176, gave a brief history of the Post relating its beginnings with the Burrowes Mansion where they organized and held meetings at the Posts' inception in 1920. Mayor Buccellato suggested the American Legion meet here at the Community Center for its first two meetings, May 13 and June 10, in order for the Post to reorganize, establish a meeting calendar, and complete a MMCC Use Application Packet for use of the Burrowes Mansion. Mr. Shea agreed.

Rob Clifton, 237 Matawan Avenue, Matawan. Mr. Clifton congratulated Ms. Montfort on her retirement and many years of service recalling he was the Borough's Mayor at the time of her hire, with Mr. Shea on Council. He also congratulated Lt. Gallo on his success.

Mayor Buccellato closed the Privilege of the Floor.

Adjournment

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

Meeting adjourned at 7:45 PM.

Karen Wynne, RMC
Deputy Clerk