

**Borough of Matawan
Public Session
June 18, 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 June 18, 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 Clifton
Councilman Urbano

Councilwomen Angelini and Gould were unable to attend.

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

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

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

Privilege of the Floor – Agenda Items Only

Mayor Buccellato opened the Privilege of the Floor for Agenda Items Only.

There were no comments.

Mayor Buccellato closed the Privilege of the Floor for Agenda Items Only.

Old Business

None.

Clerk's Report

Ms. Wynne reported on the successful coordination of the Fire, Police and Building Departments for the preparation, implementation and closing of the June 4, 2013 Primary Election reminding everyone of the upcoming August 13, 2013 Special Primary Election. She also reported on her attendance to New Jersey League of Municipalities Mini One Day Conference held in West Windsor with areas of focus on Ethics, Project Planning, Licensing, Information Technology and Disaster Recovery.

Mayor's Report

No report.

Administrator's Report

Mr. Ferrara reported he has been meeting with those banking institutions who responded to the RFPs for banking services for the Borough of Matawan. A recommendation will be provided prior to the next meeting.

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Attorney's Report

No report.

Engineer's Report

Mr. Keady reported the progress of the Middlesex Road Water Treatment Plant project stating the generator has been tested; the fence will be installed next week; a punch list has been issued to the contractor and will obtain a schedule for the completion of the work.

The MMCC ADA Improvement project design is complete and has been sent to the Community Development for review and approval. Upon receipt of same we will go out to bid. A six month extension on the grant has been approved. The first phase of the project should be completed in 2013. Mr. Menna requested copy of Mr. Keady's transmittal to Community Development.

Mr. Keady informed he awaits receipt of all residential easements for the Park Avenue Sanitary Sewer project.

Mr. Keady related previous reports of the 2013 Road Program being comprised of multiple contracts encompassing streets, drainage and tree removal.

Mayor Buccellato related meetings with himself, Messrs. Ferrara and Keady and JCP&L to seek assistance with the tree removal portion of the project to offset project funding, and looks for a favorable outcome.

Property Maintenance, Technology, Sanitation/Recycling

No report.

Finance, Education, Environmental

Councilman Fitzsimmons requested the March 31, April 30 and May 31, 2013 Treasurer's Reports be added to the record.

Report of the Treasurer
To the Mayor and Council of the Borough of Matawan
Bank Balances as of March 31, 2013

Current Account	TD Bank	\$1,261,118.86
Tax Collector Trust Fund	TD Bank	\$0.00
Water & Sewer Account	TD Bank	\$744,389.50
Water & Sewer-Certificate of Deposit	TD Bank	\$500,205.48
Borough Capital Account	TD Bank	\$709,733.50
Utility Capital Account	TD Bank	\$389,753.11
Borough Trust Account	TD Bank	\$488,691.41
Boro Trust Summary – TD Bank	Cash Balances	
As of: March 31, 2013		
Fire Safety	\$28,735.48	
Fire Prevention/Dedicated Penalty	\$3,050.90	
Escrow	\$96,301.15	
Tax Redemptions	\$54,745.05	
POAA	\$954.44	
Donation	\$2,742.49	

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Premiums	\$266,400.00	
Off Duty Police	\$28,240.74	
Public Defender	\$7,521.16	
Total	\$488,691.41	
Dog Tax Trust Account	TD Bank	\$2,875.93
Unemployment Insurance Account	TD Bank	\$4,438.90
Recreation Special Account	TD Bank	\$23,590.55
Recreation Trust Summary –TD Bank	Cash Balances	
As of: March 31, 2013		
Turkey Trot	\$11,556.57	
Summer Recreation	\$978.92	
Summer Recreation Trips	\$0.00	
Matawan Day	-\$762.30	
Basketball Tournament	-\$156.81	
Canoe Rentals	-\$1,368.10	
Men's Over 30 Basketball	\$1,804.00	
NNO Vender	\$0.00	
Yoga/Kickboxing	\$709.00	
Fireworks Donations	\$1,108.94	
Capital Improvements	\$9,720.33	
Total	\$23,590.55	
Accutrack Developers Escrow Acct	TD Bank	\$263,828.12
Law Enforcement Account	TD Bank	\$6,146.36
Railroad Parking Lot Trust	TD Bank	\$277,827.73
Total		<u>\$4,672,599.45</u>

Respectfully,
(Signature on File)
Monica Antista

Report of the Treasurer
To the Mayor and Council of the Borough of Matawan
Bank Balances as of April 30, 2013

Current Account	TD Bank	\$924,771.86
Tax Collector Trust Fund	TD Bank	\$0.00
Water & Sewer Account	TD Bank	\$983,857.93
Water & Sewer-Certificate of Deposit	TD Bank	\$500,246.59
Borough Capital Account	TD Bank	\$709,733.50
Utility Capital Account	TD Bank	\$380,585.39
Borough Trust Account	TD Bank	\$466,609.42
Boro Trust Summary – TD Bank	Cash Balances	
As of: April 30, 2013		
Fire Safety	\$28,735.48	
Fire Prevention/Dedicated Penalty	\$3,050.90	
Escrow	\$97,443.06	
Tax Redemptions	\$47,110.35	
POAA	\$954.44	
Donation	\$2,742.49	
Premiums	\$254,600.00	
Off Duty Police	\$24,451.54	
Public Defender	\$7,521.16	
Total	\$466,609.42	

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Dog Tax Trust Account	TD Bank	\$2,912.93
Unemployment Insurance Account	TD Bank	\$4,438.90
Recreation Special Account	TD Bank	\$23,266.55
Recreation Trust Summary –TD Bank As of: April 30, 2013	Cash Balances	
Turkey Trot	\$11,556.57	
Summer Recreation	\$854.92	
Summer Recreation Trips	-\$200.00	
Matawan Day	-\$762.30	
Basketball Tournament	-\$156.81	
Canoe Rentals	-\$1,368.10	
Men's Over 30 Basketball	\$1,804.00	
NNO Vender	\$0.00	
Yoga/Kickboxing	\$709.00	
Fireworks Donations	\$1,108.94	
Capital Improvements	\$9,720.33	
Total	\$23,266.55	
Accutrack Developers Escrow Acct	TD Bank	\$234,123.54
Law Enforcement Account	TD Bank	\$7,253.23
Railroad Parking Lot Trust	TD Bank	\$275,918.03
Total		<u>\$4,510,717.87</u>

Respectfully,
(Signature on File)
Monica Antista

Report of the Treasurer
To the Mayor and Council of the Borough of Matawan
Bank Balances as of May 31, 2013

Current Account	TD Bank	\$2,720,383.20
Tax Collector Trust Fund	TD Bank	\$0.00
Water & Sewer Account	TD Bank	\$967,066.14
Water & Sewer-Certificate of Deposit	TD Bank	\$500,246.59
Borough Capital Account	TD Bank	\$703,148.65
Utility Capital Account	TD Bank	\$507,172.93
Borough Trust Account	TD Bank	\$531,193.49
Boro Trust Summary – TD Bank As of: May 31, 2013	Cash Balances	
Fire Safety	\$28,735.48	
Fire Prevention/Dedicated Penalty	\$2,760.90	
Escrow	\$99,904.26	
Tax Redemptions	\$102,068.98	
POAA	\$954.44	
Donation	\$2,742.49	
Premiums	\$253,000.00	
Off Duty Police	\$33,400.78	
Public Defender	\$7,626.16	
Total	\$531,193.49	
Dog Tax Trust Account	TD Bank	\$3,096.13
Unemployment Insurance Account	TD Bank	\$7,499.54
Recreation Special Account	TD Bank	\$45,791.55
Recreation Trust Summary –TD Bank As of: May 31, 2013	Cash Balances	

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Turkey Trot	\$11,556.57	
Summer Recreation	\$23,379.92	
Summer Recreation Trips	-\$200.00	
Matawan Day	-\$762.30	
Basketball Tournament	-\$156.81	
Canoe Rentals	-\$1,368.10	
Men's Over 30 Basketball	\$1,804.00	
NNO Vender	\$0.00	
Yoga/Kickboxing	\$709.00	
Fireworks Donations	\$1,108.94	
Capital Improvements	\$9,720.33	
Total	\$45,791.55	
Accutrack Developers Escrow Acct	TD Bank	\$227,337.04
Law Enforcement Account	TD Bank	\$7,253.83
Railroad Parking Lot Trust	TD Bank	\$275,723.48
Total		<u>\$6,495,912.57</u>

Respectfully,
(Signature on File)
Monica Antista

Personnel, Redevelopment, Construction, Community Development

No report.

Recreation, Historic Sites, Library

Councilwoman Clifton thanked the work of volunteers and funding by donation for the fireworks Resolution on tonight's meeting.

Police, Fire, First Aid, Railroad Parking, ADA

Councilman Urbano reported of a residential fire on Wyckoff Street informing of there were no injuries, thanking the Fire and Police Departments and the CERT team, as well as Keyport, North Centerville and Union Beach Fire Companies for their assistance.

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

No report.

Mayor Buccellato informed of the Recreation Director's request for Council approval to increase vendor fees for 4th of July celebrations from \$125.00 to \$250. After discussion Council elected to approve the Recreation Director's recommendation, and to add Resolution 13-06-30: Fixing Recreation Fees and Uses to tonight's Agenda.

Consent Agenda

Mayor Buccellato read by title Resolutions 13-06-22 through and including 13-06-23 requesting a motion to approve en masse. Councilwoman Clifton 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 Clifton
Councilman Urbano

Motion passed.

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**RESOLUTION 13-06-22
REDEMPTION OF TAX SALE CERTIFICATE
US BANK CUST FOR CRESTAR CAPITAL, LLC
CERTIFICATE #12-00091**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #12-00091 which was sold to US Bank Cust for Crestar Capital, LLC, TLSG 2 Liberty Pl., 50 S. 16th St., Suite 1950, Philadelphia, PA 19102; and

WHEREAS, Certificate #12-00091 has been paid and fully redeemed for the property owner, Block 120, Lot 45.06 otherwise known as 5 Clair Ct.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$4,234.75 and a Premium of \$400.00 to the above for the redemption of Tax Sale Certificate #12-00091.

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

**RESOLUTION 13-06-23
REFUND TAX OVERPAYMENT DUE TO TAX APPEAL
45 UNION STREET – BLOCK 65.07, LOT 4**

WHEREAS, a State Tax Board Judgment has been favorably awarded to Kimberly Osty, Block 65.07, Lot 4, for the fiscal year 2011; and

WHEREAS, such judgment has resulted in an overpayment of 2011 property taxes in the amount of \$1,512.02.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Matawan, County of Monmouth, State of New Jersey, hereby authorize the Borough Treasurer to issue a check in the amount of \$1,512.02 for said overpayment of property taxes, to Kimberly Osty or her representative at 45 Union Street, Matawan, NJ 07747.

BE IT FINALLY RESOLVED that a certified copy of this Resolution be forwarded to the Tax Collector, Borough Treasurer and Property Owner.

New Business

Mayor Buccellato read by title Resolution 13-06-24: Renewal of 2013-2014 ABC Liquor Licenses. Mayor Buccellato requested a motion. Councilwoman Clifton made the motion, seconded by Councilwoman Daly. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

Yes: Councilwoman Daly
Councilman Fitzsimmons
Councilwoman Clifton
Councilman Urbano

Motion passed.

**RESOLUTION 13-06-24
RENEWAL OF 2013-2014 ABC LIQUOR LICENSES**

BE IT RESOLVED by The Borough Council of the Borough of Matawan that the following liquor licenses be renewed, subject however to the rules, regulations, receipt of Tax Clearance Certificates, statutes and ordinances affecting the same, said licenses to expire June 30, 2013.

<u>LICENSE #</u>	<u>NAME</u>	<u>ADDRESS</u>		
<u>Plenary Retail Consumption License</u>				
\$1,492.99				
1329-33-004-004	Lupu Food & Beverage Ltd (Maloney's Pub)	117-119 Main St. Matawan	NJ	07747
1329-33-012-003	227 Freneau Caterers, LLC (Sterling Gardens)	227 Rt. 79 Matawan	NJ	07747

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1329-33-006-005	Gatti & Ruggiero, Inc. (Bart's Continental Cuisine)	74 Main St.	Matawan	NJ	07747
1329-33-009-007	Mayer Catering, Inc.	172 Freneau Ave.	Matawan	NJ	07747
1329-33-013-007	Green Valley Corp. (Park Place Diner)	1040 Hwy 34	Matawan	NJ	07747

Plenary Retail Distribution License
\$895.68

1329-44-007-008	Liquor Pros, Inc. (79 Liquors)	78 Freneau Ave.	Matawan	NJ	07747
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Mayor Buccellato read by title Resolution 13-06-25: Approving the Discharge of Fireworks in the Borough of Matawan in Celebration of Independence Day. Mayor Buccellato requested a motion. Councilwoman Clifton made the motion, seconded by Councilman Urbano. Mayor Buccellato requested a roll call vote. A roll call vote was taken.

Yes: Councilwoman Daly
Councilwoman Clifton
Councilman Urbano

No: Councilman Fitzsimmons

Councilman Fitzsimmons stated he disagreed with the process in which the Resolution was incepted requesting future projects be discussed by Council for consensus prior to being presented for approval.

Councilwoman Clifton stated the fireworks display is a long standing Recreation event, and the ability to fund the project with donations enabled the event to proceed for 2013.

Councilman Urbano reiterated Councilwoman Clifton's comments.

Motion passed.

**RESOLUTION 13-06-25
APPROVING THE DISCHARGE OF FIREWORKS IN THE
BOROUGH OF MATAWAN IN CELEBRATION OF
INDEPENDENCE DAY**

WHEREAS, the Council of the Borough of Matawan is desirous to hold their annual fireworks display; and

WHEREAS, the Borough Administrator received two quotes for professional services for the display of fireworks; and

WHEREAS, Serpico Pyrotechnics, LLC, 133 Orchard Court, Toms River, New Jersey 08753-1334 is qualified to provide specialized professional services for the display of fireworks.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Matawan hereby approves the discharge of fireworks in conjunction with the attached Agreement between the Borough of Matawan and Serpico Pyrotechnics, LLC to take place on July 6, 2013 with a rain date of July 7, 2013, and that Borough of Matawan be authorized to enter into a hold harmless agreement for the First Presbyterian Church and that the aforementioned approval be subject to the following condition and in an amount not to exceed Seven Thousand Dollars and No Cents (\$7,000.00).

That Serpico Pyrotechnics, LLC provides the Borough of Matawan with a hold harmless agreement and a satisfactory certificate of insurance.

BE IT FURTHER RESOLVED the Council of the Borough of Matawan hereby authorizes the Mayor to execute the attached Agreement on behalf of the Borough of Matawan.

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CERTIFICATION AS TO AVAILABLE FUNDING

I, Monica Antista, Chief Financial Officer of the Borough of Matawan do hereby certify that as of the date of this certification funds are available from the T-14-56-850-801 and 3-01-28-370-200 Budget of the Borough of Matawan to Serpico Pyrotechnics, LLC for fireworks for the Borough of Matawan in an amount not to exceed Seven Thousand Dollars and No Cents (\$7,000.00).

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

Chief Financial Officer

(Signature on File)

Monica Antista, CMFO

Dated: June 18, 2013

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Louis C. Ferrara
Borough Administrator
Borough of Matawan
201 Broad Street
Matawan, New Jersey 07747

June 5, 2013

Re: Borough of Matawan Fireworks Display
Saturday, July 6, 2013; Rain date, Sunday, July 7, 2013

Dear Mr. Ferrara:

I am pleased to enclose herein two (2) sets of documents for the above captioned firework display for your review. The documents enclosed for the display are as follows:

1. Contract of Sale.
2. Program of shells for the display.
3. Hold Harmless Agreement.
4. FAA Notification.
5. List of EX Numbers and Certification.
6. Display Company Requirements Form.
7. Site Plan for your permit application.

I will provide the insurance certificate when a signed Contract is returned to me. I will also forward the response from the FAA upon receipt. A list of personnel will be provided to the Township Fire Official prior to the display date.

I will also forward a copy of the enclosures to Glenn via email today.

Please contact me with any questions or comments that you may have.

Thank you.

Very truly yours,


Jack A. Serpico

133 Orchid Court, Toms River, New Jersey 08753-1334
Tel: 732.616.2085 • Fax: 732.736.0050
www.serpicopyrotechnics.com

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DISPLAY CONTRACT

The Borough of Matawan., hereinafter referred to as the "sponsor", hereby agrees to purchase a firework display from Serpico Pyrotechnics, LLC/Schaefer Pyrotechnics Inc./Starfire Corporation, successor to Schaefer Pyrotechnics, Inc., Joint Venture hereinafter referred to as the "company" on the terms and conditions set forth hereinafter.

1. Purchase Price. The sponsor will pay to the company (all checks made payable to Serpico Pyrotechnics, LLC) the sum of Seven Thousand Dollars (\$7,000.00) for the display, said sum to be paid as follows:

a. The balance of the purchase price shall be paid to the company at the conclusion of the display.

b. In the event the balance of the purchase price is not paid within 30 days after the display date, all sums owed to the sponsor for the display will bear interest at the rate of 1.5% per month until paid in full. In addition to the foregoing, the sponsor shall pay all of the costs of collection of any amount due hereunder incurred by the company, including reasonable attorney's fees and court costs. The aforementioned interest charge and collection costs including attorney's fees shall apply to any sum due pursuant to the terms of this contract if not paid within 30 days of its due date.

2. Display Date. The date of the display will be Saturday, July 6, 2013. The rain or cancellation date will be on Sunday, July 7, 2013.

3. Display Site. The sponsor shall provide an appropriate display site that meets the requirements of all applicable NFPA code sections and the applicable provisions of the New Jersey State Statutes and Department of Community Affairs Regulations. Additionally, the site must be approved by the company and the authority having jurisdiction over the display.

4. Site Security. The sponsor shall provide police and/or crowd security personnel, proper parking supervision, and insure adequate patrol of the safety zone as marked and secured by the sponsor until the company crew chief advises that this is no longer necessary. Company personnel shall have control of the firing area during the display (although security shall continue to be the sponsor's responsibility). The sponsor will be responsible for the cleanup of any fallout debris from the display; however company personnel will dispose the boxes brought to the site by the company.

In the event any unauthorized persons or vehicles enter the safety zone, company personnel shall have the right to terminate the display.

Immediately following the display company personnel will search the display area for any unexploded fireworks and safely dispose of any that are found. A company representative will inspect the site the morning after the display and safely dispose of any unexploded fireworks discovered during the inspection in accordance with NFPA code requirements. The company will also provide the authority having jurisdiction over the display with a post-display inspection report within 48 hours after the display. The post-display inspection report will contain the time of the search; the results thereof; any product malfunctions and any injuries.

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5. Permits. The sponsor shall be responsible for obtaining all permits and governing body resolutions required for the display

6. Postponement or Cancellation of the Display. In the event of inclement weather or excessive winds on the date of the display, the parties hereto shall confer and if they agree that the weather or wind conditions require the show to be postponed, the show will be postponed to the rain date set forth above. In the event the show cannot be fired on the rain date, due to any of the aforementioned conditions it must be rescheduled within 90 days of that display date. In the event the show is not rescheduled within the 90 day period the sponsor will pay to the company a sum equal to 50% of the total show price.

In the event the show is postponed on the day of the show there will be a postponement fee charged to the sponsor in an amount equal to the costs incurred by the company for loading and unloading the show, vehicle and transportation expenses, insurance expense and labor. Said fees shall be paid within 30 days of the date the show is postponed.

7. Insurance. The company shall have liability insurance in the minimum amount of \$1,000,000.; workers compensation insurance and vehicle insurance. Proof of the foregoing insurances shall be provided to the sponsor when this contract is executed by both parties.

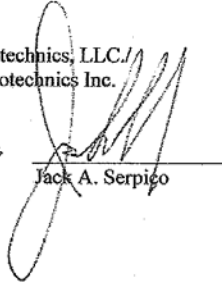
8. Personnel. The company shall provide sufficient trained personnel to set up, fire and break down the display in a workmanlike manner.

9. Miscellaneous. The company reserves the right to substitute product in the show with product equal to or greater in value at its discretion. The company shall not be responsible for events beyond its control, including the weather. In the event the display is damaged or destroyed by rain, wind or the ocean, the risk of loss shall remain with the sponsor.

In the event the display is set up and it has to be postponed to the next day due to weather or wind conditions, the display will not be broken down. Additionally, the sponsor shall provide security for the site until the company crew arrives the next day to fire the show.

The authorized representatives of the parties hereby agree to the aforementioned terms and conditions of this contract on the date and year set forth below.

Serpico Pyrotechnics, LLC./
Schaefer Pyrotechnics Inc.

5/5/2013
Date  Jack A. Serpico

Borough of Matawan

Date Louis C. Ferrara,
Borough Administrator

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DISPLAY SYNOPSIS FOR BOROUGH OF MATAWAN, JULY 6, 2013

OPENING BARRAGE

3.0" – 30

4.0" – 6

MAIN BODY

The main portion or body of the show will consist of 414 aerial shells ranging in size from 3.0 inches to 4.0 inches in diameter. Some of the shells will be fired as single fired shells; the others will be fired in chains of 2 or 3 shells each as follows:

3.0" – 144 single shells

4.0" – 90 single shells

3.0" – 40 flights @ 3 shells each

4.0" – 15 flights @ 2 shells each

4.0" – 10 flights @ 3 shells each

FINALE

The Finale will consist of 390 aerial shells ranging in size from 3.0 inches to 4.0 inches in diameter as follows:

3.0" – 360

4.0" – 30

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**FIREWORKS DISPLAY
HOLD HARMLESS AGREEMENT**

BETWEEN THE BOROUGH OF MATAWAN AND SERPICO PYROTECHNICS, LLC./STAR FIRE CORPORATION/SCHAEFER PYROTECHNICS, INC., JOINT VENTURE

WITNESSETH:

1. SERPICO PYROTECHNICS, LLC./ STARFIRE CORPORATION/SCHAEFER PYROTECHNICS, INC. , JOINT VENTURE (CONTRACTOR) agrees to release, indemnify and hold harmless the BOROUGH OF MATAWAN (SPONSOR) from and against any loss, damage or liability, including attorney's fees and expenses incurred by the latter entity or entities and their respective employees, agents volunteers, or other representatives, arising out of or in any manner relating to the manufacture, installation, firing or disassembly of any pyrotechnic equipment or device and/or the supervision and presentation thereof.
2. The applicant or Contractor has furnished the Certificate of Insurance with limits of liability described below:

Workers Compensation/Employers Liability: \$500,000

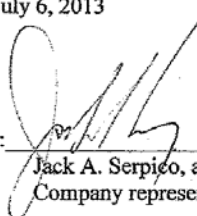
General Liability: \$1,000,000/\$2,000,000; \$9,000,000, umbrella policy

Automobile Liability: \$1,000,000.

A true copy of the Certificate of Insurance is attached indicating the member entity and applicable associations, recreations or committees formed by the member entity to organize the "event" named as an additional insured on all liability policies.
3. The facilities will be used for the following purpose and no other:
Event: Fireworks Display Date: July 6, 2013
Rain Date: July 7, 2013

Dated: June 5, 2013

Witness: _____

Signed: 
 Jack A. Serpico, authorized
 Company representative

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U.S. Department
of Transportation

Eastern Service Center
Operations Support Group
AJV-E2

1701 Columbia Ave.
College Park, GA 30337

REQUEST FOR FIREWORKS DISPLAY

Company Name: _____ Serpico Pyrotechnics, LLC _____

Email Address of Person Requesting the Show: _____ pyrojack@aol.com _____

Event Name: _____ Borough of Matawan Fireworks Display _____

Display Date: _____ July 6, 2013 _____ **Rain Date:** _____ July 7, 2013 _____

Display Start Time: _____ 9:00-9:45 pm _____

Duration of Fireworks Display: _____ 12-15 minutes _____

Max Height of Fireworks _____ 475 feet _____

City or Town and State (Physical Address): _____ Borough of Matawan, Monmouth County, NJ _____

Latitude: 40° 24' 42.31" _____ (North) **Longitude:** 74° 14' 24.03" _____ (West)

Location or Special Notes: On the bank of Lake Leffert, Matawan, New Jersey.
Submitted on behalf of Serpico Pyrotechnics, LLC.
Address: 133 Orchid Court
Toms River, New Jersey 08753
Contact: Jack Serpico, (732) 616-2085

Please email your request to:
9-ATO-ESA-OSG-Fireworks@faa.gov

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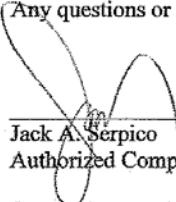
To Whom It May Concern:

Please be advised that the following is a list of the EX Numbers being used for the Borough of Matawan fireworks display to be held on July 6, 2013 or July 7, 2013:

2002040097
2001020097
2002040090
2002040096
2002030228

Please be further advised that no Class C, consumer grade fireworks will be used in the above referenced fireworks display. The method of firing will be both manual and electrical ignition. Our crew will follow the provisions of NFPA code sections 1123, 1124 and 1126 as applicable to outdoor firework displays. A member of our crew will possess a current New Jersey Blaster's Permit for the electrically fired portion of our display. Additionally, our crew will follow the provisions set forth in the N.J.A.C. 5:70-3, Ch. 33. No flash salute or report larger than 3 inches in diameter will be used in the display. There will be no reloading of fireworks during the display and the crew will have proper personal protective equipment. The display will not be fired if the winds exceed 25 mph. HDPE (High Density Poly Ethol) plastic mortars, with wooden plugs contained in wooden racks will be used.

Any questions or further information may be requested from me at your convenience.



Jack A. Serpico
Authorized Company Representative

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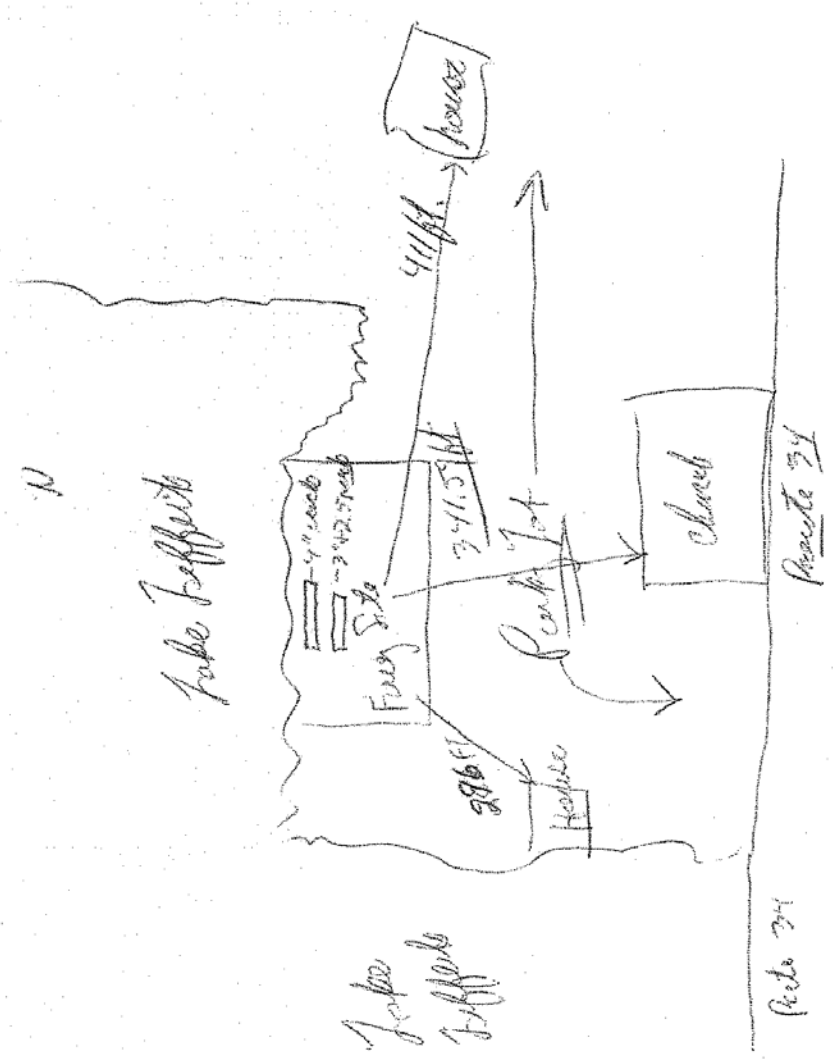
Google earth feet 700
 meters 200



Distances from firing pits to structures

- #1 - Site to house 296 ft.
- #2 - Site to Church/School 371.59 ft.
- #3 - Site to house 320 ft
- #4 - Site to house 411 ft
- #5 - Site to house across lake 548.91 ft.

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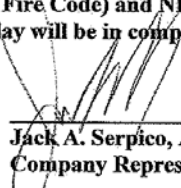
Show Date: July 6, 2013; Rain Date, July 7, 2013

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DISPLAY COMPANY REQUIREMENTS

(Format consistent with the State of New Jersey DCA form)

- 1. Provide total number of shells and sizes (U.S. diameter) being used.
- 2. Provide types and amounts of ground or low level devices to be used.
- 3. Indicate the method by which display will be fired. If it is an electrically-fired display, provide the name of the Department of Labor certified operator. Operator must have a valid certificate in their possession at the display site.
- 4. Provide timetable of the delivery of product to site; set up; live load.
- 5. Provide Certificate of Insurance (general and auto liability) in the amount of not less than \$500,000.00. Certificate must be valid for duration of event, including rain dates.
- 6. The use of salutes/reports larger than 3" is prohibited.
- 7. No display will be fired if the wind exceeds 20 MPH.
- 8. Provide a list of personnel who will be representing the display company, indicating their function and experience. Drivers of vehicles transporting live material must have a valid Certificate of Fitness in their possession at the display site.
- 9. Provide a post-display report within 48 hours of the display. The Report must include the following; time the search of the fallout zone was conducted and the results; any product malfunctions; and any injuries.
- 10. Provide a letter attesting to the understanding of all of the above requirements as well as the requirements set forth in N.J.A.C. 5:70-f-3100 (New Jersey Uniform Fire Code) and NFPA sections 1123, 1124, and 1126 and that the display will be in compliance with the same.



Jack A. Serpico, Authorized
Company Representative



Date

ALL REQUIRED INFORMATION MUST BE PROVIDED WITH THE PERMIT APPLICATION, FAILURE TO PROVIDE THE REQUIRED INFORMATION WILL RESULT IN DELAYS WHICH COULD AFFECT THE PROCESSING OF THE PERMIT.

SHOULD YOU HAVE ANY QUESTIONS OR NEED ASSISTANCE FILL OUT THE REQUIRED FORM PLEASE CALL (609) 633-6132.

MUNICIPAL /SPONSOR REQUIREMENTS ARE ON THE REVERSE SIDE OF THE STATE FORM (not this document).

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**BOROUGH OF MATAWAN
MONMOUTH COUNTY, NEW JERSEY**

HON. PAUL BUCCELLATO
MAYOR

LOUIS FERRARA
BOROUGH ADMINISTRATOR

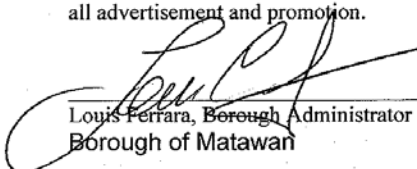
June 12, 2013

First Presbyterian Church of Matawan
883 State Highway 34
Matawan, NJ 07747

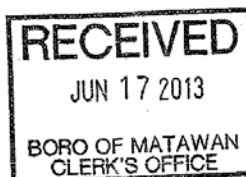
Dear Pastor,

First Presbyterian Church of Matawan acknowledges the Pastor's home is in the display area for the Borough of Matawan fireworks. This is the same area used in past years. The fireworks are part of the First Presbyterian Church's community outreach and is in response to a request by the Borough of Matawan's Recreation Department. First Presbyterian Church of Matawan recognizes the Borough's use of the parking lot for launching of the 2013 fireworks display on July 6, 2013 with a rain date of July 7, 2013 at dusk. Although, First Presbyterian Church acknowledges and agrees to the use of the parking lot it does not accept responsibility for any damages resulting from the fireworks on or off Church property. The Borough of Matawan Department of Public Works will return the parking lot back to normal before Church Services on Sunday morning.

The Borough has arranged for all required insurance for the event with its insurance carrier Municipal Excess Liability Joint Insurance Fund for property, personnel and spectators. The Borough of Matawan also agrees to list the First Presbyterian Church participation as location sponsor status for this event in all advertisement and promotion.


Louis Ferrara, Borough Administrator
Borough of Matawan


First Presbyterian Church



• 201 BROAD STREET • MATAWAN, NEW JERSEY 07747 • 732-566-3898, EXT. 600 •

Mayor Buccellato read by title Resolution 13-06-26: Authorizing the Hiring of Part-Time Seasonal Personnel – 2013 Summer Recreation Program Director – 2013 Summer Recreation Program Assistant Director. Mayor Buccellato requested a motion. Councilwoman Clifton 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 Clifton
Councilman Urbano

Motion passed.

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**RESOLUTION 13-06-26
AUTHORIZING THE HIRING OF PART-TIME SEASONAL PERSONNEL
2013 SUMMER RECREATION PROGRAM DIRECTOR
2013 SUMMER RECREATION PROGRAM ASSISTANT DIRECTOR**

WHEREAS, there is a need for a part-time Summer Program Director and a part-time Summer Program Assistant Director; and

WHEREAS, Coleen Cannon is desirous of the position of part-time Summer Program Director; and

WHEREAS, Alanna Sansone is desirous of the position of part-time Summer Recreation Program Assistant Director;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that they hire Coleen Cannon as the part-time 2013 Summer Program Director, at the rate of compensation of \$3,762.50 per annum and Alanna Sansone as the part-time 2013 Summer Recreation Program Assistant Director, at a rate of compensation of \$1,612.50 per annum.

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

CERTIFICATION AS TO AVAILABLE FUNDING

I, Monica Antista, Chief Financial Officer of the Borough of Matawan do hereby certify that as of the date of this certification funds are available from T-14-56-850-801 of Matawan to Coleen Cannon as Part-Time Summer Program Director and Alanna Sansone as part-time Summer Program Assistant Director in an amount not to exceed Five Thousand, Three Hundred Seventy-Five Dollars (\$5,375.00).

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

Chief Financial Officer

(Signature on File)

Monica Antista, CMFO

Dated: June 18, 2013

Mayor Buccellato read by title Resolution 13-06-27: Authorizing the Hiring of Part-Time Seasonal Personnel – 2013 Summer Recreation Program - Counselors. Mayor Buccellato requested a motion. Councilwoman Clifton 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 Clifton
Councilman Urbano

Motion passed.

**RESOLUTION 13-06-27
AUTHORIZING THE HIRING OF PART-TIME SEASONAL PERSONNEL
2013 SUMMER RECREATION PROGRAM
COUNSELORS**

WHEREAS, the Council has been advised that there is a need for part-time personnel for the Summer Recreation Program for the year 2013 within the Borough of Matawan; and

WHEREAS, the rate of pay will be as follows:

<i>Apprentice Summer Counselors</i>	<i>\$7.15 per hour</i>
<i>Junior Summer Counselors</i>	<i>\$7.65 per hour</i>
<i>Senior Summer Counselors</i>	<i>\$8.15 per hour</i>

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WHEREAS, the number of Summer Counselors will be determined by the Recreation Commission.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that the Matawan Borough authorizes the hiring of part-time personnel for the Summer Recreation Program for the year 2013, as per the attached Exhibit A.

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

CERTIFICATION AS TO AVAILABLE FUNDING

I, Monica Antista, Chief Financial Officer of the Borough of Matawan do hereby certify that as of the date of this certification funds are available from the T-14-56-850-801 Borough of Matawan to Part-Time Seasonal Personnel – Summer Recreation Program for the Borough of Matawan.

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

Chief Financial Officer

(Signature on File)

Monica Antista, CMFO

Dated: June 18, 2013

EXHIBIT A

*Apprentice Counselors
\$7.15*

*Junior Counselors
\$7.65*

*Senior Counselors
\$8.15*

Justin Leonard

*Alexandra Ash
Stephan Buccellato
Christopher Camarote
Christie Manzella
Nicholas Rotondo*

*Ian Barbour
Kevin Burns
Connor Casagrande
Matthew D'Auria
Jennifer Nocek
Ronald Nocek
Evan Norwood
Danielle Panizzi
Stephanie Piscopo
Joseph Sansone
Michael Sansone*

Mayor Buccellato read by title Resolution 13-06-28: Authorizing the Hiring of Part-Time Seasonal Personnel – 2013 Summer Recreation – Canoe Rentals. Mayor Buccellato requested a motion. Councilwoman Clifton 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 Clifton
Councilman Urbano

Motion passed.

**RESOLUTION 13-06-28
AUTHORIZING THE HIRING OF PART-TIME SEASONAL PERSONNEL
2013 SUMMER RECREATION PROGRAM
CANOE RENTALS**

WHEREAS, the Council has been advised that there is a need part-time personnel for the Summer Recreation Canoe Rentals for the year 2013 within the Borough of Matawan; and

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WHEREAS, the rate of pay will be as follows:

Canoe Renters – First Year	\$8.00 per hour
Canoe Renters – Second Year	\$8.50 per hour

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that the Council authorizes the hiring of part-time personnel as indicated on the attached Exhibit “A” for the Summer Recreation Canoe Rentals for the year 2013 effective June 29, 2013 with the last day of rentals on September 2, 2013.

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

CERTIFICATION AS TO AVAILABLE FUNDING

I, Monica Antista, Chief Financial Officer of the Borough of Matawan do hereby certify that as of the date of this certification funds are available from the T-14-56-850-801 Borough of Matawan to Canoe Renters - Recreation for the Borough of Matawan in an amount not to exceed Three Thousand Six Hundred Dollars and No Cents (\$3,600.00).

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

Chief Financial Officer

(Signature on File)

Monica Antista, CMFO

Dated: June 18, 2013

EXHIBIT A

First Year

Second Year

Mathew T. Malanga \$8.50 per hour

Third Year

Carolyn Marie Vicari \$8.50 per hour

Mayor Buccellato read by title Resolution 13-06-29: Payment of Bills. Mayor Buccellato requested a motion. Councilman Fitzsimmons 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

Motion passed.

**RESOLUTION 13-06-29
PAYMENT OF BILLS**

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

Current	\$274,161.88
Water & Sewer	\$224,754.47
Borough Capital	\$3,230.75
Water Capital	\$69,174.75
Grant	\$2,704.72

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<i>Borough Trust</i>	<i>\$19,538.51</i>
<i>Dog Tax Trust</i>	<i>\$32.40</i>
<i>Railroad Parking Trust</i>	<i>\$11.00</i>
<i>Recreation Trust</i>	<i>\$100.00</i>
Total	<i>\$593,708.48</i>

Mayor Buccellato read by title Resolution 13-06-30: Fixing Recreation Fees and Uses. Mayor Buccellato requested a motion. Councilwoman Clifton 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 Clifton
Councilman Urbano

Motion passed.

**RESOLUTION 13-06-30
FIXING RECREATION FEES AND USES**

BE IT RESOLVED, by the Council of the Borough of Matawan, based on the recommendation of the Recreation Director and the Recreation Commission delegates that the following fees shall be fixed for the year 2013 and future years. These fees supplement and are in addition to the fees established by Ordinance 91-13.

- *4th of July – Vendors – Food* *\$250.00 per day*
- *4th of July – Vendors – Non Food* *\$50.00 per day*

Privilege of the Floor

Mayor Buccellato opened the Privilege of the Floor.

Andy Lopez, 51 Union Street, Matawan. Mr. Lopez asked for the Council to provide more frequent and detailed Committee Reports to keep residents apprised of local government projects. Mr. Ferrara invited Mr. Lopez to visit his office anytime. Mr. Lopez thanked Mayor and Council for their work on the 2013 Budget asking they continue to pursue cost saving measures, such as replacement of the boiler at MMCC. Mr. Lopez asked Council to provide the cost of running 150 Main Street vs. the YMCA as he would like to see the YMCA vacate MMCC in order to close the Police Department building, 150 Main Street, and move the Police to 201 Broad Street.

Mayor Buccellato closed the Privilege of the Floor.

Adjournment

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

Meeting adjourned at 7:45 PM.

Karen Wynne, RMC
Deputy Clerk