

**Borough of Matawan  
Special Meeting  
August 16, 2018**

A special meeting of the Council of the Borough of Matawan, New Jersey, was held at the Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey on August 16, 2018, with Council President, Nicolas Reeve, presiding. The Clerk stated, pursuant to Section 5 of the Open Public Meetings Act, adequate notice of this meeting has been provided by publishing notification in *The Independent* on August 14, 2018, by sending notice to the *Asbury Park Press*, and by posting. A copy of said notice is and has been made available to the public and is on file in the Office of the Borough Clerk. A copy of said notice has also been sent to such members of the public as have requested such information in accordance with the Statute. The Clerk called the meeting to order at 2:01 PM.

On roll call, the following members responded present:

Yes: Councilman Nicolas Reeve  
Councilwoman Josi Salvatore  
Councilman Brett Cannon (2:07 PM Arrival)  
Councilwoman Deana Gunn  
Councilman David Vergaretti

Absent: Councilwoman Stephanie Buckel

Also present were Mayor Joseph Altomonte (by telephone), Louis Ferrara, Borough Administrator, and Pasquale Menna, Esq., Borough Attorney.

The Clerk asked everyone to stand for a Salute to the Flag.

Mr. Ferrara asked everyone to stand for a Moment of Silence.

**New Business**

Mr. Menna related the background and purpose of the Special Meeting as outlined in the Resolution, and read by title Resolution 18-08-18: Resolution of the Borough of Matawan, County of Monmouth and State of New Jersey Affirming the Recommendation of the Administrative Hearing Officer in the Matter of the Disciplinary Hearing of Jennifer Paglia.

Mr. Menna stated he understands the Hearing Officer's determination was provided to all parties including counsel for Officer Paglia, and has not heard from Officer Paglia's counsel. Mr. Menna spoke yesterday with our Labor Attorney, Bruce Padilla, who prosecuted the case, to ascertain whether or not he received any objections to the Hearing Officer's determination or a call for an adjournment of today's meeting. Mr. Padilla affirmed he has not received any objections or any calls. We are here today to accept, amend or reject the Hearing Officer's determination.

Councilman Reeve made the motion to open for discussion, seconded by Councilwoman Gunn. Councilman Cannon recommended rolling the unpaid salary to the Recreation Department 2018 budget. Mr. Menna stated the budgetary allocation is in the Police Department but not for discussion at this meeting. Councilman Vergaretti asked for clarification on the suspension, with regard to Police personnel coverage. Mr. Menna replied those decisions are relegated to the Chief of Police.

The Clerk requested a motion to adopt. Councilman Reeve made the motion, seconded by Councilwoman Gunn. A roll call vote was taken.

Yes: Councilman Nicolas Reeve  
Councilwoman Josi Salvatore  
Councilman Brett Cannon  
Councilwoman Deana Gunn  
Councilman David Vergaretti

Motion passed.

***RESOLUTION 18-08-18***

***RESOLUTION OF THE BOROUGH OF MATAWAN, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY AFFIRMING THE RECOMMENDATION OF THE ADMINISTRATIVE HEARING OFFICER IN THE MATTER OF THE DISCIPLINARY HEARING OF JENNIFER PAGLIA***

***WHEREAS, Jennifer Paglia is a Police Officer of the Borough of Matawan Police Department, and, as such, is an employee of the said Department and the Borough of Matawan; and***

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***WHEREAS**, on September 29, 2016, the Borough of Matawan, pursuant to the Borough Code, served four Notices of Charges and Disciplinary Action (hereinafter “NCDA”) relating to four separate incidents of activities on May 7, 2016; July 12, 2016; July 17, 2016; and August 16, 2016; related to the Paglia’s duties as a Police Officer of the Borough of Matawan; and*

***WHEREAS**, as a result of the filed charges the Officer had the opportunity to review said charges and retain the assistance of counsel in the Administrative Procedures that related thereto; and*

***WHEREAS**, as a result of the filing of the charges, the matters were referred to an Administrative Hearing, which disciplinary hearing was conducted by Edward J. Florio, Esq. on January 30, 2018; at which time representatives of the Borough Police Department as well as the Officer and respective counsel had an opportunity to be heard and to address the issues that were raised in the NCDA filings; and*

***WHEREAS**, at the conclusion of the testimony and hearing, the Hearing Officer issued a decision by date of May 22, 2018, which decision is incorporated herewith and referenced hereto and made part of the within Resolution; and*

***WHEREAS**, as a result of the decision which has been amplified by the Hearing Officer in a written opinion which includes his findings of fact, and the analysis of the law; and a recommendation on penalties, which opinion is incorporated herewith by reference; and*

***WHEREAS**, the Mayor and Council, pursuant to the Borough Ordinance has had an opportunity to review the 26-page Disciplinary Decision and Opinion rendered by Edward J. Florio, Esq. on May 22, 2018 and reviewed same with the Borough Counsel; and*

***WHEREAS**, after a complete and comprehensive review of the Decision the Governing Body of the Borough of Matawan affirms and ratifies the Disciplinary Decision recommended by Hearing Officer Florio that the Officer be suspended without pay for a total of sixteen (16) days; and*

***WHEREAS**, the Mayor and Council find, as a matter of law and fact, that the Hearing Officer’s Recommendation is fair and reasonable under the totality of the circumstances as referenced in the Decision dated May 22, 2018; and*

***WHEREAS**, the Mayor and Council herewith affirm the findings of fact and recommended disciplinary action, and thus impose the recommended suspension of sixteen (16) days without pay herewith; and*

***NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Matawan that the Hearing Officer’s Disciplinary Decision dated May 22, 2018 is herewith adopted as the final decision of the Mayor and Council, and the recommended penalty is herewith imposed and affirmed.*

***BE IT FURTHER RESOLVED** that the Chief of Police as the Administrative Officer of the Police Department is authorized to effectuate the implementation of the disciplinary penalty at his discretion for the orderly administration of the Department; and the Chief is further directed to advise the Chief Financial Officer of the administration of the penalty and to certify its completion.*

***BE IT FURTHER RESOLVED** that a true certified copy of the within Resolution be provided to counsel for Jennifer Paglia by certified mail, Officer Paglia and also be provided to the Borough Administrator, the Borough Clerk, the Chief Financial Officer as well as the Chief of Police.*

Council President Reeve opened the floor for public comment.

There were no comments.

Council President Reeve closed the floor for public comment.

**Adjournment**

Councilman Reeve requested a motion to adjourn. Councilman Cannon made the motion, seconded by Councilwoman Gunn. Council agreed. Motion passed.

Meeting adjourned at 2:11 PM.

(Signature on File)

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Karen Wynne, RMC  
Municipal Clerk