

**Borough of Matawan
Public Session
September 18, 2018**

A regular 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 September 18, 2018, with Mayor Joseph Altomonte presiding. 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 March 15, 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. Mayor Altomonte called the meeting to order at 7:06 PM requesting a roll call.

On roll call the following members responded present:

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

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

Mayor Altomonte asked everyone to stand for a Salute to the Flag.

Mayor Altomonte asked everyone to stand for a Moment of Silence.

Mayor Altomonte announced that Resolution 18-09-23 would be added to the agenda.

Public Hearing for Monmouth County Open Space Program
Gravelly Brook Park Improvements Phase III

Louis Ferrara, Borough Administrator, explained the Public Hearing is being held for the Borough's submission of an Application for Open Space Grant, prepared by the Borough Engineer, Robert Keady of T&M Associates, for the Gravelly Brook Park Improvements Phase III to include rest rooms, snack stand and a picnic area. Mr. Keady stated proposed Improvements to the standing building to include all those features with a small sidewalk tied into the existing sidewalk as well as the utilities for water, sanitary sewer and electric. Mr. Ferrara informed the Application is due to the County this Thursday; our grant writer will hand carry the Application to the County.

Councilman Cannon asked for additional parking to be included in plan renderings. Mr. Keady said he knows it is important and will definitely be taken into consideration. Mayor Altomonte asked if JCP&L answered the Borough's request for expansion onto their property. Mr. Ferrara replied, they said no.

Mayor Altomonte opened the Public Hearing for the Monmouth County Open Space Program Gravelly Brook Park Phase III Improvements for public comment.

Fran Bucco, 79 Freneau Avenue, Matawan. Ms. Bucco asked if the snack stand will be manned by Borough employee(s) or snack machines. Mayor Altomonte replied, the organization(s), such as soccer, softball, baseball, etc., utilizing the stand will provide the personnel.

Mayor Altomonte requested a motion to close the public hearing. Councilman Reeve made a motion, seconded by Councilwoman Salvatore. Council agreed. Motion passed.

Mayor Altomonte read by title Resolution 18-09-11: Authorizing Application for Monmouth County Open Space Grant Funding – Gravelly Brook Park Phase II Improvements, requesting a motion.

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Councilman Vergeretti made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 18-09-11
AUTHORIZING APPLICATION FOR
MONMOUTH COUNTY OPEN SPACE GRANT FUNDING
GRAVELLY BROOK PARK PHASE III IMPROVEMENTS**

***WHEREAS**, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and*

***WHEREAS**, the Governing Body of Matawan Borough desires to obtain County Open Space Trust Funds in the amount of \$250,000.00 to fund the expansion and development of recreational facilities at Gravelly Brook Park, located at Villanova Place and identified as Lot 46, Block 120 on the tax map of the Borough of Matawan; and*

***WHEREAS**, the Borough of Matawan is the owner of and controls the project site.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan, New Jersey that:*

- 1. Louis Ferrara, Borough Administrator of the Borough of Matawan is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondent of the above named municipality; and*
- 2. The Borough of Matawan is committed to this project and will provide the balance of funding necessary to complete the project as described in the grant application in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and*
- 3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state and local government rules, regulations and statutes thereto; and*
- 4. Louis Ferrara, Borough Administrator, or his successor is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and*
- 5. This resolution shall take effect immediately.*

Councilman Cannon asked about the time frame that the public could expect a response from the County regarding the grant for Gravelly Brook Park. Mr. Keady said that the Borough would receive word within a few months, but that the agreement will have to issued and executed. He said that generally happens in the springtime to early summer.

Privilege of the Floor – Agenda Items Only

Mayor Altomonte opened the Privilege of the Floor for Agenda Items Only. There were no comments.

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Mayor Altomonte requested a motion to close the Privilege of the Floor for Agenda Items Only. Councilman Reeve made the motion, seconded by Councilwoman Salvatore. Council agreed. Motion passed.

Approval of Minutes

Mayor Altomonte requested a motion to approve the minutes of the August 16, 2018 Council Meeting. Councilman Reeve made a motion, seconded by Councilwoman Salvatore. Council agreed. Motion passed.

Mayor Altomonte requested a motion to approve the minutes of the August 21, 2018 Council Meeting. Councilman Reeve made a motion, seconded by Councilwoman Buckel. Council agreed. Motion passed.

Old Business

Mayor Altomonte read by title Ordinance 18-15: Bond Ordinance of the Borough of Matawan Appropriating \$500,000 to Supplement Bond Ordinance No. 13-19 Adopted On October 15, 2013 and Authorizing the Issuance of \$476,000 Bonds or Notes of the Borough to Finance Part of the Appropriation. Mayor Altomonte requested a motion to open the public hearing. Councilman Reeve made the motion, seconded by Councilman Cannon. Council agreed. Motion passed. Mayor Altomonte requested comments. There were no comments. Mayor Altomonte requested a motion to close the public hearing. Councilman Reeve made the motion, seconded by Councilwoman Salvatore. Council agreed. Motion passed. Mayor Altomonte read by title Ordinance 18-15: Bond Ordinance of the Borough of Matawan Appropriating \$500,000 to Supplement Bond Ordinance No. 13-19 Adopted On October 15, 2013 and Authorizing the Issuance of \$476,000 Bonds or Notes of the Borough to Finance Part of the Appropriation, requesting a motion to adopt. Councilman Reeve made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call. A roll call vote was taken.

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

Motion passed.

**ORDINANCE 18-15
BOND ORDINANCE OF THE BOROUGH OF MATAWAN APPROPRIATING
\$500,000 TO SUPPLEMENT
BOND ORDINANCE NO. 13-19 ADOPTED ON OCTOBER 15, 2013 AND
AUTHORIZING THE ISSUANCE OF \$476,000 BONDS OR NOTES OF THE
BOROUGH TO FINANCE PART OF THE APPROPRIATION**

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

Section 1. The Bond Ordinance of the Borough of Matawan, a municipal corporation of the State of New Jersey (the "Borough") entitled "BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE MATAWAN MUNICIPAL COMMUNITY CENTER, APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$950,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF MATAWAN, IN THE COUNTY OF MONMOUTH, NEW JERSEY" finally adopted on September 19, 2001, as amended by Bond Ordinance No. 02-15 finally adopted on July 16, 2002, as amended by Bond Ordinance No. 06-18 finally adopted on September 5, 2006, and as amended by Bond Ordinance No. 13-19 finally adopted on September 15, 2013 (collectively, the "Prior Ordinance") is hereby incorporated by reference in its entirety.

Section 2. The Prior Bond Ordinance is hereby supplemented as set forth within this bond ordinance. The improvement or purpose provided for in the Prior Bond Ordinance and this bond ordinance has been authorized to be undertaken by the Borough as a general improvement. For the improvement or purpose described in Section 3, there is

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hereby appropriated the additional amount of \$500,000 (in addition to the \$1,800,000 appropriated in the Prior Bond Ordinance), including the sum of \$24,000 as the additional down payment required by the Local Bond Law. The down payment is now available by virtue of the provision for a down payment for capital improvement purposes in one or more previously adopted budgets.

Section 3. In order to finance the cost of the improvement or purpose not covered by the application of the additional down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$476,000 (in addition to the \$1,710,000 authorized in the Prior Bond Ordinance) pursuant to the Local Bond Law. In anticipation of the issuance of bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 4. (a) The improvement or purpose hereby authorized for which bonds are to be issued is capital improvements for the Borough Municipal Community Center, including all work and materials necessary therefor and incidental thereto. This improvement or purpose supplements the improvement or purpose authorized in the Prior Bond Ordinance.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose authorized in this bond ordinance and \$2,186,000, which is the aggregate amount of \$476,000 authorized in this bond ordinance and \$1,710,000 authorized the Prior Bond Ordinance.

(c) The estimated cost of the improvement or purpose authorized in this bond ordinance and in the Prior Bond Ordinance is \$2,300,000, which is the aggregate amount of \$500,000 appropriated in this bond ordinance and \$1,800,000 appropriated in the Prior Bond Ordinance.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by 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 Chief Financial Officer's signature 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 N.J.S.A. 40A:2-8.1. 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 plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body 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 names of the purchaser.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith.

Section 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, 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 improvement or purpose described in Section 3 of this bond ordinance, computed on the basis of the amount of obligations authorized for the improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 15 years.

(c) An aggregate amount not exceeding \$25,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost of the improvement or purpose set forth in Section 3 of this bond ordinance.

(d) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and submitted to the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough is increased by \$476,000 (the amount of the authorization of the obligations provided for in this bond ordinance). The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the 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 real 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 shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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Mayor Altomonte read by title Ordinance 18-16: Bond Ordinance Providing for 2018 Road Program and Water/Sewer Utility Sanitary Sewer Rehabilitation Program Improvements by the Borough of Matawan, Appropriating \$3,250,000 Therefor, Including a Grant in the Amount of \$350,000 Expected to be Received from the State Department of Transportation, and Authorizing the Issuance of \$2,778,500 Bonds or Notes of the Borough to Finance Part of the Cost Thereof. Mayor Altomonte requested a motion to open the public hearing. Councilman Reeve made the motion, seconded by Councilwoman Buckel. Council agreed. Motion passed. Mayor Altomonte requested comments. There were no comments. Mayor Altomonte requested a motion to close the public hearing. Councilman Reeve made the motion, seconded by Councilwoman Buckel. Council agreed. Motion passed. Mayor Altomonte read by title Ordinance 18-16: Bond Ordinance Providing for 2018 Road Program and Water/Sewer Utility Sanitary Sewer Rehabilitation Program Improvements by the Borough of Matawan, Appropriating \$3,250,000 Therefor, Including a Grant in the Amount of \$350,000 Expected to be Received from the State Department of Transportation, and Authorizing the Issuance of \$2,778,500 Bonds or Notes of the Borough to Finance Part of the Cost Thereof, requesting a motion to adopt. Councilman Reeve made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call. A roll call vote was taken.

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

Motion passed.

**ORDINANCE 18-16
BOND ORDINANCE PROVIDING FOR 2018 ROAD PROGRAM AND
WATER/SEWER UTILITY SANITARY SEWER REHABILITATION PROGRAM
IMPROVEMENTS BY THE BOROUGH OF MATAWAN, APPROPRIATING
\$3,250,000 THEREFOR, INCLUDING A GRANT IN THE AMOUNT OF \$350,000
EXPECTED TO BE RECEIVED FROM THE STATE DEPARTMENT OF
TRANSPORTATION, AND AUTHORIZING THE ISSUANCE OF \$2,778,500
BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST
THEREOF**

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

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Matawan, a municipal corporation of the State of New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3 of this bond ordinance, there is hereby appropriated the sum of \$3,250,000, including a grant in the amount of \$350,000 expected to be received from the State of New Jersey Department of Transportation, and including the sum of \$121,500 as the down payment for the improvement or purpose required by the Local Bond Law. The down payment is now available by virtue of the provision for a down payment for capital improvement purposes in one or more previously adopted budgets. Note: No down payment is required for the purposes set forth in Section 3(b) below, as said purposes are deemed self-liquidating and the obligations authorized in connection with said purposes are deductible from the gross debt of the Borough, as more fully explained in Section 6 of this Ordinance.

Section 2. In order to finance the cost of the improvement or purpose not covered by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,778,500 pursuant to the Local Bond Law. In anticipation of the issuance of bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The improvements or purposes hereby authorized for which bonds or notes are to be issued, the estimated cost of each improvement or purpose and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement or purpose, and the period of usefulness of each improvement or purpose are as follows:

(a) Capital improvements for various roads throughout the Borough as part of the Borough's 2018 Road Maintenance Program, including: the design and construction of an underdrain and sump pump tie-in along Oak Road; striping of various roads throughout the Borough; road reconstruction and water main replacement along Harding Boulevard from Liberty Street to the NW Terminus; road reconstruction work along Washington Avenue from Roberts

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Street to Union Avenue; road improvements for Vermont Court from Route 79 to its Terminus; road improvements for Edgemere Drive from Lakeland Avenue to Schenk Drive; road improvements for Villanova Place from Victoria Drive to the northern cul-de-sac; Broad Street Water Main Replacements (Phase 1) from Route 34 to Church Street; crack sealing for various Borough roads; and all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$2,900,000 (including a grant in the amount of \$350,000 expected to be received from the State Department of Transportation)	\$2,428,500	20 years

(b) *Capital improvements pursuant to the Borough’s 2018 Sanitary Sewer Rehabilitation Program, including the design, repair and rehabilitation of various sanitary sewers throughout the Borough, including, but not limited to, Ravine Drive from Grant Street to Wyckoff Street; Siphon between Beachwood Terrace and Ravine Drive; Abandoned Treatment Plant/Matawan Pump Station to Union Street; Harding Boulevard from Liberty Street to NW Terminus; Washington Street (near Main Street); and all work and materials necessary therefor or incidental thereto.*

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$350,000	\$350,000	40 years
<u>TOTAL APPROPRIATION</u>	<u>TOTAL BOND AUTHORIZATION</u>	<u>AVERAGE PERIOD OF USEFULNESS</u>
\$3,250,000	\$2,778,500	22.52 years

Section 4. *All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation 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 the bond anticipation notes issued pursuant to this bond ordinance, and the Chief Financial Officer’s signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell a part, or all, of the bond anticipation 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 plus accrued interest, if any, from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale of bond anticipation notes issued pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation 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 bond ordinance to the extent of any inconsistency herewith.*

Section 6. *The following additional matters are hereby determined, declared, recited and stated:*

(a) *The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby. The improvement or purpose described in Section 3(b) of this bond ordinance is not a current expense. It is an improvement or purposes that the Borough may lawfully undertake as a self-liquidating purpose of a municipal public utility and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.*

(b) *The period of usefulness of the improvement or purpose described in Section 3 of this bond ordinance, computed on the basis of the amount of obligations authorized for the improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 22.52 years.*

(c) *An aggregate amount not exceeding \$600,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost of the improvement or purpose set forth in Section 3 of this bond ordinance.*

(d) *The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and submitted to the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough is increased by \$2,778,500 (the amount of the authorization of the obligations provided for in this bond ordinance), but that the net debt of the Borough determined as provided in the Local Bond Law is only increased by \$2,428,500 as \$350,000 of the obligations authorized herein are deemed self-liquidating and thus are deductible from the gross debt of the Borough. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.*

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(e) Section 3(b) of this Bond Ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized in said Section 3(b) ree to be issued for a purposes that is deemed 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. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the 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 real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Clerk’s Report

The Clerk reported that the following business licenses were issued for the months of August and September 2018:

- 1. 32 Spa, Massage
- 2. ELS Surveying, LLC, land surveying services
- 3. Garden State Smiles of Matawan, general dentistry, oral surgery, orthodontics
- 4. Precision Restoration Solutions, insurance property restoration after devastation
- 5. Thomas Vastardis, CPA, accountant and tax services.

Mayor’s Report

No report.

Administrator’s Report

Mr. Ferrara stated his report has been electronically transmitted.

Attorney’s Report

Mr. Menna explained the addition of Resolution 18-09-23.

Engineer’s Report

- 2017 Road Program, Contract II – all streets have now been paved. The Essie storm outfall work is remaining, which should be done shortly.
- Transit Village Improvements – the project is still in punch-list and still waiting for some of the amenities to be installed, which is expected in the next month or so.
- Installation of Comminutors – the contractor is expected to mobilize towards the end of October.
- Gravelly Brook Park Improvmnts, Phase II – top lot options have been provided to the Borough, for review and comment.
- NJ DOT Municipal Aid 2019 Application – Mr. Keady said he reviewed some of the streets in town, announcing that he thought a good candidate for would be Overhill Road. He explained that the road met the condition requirements of the application. He asked for Council approval to move forward with that application. Council approved.

Construction, Finance

Councilman Reeve noted that there was no report for the Finance Department. He provided Construction Report for _____:

Description	Current Month	Year-to-Date
Permit Income/Certificate	\$ 81,568	\$ 174,784
Business CCOs/Misc Fees	\$ 150	\$ 2,400
State Permit Surcharge Fees	\$ 3,353	\$ 7,170
Penalties	0	0

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TOTAL	\$ 85,071	\$ 184,354
Paid to Matawan General Fund	\$ 85,071	\$ 181,530
Paid to State Quarterly Payment	0	\$ 2,824
Value of Construction Work	\$ 2,903,825	\$ 6,869,703
Permits Issued	44	362

Police, ADA, Recreation

Councilwoman Salvatore reported that the Patrol Division responded to over 687 calls for service for this reporting period. The Patrol Division has responded to over 7,100 calls for service, year to date. Members of the Patrol Division arrested thirteen (13) arrests persons for various offenses, from August 21st through September 17th. The breakdown of charges are as follows:

Driving While Suspended/Revoked	6
Outstanding MV/Criminal Warrants	1
Other Criminal Charges	6

On September 4, 2018, Patrolman Joseph Mason and K-9 Blade began Patrol K-9 training with the New Jersey State Police K-9 Unit. K-9 Blade is progressing nicely in his training and will be fully trained by January 12, 2019. We are looking forward to k-9 Blade’s ceremonially swearing-in at the October 2nd Council Meeting.

The Speed Enforcement trailer is continually deployed to different roadways on a weekly basis as determined by the T/S Supervisor, Sgt. Sean McCabe.

On September 11th, The Traffic Safety Unit Supervisor conducted the annual in-service training and refresher for the department’s School Crossing Guards.

Members of the department performed seventeen (17) Police Special Duty Assignments during this period. Various construction and utility companies were invoiced for officer, vehicle and administrative fees a total of \$47,098.41.

Members assigned to the Detective Division have conducted eleven (11) follow-up investigations and assisted the Patrol Division with investigations regarding the following offenses or incidents: theft, fraud, harassment, criminal mischief, attempted burglary to a residence and suicide (cooperative investigation with NJ Transit Police Department). They are currently working a long-term cooperative investigation with county, state and federal partners.

DPW, Property Maintenance, Recyling & Sanitation

Councilwoman Buckel reported that the Borough took delivery of the new truck and plow. She said the street sweeper was being delivered to the wrap company on September 26 and should be done by September 27, being put right back into service the next day. She announced the sweeper schedule would be similar to the leaf pickup schedule. All residents should know when their street is being swept. The DPW joined all other departments, along with the Chamber of Commerce, regarding the plans for Matawan Day event. The new recycling app, ‘Recycle Coach’, can be found on the Borough website. There were some issues with the app, on the State side, but should all be fixed as of this point. She noted that Grace Rainforth plans to put out an e-alert, Facebook post, and will post on the Borough website that the app is available for download. Coucilwoman Buckel also announced that plastic bags are not to be used for recycling at the curb. She explained that the recycling will not be picked up if it’s in a plastic bag. She said the County will be making this announcement to residents, and pushed out to the residents of Matawan via e-alert, Facebook post, and on the Borough website. Councilwoman Gunn asked for an email be sent to residents and Councilwoman Buckel affirmed that she would request it.

Planning/Zoning, Fire, Historic Sites

Councilman Cannon offered an explanation of Ordinance 18-16 to the residents. He noted that the roads being looked at were the second half of Edgemere Drive, which he noted was overdue. He also

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noted that they would look into the presidential neighborhoods off of Ravine Drive, notably Washington Street and Harding Boulevard.

He thanked the Fire Department for their wonderful job of the September 11th Memorial, mentioning the great ceremony. He said that restoration is continuing at Burrowes Mansion. He noted that it is moving slower than they would like, but explained that was because it is a historical building it has many requirements that need to be met. He acknowledged Mr. Ferrara and the great job he has done as project leader. Councilman Reeve added that the one side of Burrowes Mansion had its shingles removed. He explained that opening up a building that old, there was bound to be decay that heralded many change orders in the construction. He said that the roof and the chimney have been completed.

Economic Business Development, Environmental, Main Street Development

Councilwoman Gunn mentioned that Matawan Day is happening on October 13, 2018, from 12:00PM to 5:00PM. She encouraged all to attend and support our town. She noted that last year's response was great and that they were expecting just-as-good-of a response this year. She said that they were doing a ribbon cutting and grand re-opening/rebranding for Pivotal Pilates on September 22, 2018.

Animal Advisory Board, Shade Tree, Personnel

No report.

Consent Agenda

Mayor Altomonte read by title Resolutions 18-09-01 through 18-09-10, then including 18-09-12 through 18-09-17, requesting a motion to approve en masse. Councilman Reeve made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 18-09-01
REDEMPTION OF TAX SALE CERTIFICATE
BOROUGH OF MATAWAN
CERTIFICATE #16-00078**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #16-00078 was sold to Borough of Matawan, 201 Broad Street, Matawan, NJ 07747; and

WHEREAS, the Certificate has been paid and fully redeemed for the property owner, Block 115, Lot 12.01, otherwise known as 1 Fierro Ave.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,187.41 to the above for the redemption of Tax Sale Certificate #16-00078.

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

**RESOLUTION 18-09-02
REDEMPTION OF TAX SALE CERTIFICATE
TRYSTONE CAPITAL ASSETS, LLC
CERTIFICATE #17-00022**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #17-00022 was sold to Trystone Capital Assets, LLC, PO Box 1030, Brick, NJ 08723; and

WHEREAS, the Certificate has been paid and fully redeemed for the property owner, Block 31, Lot 10, otherwise known as 31 Church Street.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,391.12, and a Premium of \$3,200.00, to the above for the redemption of Tax Sale Certificate #17-00022.

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 18-09-03
REDEMPTION OF TAX SALE CERTIFICATE
TFS CUST FOR FIG CAP INV NJ13, LLC
CERTIFICATE #17-00043**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #17-00043 was sold to TFS Cust for FIG Cap Inv NJ13, LLC, PO Box 54472, New Orleans, LA 70154; and

WHEREAS, the Certificate has been paid and fully redeemed for the property owner, Block 47.02, Lot 30, otherwise known as 25 New Brunswick Ave.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$5,258.14, and Premium of \$500.00 to the above for the redemption of Tax Sale Certificate #17-00043.

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

**RESOLUTION 18-09-04
REDEMPTION OF TAX SALE CERTIFICATE
SUNSHINE ST CERT VI/BANKUNITED
CERTIFICATE #17-00049**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #17-00049 was sold to Sunshine St Cert VI/BankUnited, 7900 Miami Lakes Drive West, Miami Lakes, FL 33106; and

WHEREAS, the Certificate has been paid and fully redeemed for the property owner, Block 57, Lot 5, otherwise known as 2 Woodland Avenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$23,022.67, and a Premium of \$43,700.00, to the above for the redemption of Tax Sale Certificate #17-00049.

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

**RESOLUTION 18-09-05
REDEMPTION OF TAX SALE CERTIFICATE
EONE GROUP, LLC
CERTIFICATE #17-00072**

WHEREAS, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #17-00072 was sold to the EONE Group, LLC, 150 Airport Rd., Suite 1220, Lakewood, NJ 08701; and

WHEREAS, the Certificate has been paid and fully redeemed for the property owner, Block 110, Lot 7.02, otherwise known as 29 Crescent Place.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$1,972.96, and a Premium of \$1,900.00, to the above for the redemption of Tax Sale Certificate #17-00072.

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

**RESOLUTION 18-09-06
ALLOWING VETERAN EXEMPTION
LUKE SMENTKOWSKI
33 SCHENCK AVENUE – BLOCK 47, LOT 15.02**

WHEREAS, the following property has been granted a Veteran exemption by the Department of Veterans Affairs and should be against the 2018 property taxes; and

WHEREAS, as long as said property qualifies for said exemption his property shall bear no tax.

NOW, THEREFORE, BE IT RESOLVED that the Borough Tax Collector grant an exemption to the following:

Block/Lot	Vendor	Notation
47/15.02	Luke Smentkowski	Veteran Exemption

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

**RESOLUTION 18-09-07
AUTHORIZING AN ELECTRONIC TAX SALE**

***WHEREAS**, NJSA 54:5-19.1 et seq. authorizes municipalities to conduct an electronic tax sale pursuant to rules and regulations promulgated by the Director of the Division of Government Services; and*

***WHEREAS**, the rules and regulations promulgated require a municipality to authorize said electronic tax sale by Resolution of the Governing Body; and*

***WHEREAS**, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct electronic tax sales in the State of New Jersey; and*

***WHEREAS**, NJ Tax Lien Investors/RealAuction.com has submitted a bid which is on file with the Borough of Matawan Tax Collector's Office; and*

***WHEREAS**, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and*

***WHEREAS**, the Borough of Matawan wishes to conduct an electronic tax sale.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan, New Jersey, that the Tax Collector is hereby authorized to conduct an electronic tax sale.*

***BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Finance, Clerk, Tax Collector as well as the Director of the Division of Local Government Services.*

**RESOLUTION 18-09-08
AUTHORIZING THE WAIVER OF HEALTH DEPARTMENT FEES
MATAWAN DAY FOOD VENDORS**

***WHEREAS**, Matawan Day has been celebrated for many years in the Borough of Matawan; and,*

***WHEREAS**, Matawan-Aberdeen Chamber of Commerce in association the Recreation Department of the Borough of Matawan is sponsoring this year's Matawan Day; and*

***WHEREAS**, the Matawan-Aberdeen Chamber of Commerce and the Recreation Department of the Borough of Matawan have requested the Council of the Borough of Matawan, as an expression of support and encouragement, waive the \$50.00 Health Department fee for the Matawan Day food vendors.*

***NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Matawan do hereby waive the \$50.00 Health Department fee for the Matawan Day food vendors.*

***BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Finance, Clerk, Fire Prevention, Health, Recreation as well as the Matawan-Aberdeen Chamber of Commerce.*

**RESOLUTION 18-09-09
2018 HALLOWEEN CURFEW**

***WHEREAS**, the Halloween Season can be dangerous to children walking the streets of the Borough of Matawan after daylight hours; and*

***WHEREAS**, it is the desire of the Borough Council to set a reasonable period to allow for Halloween activities and also to protect its residents; and*

***WHEREAS**, the Police Department of the Borough of Matawan has recommended that curfew be set for persons 16 years, unless accompanied by an adult (18 years or older) or traveling to or from place of employment of age as follows:*

- *Monday, October 29th from 7:30 PM until 5:00 AM the following day*
- *Tuesday, October 30th from 7:30 PM until 5:00 AM the following day*
- *Wednesday, October 31st from 8:30 PM until 5:00 AM the following day*

***NOW, THEREFORE, BE IT RESOLVED** that a curfew be set for persons 16 years of age and under to be off the streets on October 29 and 30, 2018 from 7:30 PM to 5:00 AM the following day and on October 31, 2018 from 8:30 PM to 5:00 AM the following day, unless accompanied by an adult (18 years or older) or traveling to or from place of employment.*

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BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk and Police.

**RESOLUTION 18-09-10
GRANTING RELIEF FROM THE
FIVE YEAR MORATORIUM ROAD OPENING PERMIT
NED AND DANIEL DRIVES
NEW JERSEY NATURAL GAS**

WHEREAS, New Jersey Natural Gas has requested the Council of the Borough of Matawan grant relief from the five year moratorium to open Ned and Daniel Drives as part of an accelerated infrastructure replacement program to replace and upgrade older, more leak-prone systems; and

WHEREAS, said request is to eliminate active leaks under the roadway in the area; and

WHEREAS, the Borough Engineer has reviewed this matter and has recommended relief from the five year moratorium.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan hereby grants New Jersey Natural Gas relief from the five year moratorium road opening on both Ned and Daniel Drives.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Construction, Fire, Police, Public Works as well as the Borough Engineer and New Jersey Natural Gas.

**RESOLUTION 18-09-12
REJECTION OF ALL BIDS FOR THE BOROUGH OF MATAWAN
ENERGY SAVINGS IMPROVEMENT PROGRAM
HVAC UPGRADES AND NEW ENERGY MANAGEMENT SYSTEM**

WHEREAS, the Borough of Matawan previously authorized the receipt of bids for the Borough of Matawan Energy Savings Improvement Program HVAC Upgrades and New Energy Management System; and

WHEREAS, pursuant to law the Borough of Matawan solicited bids for the Borough of Matawan Energy Savings Improvement Program HVAC Upgrades and New Energy Management System; and

WHEREAS, the Borough of Matawan received two (2) bids for the aforesaid contract; and

WHEREAS, according the NJSA 40A:11-13.2a the lowest bid substantially exceeds the cost estimates for services.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that the Borough of Matawan hereby rejects all bids for the Borough of Matawan Energy Savings Improvement Program HVAC Upgrades and New Energy Management System at this time.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Finance, Public Works as well as DCO Energy and all bidders.

**RESOLUTION 18-09-13
2017 BURROWES MANSION REHABILITATION PROJECT
DRILL CONSTRUCTION CO., INC.
AUTHORIZING CHANGE ORDER NO. 2**

WHEREAS, HMR Architects has informed the Council of the need for timber frame repairs at the northeast corner of the Burrowes Mansion increasing the 2017 Burrowes Mansion Rehabilitation Project for a total increase this Change Order No. 2 of Four Thousand One Hundred Nineteen Dollars and No Cents (\$4,119.00).

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, based upon the recommendation of HMR Architects, that they hereby authorize the attached contract modification proposal, Change Order No. 2, for the 2017 Burrowes Mansion Rehabilitation Project, a Net Change Increase This Change Order No. 2, in the amount of Four Thousand One Hundred Nineteen Dollars and No Cents (\$4,119.00).

BE IT FURTHER RESOLVED this amount reflects a total Net Change Increase in Contract of Sixteen Thousand Two Hundred Forty Nine Dollars and No Cents (\$16,249.00).

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Construction, Finance, Public Works as well as HMR Architects and Drill Construction Co., Inc.

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DRILL CONSTRUCTION

80 Main Street, Suite 570
West Orange, NJ 07052
973-736-9350

www.drillconstruction.com

10 September 2018

HMR Architects
Kurt Leasure
821 Alexander Rd, Suite 115
Princeton, NJ 08540

Re: **Burrowes Mansion
Change Order Request #2
Corner Repair**

Dear Kurt:

We hereby submit this Change Order Request for revised services.

1. Scope of Work

- Please see attached Excel sheet for scope of work

2. Price and Time

This change will **increase** the Contract Sum by:

\$4,119

This change will affect the Contract Time by **2 days**.

3. Qualifications

This price is based on the work being performed during normal working hours at the same time we are doing other work. This price does not include any amount for extended general conditions or delay costs. We reserve the right to make claim for those or similar costs before the end of the project if the total amount and/or timing of Change Orders extends our time on the project.

Please issue a Change Order in the above amount.

Yours truly,

DRILL CONSTRUCTION CO., INC.



John Evers
PM

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**RESOLUTION 18-09-14
2017 ROAD IMPROVEMENT PROGRAM CONTRACT 1
S. BROTHERS, INC.
AUTHORIZING CHANGE ORDER NO. 4 AND FINAL**

WHEREAS, T&M Associates has informed the Council that Various Items are reduced to reflect as-built quantities for the 2017 Road Improvement Program Contract 1, for a total reduction this Change Order No. 4 and Final of Four Thousand, Nine Hundred Forty-Three Dollars and Ten Cents (\$4,943.10); and

WHEREAS, T&M Associates has informed the Council that Various Items are increased to reflect as-built quantities in the 2017 Road Improvement Program Contract 1, for a total increase this Change Order No. 4 and Final of One Thousand, Three Hundred Eighty Dollars and No Cents (\$1,380.00).

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, based upon the recommendation of Robert Keady, T&M Associates, that they hereby authorize the attached contract modification proposal, Change Order No. 4 and Final, for the 2017 Road Improvement Program Contract 1, a Net Change Reduction This Change Order No. 4 and Final, in an amount of Three Thousand, Five Hundred Sixty-Three Dollars and Ten Cents (\$3,563.10).

BE IT FURTHER RESOLVED this amount reflects a total Net Change Decrease in Contract of Three Thousand, Five Hundred Sixty-Seven Dollars and Eighty Cents (\$3,567.80).

BE IT FURTHER RESOLVED the Mayor of the Borough of Matawan is hereby authorized to execute the attached contract modification proposal and acceptance.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Construction, Finance, Public Works as well as T&M Associates and S. Brothers, Inc.

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T&M ASSOCIATES
CONSULTING & MUNICIPAL ENGINEERS
ELEVEN TINDALL ROAD
MIDDLETOWN, NEW JERSEY 07748

SHEET NO. 1 OF 2
PROJECT NO. 31ATN-04060

CHANGE ORDER NO. 4 & FINAL

DATE: August 6, 2018

PROJECT: 2017 Road Improvement Program - Contract I

OWNER: Borough of Matawan

CONTRACTOR: S. Brothers, Inc.

DESCRIPTION OF CHANGE:

REDUCTIONS:

Various items are reduced to reflect current as-built quantities.

EXTRA:

Various items are increased to reflect current as-built quantities.

SUPPLEMENTARY:

APPROVAL RECOMMENDED:

ROBERT H. KEADY, JR., P.E., C.M.E.

ACCEPTED:

CONTRACTOR:
S. Brothers, Inc.

OWNER'S APPROVALS:

Mayor Joseph Altomonte
Borough of Matawan

NOTE: All work to be done
according to Contract
Specifications.

SEE ATTACHED DETAIL	ADDITIONAL	REDUCTION
A. TOTAL REDUCTIONS THIS C.O.	XXXXXXXXXX	\$4,943.10
B. TOTAL EXTRAS THIS C.O.	\$1,380.00	XXXXXXXXXX
C. TOTAL SUPPLEMENTARY THIS C.O.	\$0.00	XXXXXXXXXX
TOTALS THIS C.O.	\$1,380.00	\$4,943.10
NET CHANGE THIS CHANGE ORDER	\$0.00	\$3,563.10
PREVIOUS CHANGE ORDERS	\$88,890.81	\$88,895.51
TOTAL CHANGE ORDERS TO DATE	\$90,180.81	\$93,748.61
NET CHANGE IN CONTRACT	\$0.00	\$3,567.80

ORIGINAL CONTRACT BID PRICE	\$1,241,102.62
CHANGE ORDERS TO DATE	-\$3,567.80
REVISED CONTRACT PRICE	\$1,237,534.82

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T&M ASSOCIATES
CONSULTING & MUNICIPAL ENGINEERS
ELEVEN TINDALL ROAD
MIDDLETOWN, NEW JERSEY 07748

SHEET NO. 1 OF 2
PROJECT NO. 31ATN-04060

CHANGE ORDER NO. 4 & FINAL

DATE: August 6, 2018

PROJECT: 2017 Road Improvement Program - Contract 1

OWNER: Borough of Matawan

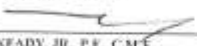
CONTRACTOR: S. Brothers, Inc.

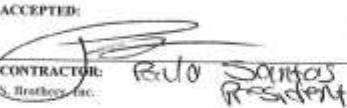
DESCRIPTION OF CHANGE:

REDUCTIONS:
Various items are reduced to reflect current as-built quantities.

EXTRA:
Various items are increased to reflect current as-built quantities.

SUPPLEMENTARY:

APPROVAL RECOMMENDED:

ROBERT H. KEADY, JR., P.E., C.M.E.

ACCEPTED:

CONTRACTOR: S. Brothers, Inc.

OWNER'S APPROVALS:
Mayor Joseph Altomonte
Borough of Matawan

NOTE: All work to be done according to Contract Specifications.

SEE ATTACHED DETAIL	ADDITIONAL	REDUCTION
A. TOTAL REDUCTIONS THIS C.O.	XXXXXXXXXX	\$4,943.10
B. TOTAL EXTRAS THIS C.O.	\$1,380.00	XXXXXXXXXX
C. TOTAL SUPPLEMENTARY THIS C.O.	\$0.00	XXXXXXXXXX
TOTALS THIS C.O.	\$1,380.00	\$4,943.10
NET CHANGE THIS CHANGE ORDER	\$0.00	\$3,563.10
PREVIOUS CHANGE ORDERS	\$88,890.81	\$88,895.51
TOTAL CHANGE ORDERS TO DATE	\$90,180.81	\$93,748.61
NET CHANGE IN CONTRACT	\$0.00	\$3,567.80

ORIGINAL CONTRACT BID PRICE

CHANGE ORDERS TO DATE

REVISED CONTRACT PRICE

\$1,241,102.62

- \$3,567.80

\$1,237,534.82

RESOLUTION 18-09-15
2017 ROAD IMPROVEMENT PROGRAM CONTRACT 2
BLACK ROCK ENTERPRISES, LLC
AUTHORIZING CHANGE ORDER NO. 3

WHEREAS, T&M Associates has informed the Council that Various Items are reduced to reflect current as-built quantities, in the 2017 Road Improvement Program Contract 2, for a total reduction this Change Order No. 3 of Twelve Thousand Four Hundred Fifty Six Dollars and Seventy One Cents (\$12,456.71); and

WHEREAS, T&M Associates has informed the Council that Various Items are increased to reflect current as-built quantities, in the 2017 Road Improvement Program Contract 2, for a total increase this Change Order No. 3 of Twelve Thousand Four Hundred Fifty Six Dollars and Seventy One Cents (\$12,456.71); and

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NOW, THEREFORE, **BE IT RESOLVED** by the Council of the Borough of Matawan, based upon the recommendation of Robert Keady, T&M Associates, that they hereby authorize the attached contract modification proposal, Change Order No. 3, for the 2017 Road Improvement Program Contract 2, a Net Change This Change Order No. 3, in an amount of Zero Dollars and No Cents (\$0.00).

BE IT FURTHER RESOLVED this amount reflects a total Net Change Increase in Contract of Seven Hundred Ninety Eight Dollars and Eighty Four Cents (\$798.84).

BE IT FURTHER RESOLVED the Mayor of the Borough of Matawan is hereby authorized to execute the attached contract modification proposal and acceptance.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Construction, Finance, Public Works as well as T&M Associates and Black Rock Enterprises, LLC.

T&M ASSOCIATES
CONSULTING & MUNICIPAL ENGINEERS
ELEVEN TINDALL ROAD
MIDDLETOWN, NEW JERSEY 07748

SHEET NO. 1 OF 2
PROJECT NO. MATN-0460

CHANGE ORDER NO. 3

DATE: August 29, 2018

PROJECT: 2017 Road Improvement Program - Contract 2

OWNER: Borough of Matawan

CONTRACTOR: Black Rock Enterprises, LLC

DESCRIPTION OF CHANGE:

REDUCTIONS:
Items A11, A22, A54 and B29 are reduced to reflect current as-built quantities.

EXTRA:
Items A9, A46, A50 and A51 are increased to reflect current as-built quantities.

SUPPLEMENTARY:

APPROVAL RECOMMENDED:

ROBERT H. KEADY, JR., P.E., C.M.E.

ACCEPTED:

CONTRACTOR:
Black Rock Enterprises, LLC

OWNER'S APPROVALS:

Mayor Joseph Altomonte
Borough of Matawan

NOTE: All work to be done according to Contract Specifications.

SEE ATTACHED DETAIL	ADDITIONAL	REDUCTION
A. TOTAL REDUCTIONS THIS C.O.	XXXXXXXXXX	\$12,456.71
B. TOTAL EXTRAS THIS C.O.	\$12,456.71	XXXXXXXXXX
C. TOTAL SUPPLEMENTARY THIS C.O.	\$0.00	XXXXXXXXXX
TOTALS THIS C.O.	\$12,456.71	\$12,456.71
NET CHANGE THIS CHANGE ORDER	\$0.00	\$0.00
PREVIOUS CHANGE ORDERS	\$42,830.48	\$42,031.64
TOTAL CHANGE ORDERS TO DATE	\$55,287.19	\$54,488.35
NET CHANGE IN CONTRACT	\$798.84	\$0.00

ORIGINAL CONTRACT BID PRICE

CHANGE ORDERS TO DATE

REVISED CONTRACT PRICE

\$1,341,723.53

~~XXXXXX~~ \$798.84

~~XXXXXXX~~ \$1,342,022.17

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CHANGE ORDER NO. 3		SHEET NO. 2 OF 2				
		PROJECT NO. MATN-0400				
PROJECT:		2017 Road Improvement Program - Contract 2				
OWNER:		Borough of Matawan				
CONTRACTOR:		Black Rock Enterprises, LLC				
REDUCTION	ITEM NO.	DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT	
	A11	Coarse Agg No. 4 Bedden Stone, Var Thk.(1&WD)	69.00	CY	\$9.01	\$6.99
	A22	6" HDPE Pipe, Type "SP"	149.00	LF	\$35.00	\$5,215.00
	A54	8" Ductile Iron Water Main	11.79	LF	\$80.00	\$943.20
	B29	Replace Loop Detectors	0.79	LS	\$7,971.92	\$6,297.82
A. TOTAL REDUCTIONS					\$12,456.71	
EXTRA	A9	Fuel Price Adjustment	1.31	LS	\$500.00	\$653.22
	A10	Asphalt Price Adjustment	2.39	LS	\$2,300.00	\$5,503.49
	A50	Curb Box	3.00	UN	\$100.00	\$300.00
	A52	Water Service Connection	3.00	UN	\$2,000.00	\$6,000.00
B. TOTAL EXTRA					\$12,456.71	
SUPPLEMENTARY					\$0.00	
					\$0.00	
					\$0.00	
					\$0.00	
					\$0.00	
					\$0.00	
					\$0.00	
					\$0.00	
					\$0.00	
					\$0.00	
					\$0.00	
C. TOTAL SUPPLEMENTARY					\$0.00	

RESOLUTION 18-09-16
AUTHORIZING AND APPROVING THE AWARD OF BID FOR A COMMUNICATIONS
SITE LEASE AGREEMENT
FOR CO-LOCATION ON THE EXISTING BOROUGH OF MATAWAN
MAIN STREET COMMUNICATIONS TOWER

WHEREAS, on September 5, 2018, the Borough of Matawan received bids for the Lease of Real Property Owned by the Borough of Matawan for the Construction, Operation and maintenance of Wireless Communications Support Equipment; and

WHEREAS, the right to construct and manage a communications tower was awarded under a previous bid to T-Mobile Northeast, LLC and T-Mobile Northeast, LLC subsequently transferred ownership of the tower to SectorSite, LLC ("SectorSite") ; and

WHEREAS, bid advertisements soliciting competitive bidding were published in the August 7, 2018 and August 14, 2018 issues of the Asbury Park Press; and

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WHEREAS, Lessor received a bid submission from one (1) bidder, New Cingular Wireless PCS, LLC DBA AT&T (“AT&T”) in the amount of Forty Thousand Dollars and No Cents (\$40,000.00) per year; and

WHEREAS, the bid submitted has been reviewed by the Borough attorney and the Borough administrator and a contract award is recommended consistent with NJSA 40A:12-14 which required award of a contract no later than the second regular meeting of the governing body after the bid opening; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, County of Monmouth, State of New Jersey that the Mayor of the Borough of Matawan is hereby authorized to approve any documents to facilitate the Lease Agreement with AT&T and SectorSite and to execute any documents in order to facilitate same.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be maintained by the Borough Clerk and forwarded to the Chief Financial Officer and to the Borough Engineer for their information and further work as set forth in the terms of the Lease.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Borough Attorney, for further work, as deemed necessary on the within matter and to prepare the Lease for execution.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Construction, Finance, Public Works as well as the Borough Attorney, the Borough Engineer and the Borough Wireless Communications Consultant – FSD Enterprises.

**RESOLUTION 18-09-17
AUTHORIZING THE PURCHASE OF TWO
2019 FORD POLICE INTERCEPTOR UTILITY VEHICLES (AWD) FOR
THE BOROUGH OF MATAWAN POLICE DEPARTMENT**

WHEREAS, Thomas J. Falco Jr., Chief of Police of the Matawan Borough Police Department, has advised the Mayor and Council of the need for replacement vehicles due to the age and mileage of current vehicles used by the Department; and

WHEREAS, the Mayor and Council of the Borough of Matawan, upon review of the attached quote and acting under the recommendation and opinion of Chief Falco regarding the above, hereby authorize the purchase of two new 2019 Ford Police Interceptor Utility Vehicles (AWD) for the Borough of Matawan’s Police Department.

NOW, THEREFORE, BE IT RESOLVED that Chief Thomas J. Falco Jr. of the Police Department of the Borough of Matawan is hereby authorized by the Council of the Borough of Matawan to enter into a Contract for the purchase of two 2019 Ford Police Interceptor Utility Vehicles (AWD) each in the amount of Twenty-Nine Thousand Three Hundred Twenty-Four Dollars and No Cents (\$29,324.00) as outlined in the attached quote for the Borough of Matawan’s Police Department through the New Jersey State Contract Program #88728 from Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, New Jersey 08034, in the total amount of Fifty-Eight Thousand Six Hundred and Forty-Eight Dollars and No Cents (\$58,648.00)

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Finance, Police as well as Winner Ford.

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 Police Vehicle Budget (8-01-25-240-272) of the Borough of Matawan and from the Monmouth County Improvement Authority (C-04-NB-900-168) to the vendor listed above for the purchase of two 2019 Ford Police Interceptor Utility vehicles for the Borough of Matawan’s Police Department in a total amount not to exceed Fifty-Eight Thousand Six Hundred and Forty-Eight Dollars and No Cents (\$58,648.00)

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: September 18, 2018

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*Linda Hoffman
(856) 214-0759
lhoffman@winnerford.com
N.J. Contract # 88728*

**8/28/2018
Attention: Chief Falco
Matawan Police Department
Black
2019 Police Interceptor Utility, All Wheel Drive
Base Vehicle**

25,525.00

- 3.7L V6 Engine
- 6 Speed Auto Transmission
- Heavy Duty Rubber Floor
- Cloth Front Bucket/Vinyl Rear Seat
- Power Windows/Locks/Mirrors
- Air Conditioning
- AM/FM Stereo
- Tilt Steering
- Rear Window Defroster
- Radio Noise Suppression
- Keyed Alike
- Courtesy Lamps Disable
- Rear Door Locks In op
- Rear Window Switch Disabled
- Back up Camera
- Red/Clear Dome 5"
- Headlamps Prep Pkg.
- Tail Light Prep Pkg.
- Drivers Side LED Spotlight
- Power Heated Mirrors
- EAI53 80 Amp Power Source

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• Skid Plate	
	Total: \$27,949.00
• 60A Pre-Wiring for grille LED lights, siren and speaker	50.00
• 53M SYNC Basic (Voice-Activated Communication System)	295.00
• 47A Engine Idle Feature	260.00
• 55F Remote Keyless Entry w 4 Key Fob's (w/o Keypad, less PATS)	340.00
• 76R Reverse Sensing	275.00
• 61R Remappable (4) switches on steering wheel (n/a w/ 53M)	155.00
• 18D Global Lock/Unlock Feature	<u>N/C</u>
	Vehicle Total: \$29,324.00

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New Business

Mayor Altomonte read by title Resolution 18-09-18: Authorizing the Hiring of Full-Time Field Technician with the Borough of Matawan Department of Public Works – Eric Frye. Mayor Altomonte requested a motion. Councilman Reeve made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 18-09-18
AUTHORIZING THE HIRING OF
FULL-TIME FIELD TECHNICIAN WITH THE
BOROUGH OF MATAWAN DEPARTMENT OF PUBLIC WORKS
ERIC FRYE**

***WHEREAS**, the Mayor and Council has been advised by the Borough Administrator and Department of Public Works Superintendent that there exists the need for an additional full-time Field Technician within the Borough of Matawan; and*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan authorizes the hiring of Eric Frye as a full-time Field Technician for the Department of Public Works (Roads/Water Sewer), effective October 1, 2018 at salary of Forty One Thousand Five Hundred Six Dollars and Twenty Cents (\$41,506.20) per annum pursuant to the provisions of the Contract between the Borough of Matawan and the International Brotherhood of Electrical Workers (IBEW) Local 400 for the year January 1, 2018.*

***BE IT FURTHER RESOLVED** said employment is contingent upon pending favorable outcome of his physical and background examination, completion of probationary period and acquisition of Commercial Driver’s License (CDL).*

***BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Finance, Public Works, Payroll as well as Eric Frye.*

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 8-01-26-290-100 Budget of the Borough of Matawan to Eric Frye for the Borough of Matawan in an amount not to exceed Forty One Thousand Five Hundred Six Dollars and Twenty Cents (\$41,506.20) per annum.

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: September 18, 2018

Mayor Altomonte read by title Resolution 18-09-19: Authorizing the Hiring of Full-Time Field Technician with the Borough of Matawan Department of Public Works – Brian Guisti. Mayor Altomonte requested a motion. Councilwoman Gunn made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilman Nicolas Reeve
Councilwoman Josi Salvatore
Councilwoman Stephanie Buckel

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Councilwoman Deana Gunn
Councilman David Vergaretti

Abstain: Councilman Brett Cannon

Motion passed.

**RESOLUTION 18-09-19
AUTHORIZING THE HIRING OF
FULL-TIME FIELD TECHNICIAN WITH THE
BOROUGH OF MATAWAN DEPARTMENT OF PUBLIC WORKS
BRIAN GUISTI**

***WHEREAS**, the Mayor and Council has been advised by the Borough Administrator and Department of Public Works Superintendent that there exists the need for an additional full-time Field Technician within the Borough of Matawan; and*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan authorizes the hiring of Brian Guisti as a full-time Field Technician for the Department of Public Works (Roads/Water Sewer), effective October 1, 2018 at salary of Forty One Thousand Five Hundred Six Dollars and Twenty Cents (\$41,506.20) per annum pursuant to the provisions of the Contract between the Borough of Matawan and the International Brotherhood of Electrical Workers (IBEW) Local 400 for the year January 1, 2018.*

***BE IT FURTHER RESOLVED** said employment is contingent upon pending favorable outcome of his physical and background examination, completion of probationary period and acquisition of Commercial Driver's License (CDL).*

***BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Finance, Public Works, Payroll as well as Brian Guisti.*

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 8-01-26-290-100 Budget of the Borough of Matawan to Brian Guisti for the Borough of Matawan in an amount not to exceed Forty One Thousand Five Hundred Six Dollars and Twenty Cents (\$41,506.20) per annum.

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: September 18, 2018

Mayor Altomonte read by title Ordinance 18-17: Ordinance Amending and Supplementing the Code of the Borough of Matawan Chapter II – Administration Article IV – Administrative Organization of the Departments of Local Government - Section 2-14.1 – Police Department Composition. Mayor Altomonte requested a motion to introduce. Councilwoman Salvatore made the motion, seconded by Councilwoman Buckel. Council agreed. Mayor Altomonte requested a roll call. A roll call vote was taken.

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

Motion passed.

Ms. Wynne announced that the public hearing would be held on October 2, 2018, at 7:00PM

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**ORDINANCE 18-17
ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE
BOROUGH OF MATAWAN
CHAPTER II – ADMINISTRATION
ARTICLE IV – ADMINISTRATIVE ORGANIZATION OF THE
DEPARTMENTS OF LOCAL GOVERNMENT
SECTION 2-14.1 – POLICE DEPARTMENT COMPOSITION**

***WHEREAS**, within its general powers as a municipality, the Borough of Matawan may make and enforce ordinances, rules and regulations not contrary to Federal or State law as it deems necessary and to protect the public safety and welfare of its residents; and*

***WHEREAS**, the Mayor and Council of the Borough of Matawan support and encourage efficiency within the Matawan Police Department; and*

***WHEREAS**, based upon the recommendation of the Chief of Police and the Police Committee of the Council of the Borough of Matawan, the current supervisory and staffing level of the Department should be revised to address the needs of the municipality and to address appropriate levels of protection of the general public.*

***WHEREAS**, as a result of the Administrative change, the Borough of Matawan and its residents will be better served.*

***NOW, THEREFORE, BE IT ORDAINED** by the Council of the Borough of Matawan that Chapter II – Administration, Article IV – Administrative Organization of the Departments of Local Government, Section 2-14.1 – Department Establish; Composition hereby amended as follows:*

2-14.1 Department Established: Composition

The Police Department of the Borough of Matawan is hereby established and shall consist of a Chief of Police, one (1) Captain, two (2) Lieutenants, five (5) Sergeants, up to fifteen (15) Patrol Officers, such Class I and Class II Special Law Enforcement Officers as authorized by state statute (NJSA 40A-146.14-17), three (3) Police Matrons, such School Crossing Guards as recommended by the Chief of Police, one (1) Records Clerk/clerical assistant and such other employees as may be appointed by the governing body upon recommendation by the Chief of Police.

***BE IT FURTHER ORDAINED**, all ordinances or parts of ordinances inconsistent with the provisions of this ordinance shall be and the same are hereby repealed.*

***BE IT FURTHER ORDAINED**, if any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision clause or provision so adjudged and the remainder of the ordinance shall be deemed valid and effective.*

***BE IT FURTHER ORDAINED**, this ordinance shall take effect upon final passage and publication as provided by law.*

Mayor Altomonte read by title Ordinance 18-18: Ordinance Amending Ordinance 09-26 Ordinance Supplementing the Code of the Borough of Matawan Chapter IX – Personnel Policies, Article II – “Personnel Policies Concerning Members of the Police Department,” Establishing Promotion Procedures for the Ranks of Police Chief, Captain, Lieutenant and Sergeant, and Establishing a Procedure for Acting Appointments and Hiring Police Officers. Mayor Altomonte requested a motion to introduce. Councilwoman Salvatore made the motion, seconded by Councilwoman Buckel. Mr. Menna offered a brief explanation of this ordinance, prior to roll call. Councilman Cannon further explained the need for the amendment to the Police ordinance. Mr. Menna further offered details of what could stay the same and what changes could occur, at the pleasure of the Council. A discussion ensued. Mr. Menna said that the changes would occur in Paragraph 4, explaining the written examination would be 25%, the oral examination would be 35%, records review would be 20%, and Mayor and Council interview would be 20%. Ms. Wynne noted that Council agreed and then requested a roll call. A roll call vote was taken.

Yes: Councilman Nicolas Reeve
Councilwoman Josi Salvatore
Councilwoman Stephanie Buckel
Councilman Brett Cannon

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Councilwoman Deana Gunn
Councilman David Vergaretti

Motion passed.

Ms. Wynne announced that the public hearing would be held on October 2, 2018, at 7:00PM

**ORDINANCE 18-18
AMENDING
ORDINANCE 09-26
ORDINANCE SUPPLEMENTING THE CODE OF THE
BOROUGH OF MATAWAN**

CHAPTER IX – PERSONNEL POLICIES

**ARTICLE II – “PERSONNEL POLICIES CONCERNING MEMBERS OF THE POLICE
DEPARTMENT,” ESTABLISHING PROMOTION PROCEDURES FOR THE RANKS OF POLICE
CHIEF, CAPTAIN, LIEUTENANT AND SERGEANT, AND ESTABLISHING A PROCEDURE
FOR ACTING APPOINTMENTS AND HIRING POLICE OFFICERS**

WHEREAS, the Borough of Matawan has determined that for the best management and administration of the Police Department to reinstitute the position of Captain in the Department for administrative efficiency; and

WHEREAS, on December 17, 2013 the Council amending Ordinance 13-21 did codify the practices and procedures for promotions and appointment to the Matawan Police Department administrative structure; and

WHEREAS, there is a need to amend same to conform to the table of administration.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Matawan that Chapter 9 Article 2 the Code of the Borough of Matawan entitled Personnel Policies concerning members of the Police Department is hereby amended as follows:

1. *In all places where the administrative personnel are referenced in Ordinance 9-26, the term Captain is included in the organizational structure, and;*
2. *The Council herewith amends Section 9-26 to include the procedure for the promotion to the rank of Captain as contained in new Section 9-26(B).*

WHEREAS, the Mayor and Council of the Borough of Matawan support and encourage efficiency within the Matawan Police Department; and

WHEREAS, the Mayor and Council of the Borough of Matawan have determined that it would be in the best interest of the citizens of the Borough to establish a promotional practice based upon merit for the positions of Police Chief, Captain, Lieutenant and Sergeant when there are vacancies in said positions; and

WHEREAS, the Borough of Matawan desires to have a promotional practice for the positions of Police Chief, Captain, Lieutenant and Sergeant based upon merit, experience, education, demonstrated ability, competitive examinations and competitive written submissions within the Matawan Police Department to better serve the residents of the Borough of Matawan; and

WHEREAS, the Borough of Matawan further desires to establish appropriate hiring criteria based on merit, experience, moral character and sufficient physical health when hiring police officers; and

WHEREAS, notwithstanding what is referenced in this Ordinance the education credit may only be applied if received in criminal justice or criminal science.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Matawan that Chapter IX, Article II of the Code of the Borough of Matawan entitled “Personnel Policies Concerning Members of the Police Department” is hereby amended as follows:

- 1) **Section 9-26** is repealed and replaced with the following Sections 9-26 (A) – (D):

§9-26(A) Promotion to Rank of Police Chief

A. The Borough of Matawan Governing Body desires to promote the most qualified candidate to the position of Police Chief. This ordinance establishes the eligibility requirements and the process for promotion to Police Chief. The promotion process shall be on the basis of merit, experience, education, demonstrated ability, competitive examinations and competitive written submissions. In accordance with N.J.S.A. 40A:14-129, the promotion of any officer shall be made from the membership of the Matawan Police department. No person shall be eligible for promotion to Police Chief unless he or she shall have served as a full-time police officer in the Borough of Matawan Police Department for a period of ten (10) years or more. Promotions to the rank of Police Chief shall be open to members of the next lowest rank who have

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served at least two (2) years in said rank, unless the Mayor and Council, in the best interest of the department, choose to test a wider pool of candidates, in which case they may open testing to the next lower rank and/or reduce the length of time requirement in rank.

B. The Borough Administrator shall announce the promotional process to members of the department at least thirty (30) days before any written examination is to be given. The announcement shall be posted in common areas of the department accessible to all members. The announcement shall contain, at a minimum, the rank to be filled, the dates of the exams, source materials or reading lists from which exam questions will be taken or topics from which questions will be formulated. Candidates who qualify shall notify the Borough Administrator of his or her interest in taking the examination by submitting a letter of interest no later than ten (10) calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.

C. Promotional Testing Procedure:
The promotional testing procedure for the Borough of Matawan Police Department may consist of the following: a written examination, an oral examination, a psychological examination, a record review and an interview with the Mayor and Council. The Mayor and Council reserve the right to waive the written examination and/or oral examination by the outside entity and shall so notify any applicant when the initial announcement for the promotional process is posted.

1. Written Examinations*: The written examination shall be supplied by a professional testing company, professional law enforcement organization (e.g. State Chiefs of Police Association, International Chiefs of Police Association, etc.) To proceed to the oral examination of the examination procedure, a candidate must achieve a minimum score of seventy percent (70%) on the written examination.

2. Oral Examinations*: Candidates will be notified, in writing, of their successful or unsuccessful completion of the written portion of the exam by the Borough Administrator or his designee. The oral examination shall take place after the receipt of the written examination results. A standardized interview will be conducted by an outside agency (e.g. Chiefs of Police Association, International Chiefs of Police Association, etc.) by a Board of three (3) examiners, at least one of whom shall be a Personnel Evaluator from the outside testing agency. None of the evaluators shall be an officer, employee, resident or relative thereof, of the Borough of Matawan. To proceed to the record review and interview portion of the promotional process, a candidate must achieve a minimum score of seventy percent (70%).

* The testing organization shall assign each candidate an identification number, which shall be the only identification used when the written and oral examination is graded. The identification numbers of all candidates for promotion shall be posted on a pass/fail basis only. A complete master list of the actual results of the written and oral examination shall be placed under seal and retained in the office of the Borough Administrator and shall not be revealed to the Mayor and Council until after the interview and record review of the applicants are complete.

3. Record Review and Interview by the Mayor and Council: Candidates who successfully achieve a minimum score of seventy percent (70%) on the written examination and a minimum score of seventy percent (70%) on the oral examination and receive a satisfactory psychological examination shall proceed to the next step in the promotional process, the review of service record and interview. The interview shall be conducted by the Mayor and Council. The record review shall be conducted by the Borough Administrator.

(a) The interview with the Mayor and Council shall focus on, but not be limited to, leadership and management skills, knowledge of the Borough of Matawan's form of government, knowledge of the Police Department ordinances, familiarity with the municipal budget process, the police department budget in particular, manpower allocations, Attorney General Guidelines and knowledge of N.J.S.A. 40A:14-118. The Mayor and Council shall grade each candidate on a twenty (20) point scale and shall ask each candidate the identical questions and the Borough Clerk will keep written records of each candidate's responses to same.

(b) The Borough Administrator shall examine the personnel jacket of each candidate and give specific weight to each category and grade each candidate on a twenty (20) point scale. The weight of each category of the record review shall be the maximum of the following points in each of the enumerated categories as follows:

Specialized Training (e.g. FBI Academy) 0 to 3 points
Each completed course +1 point to a total of 3 points.

Performance Evaluations 0 to 8 points
All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

Commendations 0 to 3 points
+1 point for each commendation up to maximum of 3 points.

Education
Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.

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<i>Associate’s Degree</i>	<i>1 point</i>
<i>Bachelor’s Degree</i>	<i>2 points</i>
<i>Master’s Degree</i>	<i>3 points</i>
<i>PhD (JD) Degree</i>	<i>4 points</i>

Military Experience
Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).

Rank of Sergeant or lower 1 point
Any rank above Sergeant 2 points

Disciplinary Actions
Each major sustained discipline (more than 5 day) -2 points. Each minor sustained discipline (5 day suspension or less including written reprimands) -1 point. All previous sustained disciplinary actions shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

4. *The weight or percentage of each portion of the process shall be as follows:*
- | | |
|------------------------------------|------------|
| <i>Written examination</i> | <i>25%</i> |
| <i>Oral examination</i> | <i>35%</i> |
| <i>Record Review</i> | <i>20%</i> |
| <i>Mayor and Council Interview</i> | <i>20%</i> |

E. *The candidate with the highest overall score shall be voted on by the Mayor and Council as the Police Chief subject to satisfactory psychological examination and certification by a Borough selected physician stating that the candidate is able to perform the essential functions of the Police Chief title.*

F. *Where two (2) or more candidates are ranked equally pursuant to the promotional procedure set forth herein, preference shall be given to the candidate with the most seniority in service pursuant to N.J.S.A. 40A:14-129, or a resident over a non-resident pursuant to N.J.S.A. 40A:14-122.6. Seniority shall prevail over residency in the case of candidates that are ranked equally.*

§9-26(B) Promotion to Rank of Captain

A. *The Borough of Matawan Governing Body desires to promote the most qualified candidate to the position of Captain. This ordinance establishes the eligibility requirements and the process for promotion to Captain. The promotion process shall be on the basis of merit, experience, education, demonstrated ability, competitive examinations and competitive written submissions. In accordance with N.J.S.A. 40A:14-129, the promotion of any officer shall be made from the membership of the Matawan Police department. No person shall be eligible for promotion to Captain unless he or she shall have served as a full-time police officer in the Borough of Matawan Police Department for a period of ten (10) years or more. Promotions to the rank of Captain shall be open to members of the next lowest rank who have served at least two (2) years in said rank, unless the Mayor and Council, in the best interest of the department, chooses to test a wider pool of candidates, in which case they may open testing to the next lower rank and/or reduce the length of time requirement in rank.*

B. *The Police Chief shall announce the promotional process to members of the department at least thirty (30) days before the written examination is to be given. The announcement shall be posted in common areas of the department accessible to all members. The announcement shall contain, at a minimum, the rank to be filled, the dates of the exams, source materials or reading lists from which exam questions will be taken or topics from which questions will be formulated. Candidates who qualify shall notify the Police Chief of his or her interest in taking the examination by submitting a letter of interest no later than ten (10) calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.*

C. *Promotion Testing Procedure: The promotion testing procedure for the Borough of Matawan Police Department shall consist of the following: a written examination, an oral examination, a psychological examination, a record review and interview with the Mayor and Council and the Police Chief.*

1. *Written Examinations*: The written examination shall be supplied by a professional testing company, professional law enforcement organization (e.g. State Chiefs of Police Association, International Chiefs of Police Association, etc.) To proceed to the oral examination of the examination procedure, a candidate must achieve a minimum score of seventy percent (70%) on the written examination.*

2. *Oral Examinations*: Candidates will be notified, in writing, of their successful or unsuccessful completion of the written portion of the exam by the Police Chief or his designee. The oral examination shall take place after the receipt of the written examination results. A standardized interview will be conducted by an outside agency (e.g. Chiefs of Police Association, International Chiefs of Police Association, etc.) by a Board of three (3) examiners, at least one of whom shall be a Personnel Evaluator from the outside testing agency. None of the evaluators shall be an officer,*

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employee, resident or relative thereof, of the Borough of Matawan. To proceed to the record review and interview portion of the promotional process, a candidate must achieve a minimum score of seventy percent (70%).

**The testing organization shall assign each candidate an identification number, which shall be the only identification used when the written and oral examination is graded. The identification numbers of all candidates for promotion shall be posted on a pass/fail basis only. A complete master list of the actual results of the written and oral examination shall be placed under seal and retained in the office of the Police Chief and shall not be revealed to the Mayor and Council until after the interview and record review of the applicants are complete.*

3. *Record Review and Interview by the Mayor and Council and Police Chief: Candidates that successfully achieve a minimum score of seventy percent (70%) on the written examination and a minimum score of seventy percent (70%) on the oral examination and receive a satisfactory psychological examination shall proceed to the next step in the promotional process, the review of service record and interview. The interview shall be conducted by the Mayor and Council and the Police Chief. The record review shall be conducted by the Borough Administrator and the Police Chief.*

(a) *The interview with the Mayor and Council and Police Chief shall focus on, but not be limited to, leadership and management skills, knowledge of the Borough of Matawan’s form of government, knowledge of the Police Department ordinances, familiarity with the municipal budget process, the police department budget in particular, manpower allocations, Attorney General Guidelines and knowledge of N.J.S.A. 40A:14-118. The Mayor and Council and Police Chief shall grade each candidate on a twenty (20) point scale and shall ask each candidate the identical questions and the Borough Clerk will keep written records of each candidate’s responses to same.*

(b) *The Borough Administrator and Police Chief shall examine the personnel jacket of each candidate and give specific weight to each category and grade each candidate on a twenty (20) point scale. The weight of each category of the record review shall be the maximum of the following points in each of the enumerated categories as follows:*

Specialized Training (e.g. FBI Academy) 0 to 3 points
Each completed course +1 point to a total of 3 points.

Performance Evaluations 0 to 8 points
All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

Commendations 0 to 3 points
+1 point for each commendation up to maximum of 3 points.

Education
Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.

<i>Associate’s Degree</i>	<i>1 point</i>
<i>Bachelor’s Degree</i>	<i>2 points</i>
<i>Master’s Degree</i>	<i>3 points</i>
<i>PhD (JD) Degree</i>	<i>4 points</i>

Military Experience
Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).

<i>Rank of Sergeant or lower</i>	<i>1 point</i>
<i>Any rank above Sergeant</i>	<i>2 points</i>

Disciplinary Actions
Each major sustained discipline (more than 5 day) -2 points. Each minor sustained discipline (5 day suspension or less including written reprimands) -1 point. All previous sustained disciplinary actions shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

4. *The weight or percentage of each portion of the process shall be as follows:*

<i>Written examination</i>	<i>25%</i>
<i>Oral examination</i>	<i>35%</i>
<i>Record Review</i>	<i>20%</i>
<i>Mayor, Council and Chief Interview</i>	<i>20%</i>

E. *The candidate with the highest overall score shall be voted on by the Mayor and Council as the Captain subject to satisfactory psychological examination and certification by a Borough-selected physician stating that the candidate is able to perform the essential functions of the Captain title.*

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F. Where two (2) or more candidates are ranked equally pursuant to the promotional procedure set forth herein, preference shall be given to the candidate with the most seniority in service pursuant to N.J.S.A. 40A:14-129, or a resident over a non-resident pursuant to N.J.S.A. 40A:14-122.6. Seniority shall prevail over residency in the case of candidates that are ranked equally.

§9-26(C) Promotion to Rank of Lieutenant

A. The Borough of Matawan Governing Body desires to promote the most qualified candidate to the position of Lieutenant. This ordinance establishes the eligibility requirements and the process for promotion to Lieutenant. The promotion process shall be on the basis of merit, experience, education, demonstrated ability, competitive examinations and competitive written submissions. In accordance with N.J.S.A. 40A:14-129, the promotion of any officer shall be made from the membership of the Matawan Police department. No person shall be eligible for promotion to Lieutenant unless he or she shall have served as a full-time police officer in the Borough of Matawan Police Department for a period of ten (10) years or more. Promotions to the rank of Lieutenant shall be open to members of the next lowest rank who have served at least two (2) years in said rank, unless the Mayor and Council, in the best interest of the department, chooses to test a wider pool of candidates, in which case they may open testing to the next lower rank and/or reduce the length of time requirement in rank.

B. The Police Chief shall announce the promotional process to members of the department at least thirty (30) days before the written examination is to be given. The announcement shall be posted in common areas of the department accessible to all members. The announcement shall contain, at a minimum, the rank to be filled, the dates of the exams, source materials or reading lists from which exam questions will be taken or topics from which questions will be formulated. Candidates who qualify shall notify the Police Chief of his or her interest in taking the examination by submitting a letter of interest no later than ten (10) calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.

C. Promotion Testing Procedure: The promotion testing procedure for the Borough of Matawan Police Department shall consist of the following: a written examination, an oral examination, a psychological examination, a record review and interview with the Mayor and Council and the Police Chief.

1. Written Examinations*: The written examination shall be supplied by a professional testing company, professional law enforcement organization (e.g. State Chiefs of Police Association, International Chiefs of Police Association, etc.) To proceed to the oral examination of the examination procedure, a candidate must achieve a minimum score of seventy percent (70%) on the written examination.

2. Oral Examinations*: Candidates will be notified, in writing, of their successful or unsuccessful completion of the written portion of the exam by the Police Chief or his designee. The oral examination shall take place after the receipt of the written examination results. A standardized interview will be conducted by an outside agency (e.g. Chiefs of Police Association, International Chiefs of Police Association, etc.) by a Board of three (3) examiners, at least one of whom shall be a Personnel Evaluator from the outside testing agency. None of the evaluators shall be an officer, employee, resident or relative thereof, of the Borough of Matawan. To proceed to the record review and interview portion of the promotional process, a candidate must achieve a minimum score of seventy percent (70%).

*The testing organization shall assign each candidate an identification number, which shall be the only identification used when the written and oral examination is graded. The identification numbers of all candidates for promotion shall be posted on a pass/fail basis only. A complete master list of the actual results of the written and oral examination shall be placed under seal and retained in the office of the Police Chief and shall not be revealed to the Mayor and Council until after the interview and record review of the applicants are complete.

3. Record Review and Interview by the Mayor and Council and Police Chief: Candidates that successfully achieve a minimum score of seventy percent (70%) on the written examination and a minimum score of seventy percent (70%) on the oral examination and receive a satisfactory psychological examination shall proceed to the next step in the promotional process, the review of service record and interview. The interview shall be conducted by the Mayor and Council and the Police Chief. The record review shall be conducted by the Borough Administrator and the Police Chief.

(a) The interview with the Mayor and Council and Police Chief shall focus on, but not be limited to, leadership and management skills, knowledge of the Borough of Matawan's form of government, knowledge of the Police Department ordinances, familiarity with the municipal budget process, the police department budget in particular, manpower allocations, Attorney General Guidelines and knowledge of N.J.S.A. 40A:14-118. The Mayor and Council and Police Chief shall grade each candidate on a twenty (20) point scale and shall ask each candidate the identical questions and the Borough Clerk will keep written records of each candidate's responses to same.

(b) The Borough Administrator and Police Chief shall examine the personnel jacket of each candidate and give specific weight to each category and grade each candidate on a twenty (20) point scale. The weight of each category of the record review shall be the maximum of the following points in each of the enumerated categories as follows:

Specialized Training (e.g. FBI Academy) 0 to 3 points
Each completed course +1 point to a total of 3 points.

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Performance Evaluations **0 to 8 points**
All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

Commendations **0 to 3 points**
+1 point for each commendation up to maximum of 3 points.

Education
Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.

Associate's Degree	1 point
Bachelor's Degree	2 points
Master's Degree	3 points
PhD (JD) Degree	4 points

Military Experience
Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).

Rank of Sergeant or lower	1 point
Any rank above Sergeant	2 points

Disciplinary Actions
Each major sustained discipline (more than 5 day) -2 points. Each minor sustained discipline (5 day suspension or less including written reprimands) -1 point. All previous sustained disciplinary actions shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

4. The weight or percentage of each portion of the process shall be as follows:

Written examination	25%
Oral examination	35%
Record Review	20%
Mayor, Council and Chief Interview	20%

- E. The candidate with the highest overall score shall be voted on by the Mayor and Council as the Lieutenant subject to satisfactory psychological examination and certification by a Borough-selected physician stating that the candidate is able to perform the essential functions of the Lieutenant title.
- F. Where two (2) or more candidates are ranked equally pursuant to the promotional procedure set forth herein, preference shall be given to the candidate with the most seniority in service pursuant to N.J.S.A. 40A:14-129, or a resident over a non-resident pursuant to N.J.S.A. 40A:14-122.6. Seniority shall prevail over residency in the case of candidates that are ranked equally.

§9-26(D) Promotion to Rank of Sergeant

- A. The Borough of Matawan Governing Body desires to promote the most qualified candidate to the position of Sergeant. This ordinance establishes the eligibility requirements and the process for promotion to Sergeant. The promotion process shall be on the basis of merit, experience, education, demonstrated ability, competitive examinations and competitive written submissions. In accordance with N.J.S.A. 40A:14-129, promotion of any officer shall be made from the membership of the Matawan Police department. No person shall be eligible for promotion to Sergeant unless he or she shall have served as a full-time police officer in the Borough of Matawan Police Department for a period of ten (10) years or more.
- B. The Police Chief shall announce the promotional process to members of the department at least thirty (30) days before the written examination is to be given. The announcement shall be posted in common areas of the department accessible to all members. The announcement shall contain, at a minimum, the rank to be filled, the dates of the exams, source materials or reading lists from which exam questions will be taken or topics from which questions will be formulated. Candidates who qualify shall notify the Police Chief of his or her interest in taking the examination by submitting a letter of interest no later than ten (10) calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.
- C. Promotion Testing Procedure: The promotion testing procedure for the Borough of Matawan Police Department shall consist of the following: a written examination, an oral examination, a psychological examination, a record review and interview with the Mayor and Council and Police Chief.
1. Written Examinations*: The written examination shall be supplied by a professional testing company, professional law enforcement organization (e.g. State Chiefs of Police Association, International Chiefs of Police

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Association, etc.) To proceed to the oral examination of the examination procedure, a candidate must achieve a minimum score of seventy percent (70%) on the written examination.

2. **Oral Examinations*:** Candidates will be notified, in writing, of their successful or unsuccessful completion of the written portion of the exam by the Borough Administrator or his designee. The oral examination shall take place after the receipt of the written examination results. A standardized interview will be conducted by an outside agency (e.g. Chiefs of Police Association, International Chiefs of Police Association, etc.) by a Board of three (3) examiners, at least one of whom shall be a Personnel Evaluator from the outside testing agency. None of the evaluators shall be an officer, employee, resident or relative thereof, of the Borough of Matawan. To proceed to the record review and interview portion of the promotional process, a candidate must achieve a minimum score of seventy percent (70%).

* The testing organization shall assign each candidate an identification number, which shall be the only identification used when the written and oral examination is graded. The identification numbers of all candidates for promotion shall be posted on a pass/fail basis only. A complete master list of the actual results of the written and oral examination shall be placed under seal and retained in the office of the Borough Administrator and shall not be revealed to the Mayor and Council until after the interview and record review of the applicants are complete.

3. **Record Review and Interview by the Mayor and Council and the Police Chief:** Candidates that successfully achieve a minimum score of seventy percent (70%) on the written examination and a minimum score of seventy percent (70%) on the oral examination and receive a satisfactory psychological examination shall proceed to the next step in the promotional process, the review of service record and interview. The interview shall be conducted by the Mayor and Council and Police Chief. The record review shall be conducted by the Borough Administrator and the Police Chief.

(a) The interview with the Mayor and Council and the Police Chief shall focus on, but not be limited to, leadership and management skills, knowledge of the Borough of Matawan's form of government, knowledge of the Police Department ordinances, familiarity with the municipal budget process, the police department budget in particular, manpower allocations, Attorney General Guidelines and knowledge of N.J.S.A. 40A:14-118. The Mayor and Council and Police Chief shall grade each candidate on a twenty (20) point scale and shall ask each candidate the identical questions and the Borough Clerk will keep written records of each candidate's responses to same.

(b) The Borough Administrator and Police Chief shall examine the personnel jacket of each candidate and give specific weight to each category and grade each candidate on a twenty (20) point scale. The weight of each category of the record review shall be the maximum of the following points in each of the enumerated categories as follows:

Specialized Training (e.g. FBI Academy) 0 to 3 points
Each completed course +1 point to a total of 3 points.

Performance Evaluations 0 to 8 points
All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

Commendations 0 to 3 points
+1 point for each commendation up to maximum of 3 points.

Education
Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.

Associate's Degree	1 point
Bachelor's Degree	2 points
Master's Degree	3 points
PhD (JD) Degree	4 points

Military Experience
Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).

Rank of Sergeant or lower 1 point
Any rank above Sergeant 2 points

Disciplinary Actions
Each major sustained discipline (more than 5 day) -2 points.
Each minor sustained discipline (5 day suspension or less including written reprimands) -1 point. All previous sustained disciplinary actions shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

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4. *The weight or percentage of each portion of the process shall be as follows:*

<i>Written examination</i>	<i>25%</i>
<i>Oral examination</i>	<i>35%</i>
<i>Record Review</i>	<i>20%</i>
<i>Mayor, Council and Chief Interview</i>	<i>20%</i>

E. The candidate with the highest overall score shall be voted on by the Mayor and Council as the Sergeant subject to satisfactory psychological examination and certification by a Borough-selected physician stating that the candidate is able to perform the essential functions of the Lieutenant title.

F. Where two (2) or more candidates are ranked equally pursuant to the promotional procedure set forth herein, preference shall be given to the candidate with the most seniority in service pursuant to N.J.S.A. 40A:14-129, or a resident over a non-resident pursuant to N.J.S.A. 40A:14-122.6. Seniority shall prevail over residency in the case of candidates that are ranked equally.

§9-26(E) Acting Designation; No Office or Position Created

A. The Mayor and Council of the Borough of Matawan have the discretion and authority to assign the functions and duties of superior officer ranks, once the Mayor and Council of the Borough of Matawan have certified by resolution that the position of any superior officer rank is vacant. Until a superior officer rank is filled, the Mayor and Council may designate an officer who is qualified to perform the functions and duties of any superior officer rank in an acting capacity.

B. It is explicitly understood that no office or position of any kind is created by the assignment of functions and duties of a higher rank to an officer of a lower rank on an acting basis. Such designation shall also not be considered an appointment to a position, nor constitute a promotion. Such designation shall not entitle the officer to any additional compensation or other emoluments of office unless specifically provided for in a collective bargaining agreement or the Borough of Matawan Personnel Policies and Procedures Manual. The officer fulfilling such assignment is not and is not intended to constitute the holding of a de facto office or position within the meaning of N.J.S.A. 40A:9-6 or any other law. The officer designated in an acting capacity shall continue to fulfill the assignment at the pleasure of the Mayor and Council.

2) **Section 9-29 et seq.** entitled, “Policy Concerning Initial Hiring of Police Officers,” is repealed and replaced with the following:

§ 9-29 POLICY CONCERNING INITIAL HIRING OF POLICE OFFICERS:

I. FIRST PHASE

A. When a vacancy exists, the Chief of Police shall forward a request to the Matawan Borough Council to hire a Police Officer. The Chief, after receiving approval to hire a new officer, shall fill the vacancy as follows:

1. Accept applications from trained officers with New Jersey Police Training Commission Certificates.

- (a) Sworn officers from other agencies.*
- (b) Alternate route officers from police academies.*

2. Accept applications from any individual interested in serving as a Police Officer.

3. Advertise in the local newspaper.

- (a) The advertisement shall be for a two-week period.*
- (b) The advertisement will indicate the filing deadline.*

B. All applications shall be given out and collected at police headquarters.

C. When a candidate is given an application, the time, date and location of the written test will be attached.

D. When the desk officer provides a candidate with an application, he/she shall complete the information on the applicant list form.

E. When the application is returned, the desk officer on duty shall:

1. Place a check in front of the applicant’s name on the applicant list.

2. Collect the application and attach a \$10.00 money order or a certified check that is made payable to the New Jersey State Association of Chiefs of Police.

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3. Give the applicant a numbered test booklet after recording the booklet number next to the applicant's name.

4. The desk officer shall place the application, with the money order or certified check attached, in the Chief's office box.

F. When the applications are received by the Chief, he shall check to ensure that the appropriate fee has been rendered and attached to the application form.

1. He shall stamp the date that the application was received.
2. All original applications are to be forwarded to the Chief's office.
3. The Chief shall forward the checks or money orders to the appropriate Chief's Association.

G. The Chief, or his designee, shall arrange for the testing locations for the written, physical and oral testing phases.

1. The Chief, or his designee, will be responsible for making all the proper notifications to the applicants.

2. Applications will not be rejected because of omissions or deficiencies that can be corrected prior to the testing or interview process.

H. Eligibility

1. Must be a citizen of the United States.
2. Must possess a high school diploma, or equivalency.
3. Must be of good moral character.
4. Must be at least eighteen (18) years old.
5. Must not have been convicted of a crime.
6. Must possess a valid New Jersey driver's license.

II. SECOND PHASE – WRITTEN EXAMINATION

A. Applicants shall submit to a written examination.

1. In order for an applicant to move on to Phase III, the applicant must attain a minimum score of 70% on the written examination.

B. The written examination shall be administered by the New Jersey State Association of Chiefs of Police.

C. The applicant must be present at the testing location on the date and time specified. If the applicant does not report to the testing location as specified, he shall be ineligible for further consideration for the current vacancy.

1. The applicants may apply their written test scores and be eligible when another vacancy exists within the appropriate time frame.

D. Written test scores shall be submitted to the designated representative and forwarded to the Chief of Police for review.

E. All applicants who do not qualify to participate in the next phase shall be notified in writing and their written test score shall be included.

F. If an applicant has taken the New Jersey Chief of Police examination for another agency, he may apply his test score and be exempt from taking the test again. The test score must be current.

1. For the purposes of this section, "current" shall mean that the applicant took the written examination within one (1) year of the posted test date.

G. Applicants possessing a valid New Jersey Police Training Commission Certificate will be subject to the departmental interview process and not required to take a written examination.

III. DEPARTMENT ORAL INTERVIEW PHASE

A. The department interview shall be directed by the Chief of Police and/or an officer designated by the Chief of Police.

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B. *The Chief of Police shall appoint a department Oral Board committee. The Oral Board committee shall evaluate and rank the candidates. The committee shall consist of personnel representing different ranks within the organization.*

C. *The candidates will then be ranked and selected for the Background Investigation Phase.*

IV. BACKGROUND INVESTIGATION

A. *When a candidate has successfully passed Phases I, II, and III of this process, a background investigation is to be initiated.*

B. *The completed background investigation shall be evaluated by the Chief of Police and the Investigative Division Commander.*

V. MEDICAL EXAMINATION

A. *The Matawan Borough Police Department shall pay for the applicant to be examined.*

1. *The Chief of Police shall designate the physician and arrange for the appointment.*

B. *The physician shall be provided with the department Medical Examination Form and instructed to complete the appropriate sections.*

C. *Blood and urine analysis is to be conducted for every applicant examined.*

1. *A screen for drugs in the applicant's system is to be conducted.*

D. *The completed medical form is to be picked up from the physician by the officer assigned and reviewed by the Chief of Police.*

E. *If a candidate's medical examination reflects that the applicant has traces of a controlled dangerous substance in their system, he is to be disqualified from the selection process.*

F. *Any other medical problem, other than traces of controlled dangerous substances in the applicant's system, is to be thoroughly reviewed by the physician and a determination made as to the applicant's fitness for police work.*

VI. SUCCESSFUL CANDIDATE(S)

A. *The successful candidate or candidates, if more than one position, will be presented to the Mayor and Council for final approval and appointment. The initial year of employment is a one-year probationary period during which time the candidate may be removed for any cause, and without notice. Termination during the probationary period is not grievable. The successful candidate shall be subject to satisfactory completion of a psychological evaluation to be presented to him at least three (3) days in advance of the actual appointment, and he or she will be notified of the time, location, name of consultation team and date. The psychological evaluation is designed to provide the department with dimensional information about a successful candidate that will assist in the selection process. The Chief of Police shall interpret the psychological evaluation report. If a successful candidate does not successfully pass the psychological examination, he or she is disqualified from appointment. All medical records are to be treated as confidential with access limited in accordance with the HIPAA requirements; the medical records must be kept in a separate file.*

VII. EXEMPTIONS

A. *A candidate for employment may be exempted from the selection process as set forth in Articles I through IV, herein above, if such a candidate has previously been certified by the New Jersey Police Training Commission as a law enforcement officer; and if that candidate is currently employed as a law enforcement officer with a bona fide law enforcement agency. Any such candidate will still be subject to the eligibility requirements set forth in Article I.*

B. *A candidate for employment may only be granted exemption status by action of the Governing Body upon the advice and recommendation of the Chief of Police. The Chief of Police shall recruit and interview qualified candidates and may reject any and all candidates prior to submission to the Governing Body.*

C. *Such candidate shall still be subject to the requirements of Article III, Department Oral Interview Phase, Article IV, Background Investigation, Article V, Psychological Evaluation, and Article VI, Medical Examination.*

D. *Once the Police Chief interview, the psychological testing and medical examination have been completed, the Chief shall present the candidate to the Governing Body for its consideration. The Governing Body may, in its discretion, either accept or reject any candidate recommended by the Chief of Police.*

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E. *The Chief of Police may not interview any candidates under this Section until he has first received formal authorization from the Governing Body. When granting formal authorization to commence this process, the Governing Body shall set the salary range and benefits for any candidate to be hired under this Section.*

VIII. SUMMARY

A. *All applicants shall be notified of the test date, time and place at least five (5) days prior to the test.*

B. *All applicants that are rejected at any phase of this testing process shall be notified in writing by the Chief of Police within fifteen (15) days after the testing date.*

C. *All testing results will remain confidential and will not be released to any person or agency unless specifically authorized by the individual applicant or required by law.*

3) SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

4) REPEALER

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

5) EFFECTIVE DATE

This Ordinance shall take effect upon passage, adoption and publication, pursuant to law.

Mayor Altomonte read by title Resolution 18-09-20: Payment of Bills – September 4, 2018. Mayor Altomonte requested a motion. Councilman Reeve made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 18-09-20
PAYMENT OF BILLS
SEPTEMBER 4, 2018**

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	\$1,809,843.08
Water & Sewer	\$39,709.35
Borough Capital	\$8,062.73
Water Capital	\$29,542.90
Grant	\$1,613.33
Borough Trust	\$91,586.71
Railroad Parking Trust	\$11,620.00
Recreation Trust	\$746.50
Total	\$1,992,724.60

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

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Mayor Altomonte read by title Resolution 18-09-21: Payment of Bills – September 18, 2018. Mayor Altomonte requested a motion. Councilman Reeve made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 18-09-21
PAYMENT OF BILLS
SEPTEMBER 18, 2018**

***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	\$212,180.73
Water & Sewer	\$48,225.77
Borough Capital	\$462,824.36
Water Capital	\$1,952.50
Grants	208.33
Borough Trust	\$25,658.17
Recreation Trust	\$1,262.00
Total	\$752,311.86

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

Mayor Altomonte read by title Resolution 18-09-23: Authorizing Municipal Services Agreement By and Between the Borough of Matawan and The Preserve at Matawan Condominium Association, Inc. for 2016 to the Present – Block 120, Lot 5.01. Mayor Altomonte requested a motion. Councilman Reeve made the motion, seconded by Councilwoman Salvatore. Mayor Altomonte requested a roll call. A roll call vote was taken.

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

Motion passed.

**RESOLUTION 18-09-23
AUTHORIZING MUNICIPAL SERVICES AGREEMENT
BY AND BETWEEN THE BOROUGH OF MATAWAN AND
THE PRESERVE AT MATAWAN CONDOMINIUM ASSOCIATION, INC.
FOR 2016 TO THE PRESENT
BLOCK 120, LOT 5.01**

***WHEREAS,** it is the desire of the Governing Body of the Borough of Matawan to enter into a Municipal Services Agreement with The Preserve at Matawan Condominium Association, Inc.; and*

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WHEREAS, pursuant to NJSA 40:67-23.1 et seq., the Borough has agreed to provide certain services to the development, or to reimburse the Association for the cost(s) associated with said services as outlined in the attached Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that the Borough enter into the attached Municipal Services Agreement with The Preserve at Matawan Condominium Association, Inc.

BE IT FURTHER RESOLVED, by the Council of the Borough of Matawan that the Mayor be and is hereby authorized as signatory on behalf of the Borough of Matawan.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Administration, Clerk, Finance, Public Works as well as the Borough Attorney, Borough Auditor and The Preserve at Matawan Condominium Association, Inc.

Privilege of the Floor

Mayor Altomonte opened the Privilege of the Floor.

Joe Basso, 16 Edgemere Drive. Mr. Basso asked the Council when the road program would be finished. Mr. Keady replied that the remaining of Edgemere would be included in the next road program. He explained that it would be designed in the fall or winter, for construction during spring or summer 2019. Councilman Cannon announced that Ordinance 18-16 addressed the funding for that road program. Mr. Basso countered that there still was no definite date given and stated that it looks like hell going down that road. He recommended that Mr. Keady should drive his car on that road. Mr. Keady acknowledged that he has been there many times and was aware of the condition. He explained the process of the project, from funding to design to bid to award of project. He said construction would occur during the spring or summer of next year. Mr. Basso expressed his frustration with the process.

Fran Bucco, 79 Freneau Avenue. Ms. Bucco continued with the discussion of the issues with the roads in Matawan, noting that it was very bumpy on Route 79. She asked if the bumps will be fixed. Mr. Ferrara replied that where ever the Aberdeen pipe affected our streets, NJNG would have to bring it back to the original condition of the road. He asked Ms. Bucco for exact location and she said it was by Stewarts on Route 79. Mr. Ferrara explained that it's a State road and Mr. Keady concurred, noting that the State would have to inspect. Ms. Bucco asked if they gave Aberdeen permission to tear it up, and told them that they should repair it the way they took it out. Mr. Keady replied that he is not involved with that but he did explain the process, as far as he is aware of it. Mr. Ferrara said that he would email CME, the engineer, and ask for an update as to when the road would be repaired. He noted that the State is pretty strict. Councilman Cannon said that they have been pleading with the State and the County to access Main Street and Broad Street. He said that the Council would petition them again to take a look at them again. Ms. Bucco then asked if the DPW lost two people because they retired or if the Borough was just hiring two new people. Mayor Altomonte replied that one resigned and one is going to retire. Councilman Cannon also announced that a Parks Department would be created within the DPW, to properly maintain Gravelly Brook. Ms. Bucco inquired about the two new cars, noting that it was three that were purchased this year for the Police Department. Councilman Cannon replied that for the last ten-to-twenty years, the Borough has been severely underfunded, understaffed, or under equipped, noting that the Police Department was all those things as well. He explained the importance of the Police cars and their need to not break down on the way to a 911 call. Ms. Bucco said she understood that and offered that they only needed to say that they needed two new ones. Mr. Ferrara advised that there would be a need for a new one because there was an accident and the insurance company totaled the wrecked car. Ms. Bucco asked if anyone was hurt in the accident and Mr. Ferrara and Councilwoman Gunn both replied that no one was hurt. Ms. Bucco asked about the dams. Mayor Altomonte said that the Borough is still in negotiation. She exclaimed that she is constantly told that and the Mayor noted that it was looking good for the Borough. Councilman Cannon replied that it is in negotiations. Mayor Altomonte asked Ms. Bucco if she wanted to rush it and pay more, bringing the taxes up. Ms. Bucco said she did not want that. Mr. Menna replied that there was a perspective meeting that was supposed to take place. He said that the State, the Assembly, the County, other engineers, and the Borough were due to have a meeting next week. Unfortunately that meeting had to be cancelled because there was a scheduling conflict. He noted that it is in negotiations

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and that no one is avoiding it. He said they are all coming together with different theories, to resolve the issue. Councilman Cannon reiterated what Mayor Altomonte said regarding negotiations, explaining that the County was not willing to budge off their numbers and the Borough is not willing to pay \$3.5M in tax dollars. Ms. Bucco asked what if the State makes the Borough pay that \$3.5M. Mayor Altomonte noted that the amount asked for was originally \$8M, but it has been negotiated down the \$4M. Ms. Bucco said that the Borough doesn't have that amount and Councilman Cannon replied that the Borough does have that amount. Ms. Bucco was concerned that the lake would be drained and Mayor Altomonte countered that the DEP will not drain the lakes, as that idea was already dismissed as an option. Councilwoman Buckel asked if Ms. Bucco would rather pay full amount instead of negotiating. Ms. Bucco replied that if they were going to drain the lakes, then she would rather pay it. A discussion ensued. Ms. Bucco expressed her frustration with the answers provided and Councilwoman Buckel reiterated that the Borough and the State are still in negotiation and that sometimes negotiations take time.

Loretta Windas, 138 Aberdeen Road. Ms. Windas asked whether the town has some sort of emergency plan, should an emergency like a hurricane or flooding occur around the Matawan area. Mr. Menna replied that there is an evacuation plan and that the Borough has an Office of Emergency Management. He noted that Chief Falco was the head of that office. He explained the coordination with that office and the State Office of Emergency Management. Ms. Windas asked if the locations were here in Matawan and Mr. Menna noted that there was a criteria that was established by the State to be certified by the State. He said that Chief Falco would be able share that information with her.

Councilman Cannon returned to the topic of the dams, mentioning that the Mayor and Council published a public statement in April 2018, on their Facebook page. He said that they wanted to relay that statement tonight, so it could be included in public record. He hoped that it would address Ms. Bucco's questions and inform the public exactly where the negotiations are at. He proceeded to read the April 23, 2018 statement.

"There's been some discussion regarding the multi decade-long issue of Matawan's Lake Leffert's Dam. In a continued effort to provide transparency and the necessity to provide public information to our neighbors and tax payers of Matawan. So with this information, hopefully you will better understand the current situation and see for yourself what we consider to be an unfair deal, at the Matawan taxpayer's expense, on behalf of the County.

The previous administration, under the direction of our former Mayor Bucellato, had negotiated and agreed to a split of 60% County, 40% Matawan in 2011, as far as the expense went for Lake Leffert's Dam. This agreement was to cover the cost of the dam rehabilitations and that total cost was projected at \$10M. So with that agreement, the County would have paid \$6M and they expected the Borough of Matawan to pay \$4M.

When Mr. Altomonte took office in January 2016, he looked at the multiple projects needing funding around the Borough, with the total annual budget that usually hovers between \$11-\$12M. He recognized that the cost agreement would cripple our town and that it was not sustainable to our tax-paying base, which includes all of you and all of us up here.

Through cooperation with Freeholder Arnone, who Mayor Altomonte has met with on a number of occasions, he was able to lower the split to 65% County and 35% Borough. We, as a Council and Mayor, do not feel that is suitable to ink a deal. Our philosophy is based on precedent that the County set in 2009 by themselves, with regard to Allentown's dam project.

Barbara McMorow, who was the Monmouth County Freeholder in 2009, had this statement: "The County understands that many of our municipalities would have a difficult time raising that amount of money for a single project. So the County has offered to complete the project at no cost to the tax payers of Allentown in exchange for the Borough of Allentown taking ownership of the dam. This is consistent with what the County has done in other municipalities."

Mayor Altomonte and the Council refuse to accept a deal in which the residents of small Matawan get

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hammered by multimillion dollar project on a County road, by a County-owned dam, while other towns in the County received amazingly fair deals with similar projects, which I will list shortly. And you will notice in these projects that I list, not a single one of these towns paid over 20% or exceeded \$540K. The County of Monmouth now asks us, the taxpayers of Matawan, to pay \$3.5M, which is seven times what they charged any other town in the County for a dam rehabilitation project. To us, that is absolutely absurd.

The three I will reference, because there is a whole laundry list, but I will give you three so we're not here all night:

- 1) Howell Township–Echo Lake Dam in 2014 – the total construction was \$2.5M. The County paid \$2M and charged Howell \$500K.
- 2) Borough of Allentown–Allentown Dam in 2012 – the total cost was \$7M. The County paid \$6.73M and the Borough of Allentown didn't even have to pay the \$270K, they transferred a grant.
- 3) Manalapan Township–Millhurst Lake Dam in 2011 – the total construction was \$4.4M. The County took on \$3.86M, charging Manalapan Township \$537K and Manalapan Township is quite bigger than Matawan.

So now their asking us to pay \$3.5M, which we just don't think is fair to the Matawan tax base and it will cripple our town. We have roads that have serious neglect. We have departments understaffed. We have equipment that is underequipped or failing. So we feel that we should spend our money at home and continue to negotiate a better deal with the County. And that's where Mayor Altomonte is at.

So if you're wondering where our negotiations are at, as long as the County's not willing budge off of 35%, or \$3.5M, I will never vote yes up here to spend tax dollars on a dam on Ravine Drive, which is a County road and we have a document that says it's a County-owned dam. It just doesn't make any sense. It's like you going to your neighbor's house and fixing their fence or fixing their pool, when they own it and it's on their property."

Fran Bucco, 79 Freneau Avenue. Ms. Bucco asked compared to Matawan's two lakes, if Manalapan's lake was much larger. Councilman Cannon clarified, stating that their township is much larger, meaning their tax base and their revenue is much larger. Ms. Bucco asked how much larger and Councilman Cannon said he did not have that exact number. She asked if our lakes are larger than Manalapan's and Councilman Cannon said he wasn't talking about lake size. She asked Councilman Cannon to just answer the question and he said that he has never been to that lake, personally, so he didn't know the size. Ms. Bucco asked how old the dams were in Manalapan, Allentown, and Howell. Councilman Cannon said he did not have that information in front of him. Ms. Bucco asked how many years has Matawan been needing fixing. Councilman Cannon said it's been a while. Ms. Bucco said that Matawan is going to need a lot more work than Allentown, Howell, and Manalapan. Councilman Cannon said that the Allentown dam is comparable to ours: \$7M for theirs and \$10M for ours, seven years later. Ms. Bucco noted that there were two dams that need to be fixed and Councilman Cannon said he was discussing Lake Lefferts, reiterating that we are not going to pay \$3.5M Matawan tax dollars for it. Ms. Bucco said okay, but if we don't fix them and they drain them, then it's on the Council. Councilman Cannon said that he already had assurance from DEP that they aren't going to drain them.

Mayor Altomonte requested a motion to close the Privilege of the Floor. Councilwoman Gunn made the motion, seconded by Councilwoman Buckel. Council agreed. Motion passed.

Mayor Altomonte read by title Resolution 18-09-23: Authorizing Municipal Services Agreement By and Between the Borough of Matawan and The Preserve at Matawan Condominium Association, Inc. for 2016 to the Present – Block 120, Lot 5.01. Councilman Cannon asked Mr. Menna if they were going to come back to us, asking for any more money. Mr. Menna said no and he read from the agreement. Mayor Altomonte requested a motion. Councilman Reeve made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a roll call. A roll call vote was taken.

**Borough of Matawan
Public Session
September 18, 2018**

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

Motion passed.

Mr. Menna announced that this resolution was a public expenditure and invited members of the public who had any questions or wished to make a comment regarding this issue, they were welcome to do so at this time. He said he didn't see anyone.

Mr. Menna announced that they were going to suspend the regular order of business to do a presentation on employment practice. He then proceeded to explain the presentation to the public, welcoming them to stay. He did explain that they would not be taking any formal action. The only other action they will take will be adjourn to Executive Session, where they will discuss contractual litigation. He did note that they would not be taking any action on that either.

Ms. Wynne asked for a motion to suspend public session. Councilman Reeve made the motion, seconded by Councilwoman Salvatore. Council agreed. Motion passed.

Employment Practice Liability Training Seminar for Elected Officials Presentation

Mr. Ferrara introduced Amy Pieroni, Account Executive from Acrisure, LLC, to host the MELJIF Training Seminar for Elected Officials. Ms. Pieroni explained the purpose of Elected Official Training, and provided background on the Monmouth Joint Insurance Fund with its financial benefit to municipalities.

Mayor and Council thanked Ms. Pieroni for her presentation.

Recess to Executive Session

Mayor Altomonte requested a motion to recess to Executive Session. Councilman Reeve made the motion, seconded by Councilwoman Salvatore. Mr. Menna announced the purpose of the Council retiring into Executive Session is to discuss contractual litigation and that no formal action will be taken. Council agreed. Motion passed.

Meeting recessed at 9:18 PM.

(Signature on file)

Karen Wynne, RMC
Municipal Clerk