

**Borough of Matawan  
Workshop Session  
October 2, 2018**

A regular meeting of the Borough Council of the Borough of Matawan, New Jersey, was held at the Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey on October 2, 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 7:00 PM requesting a roll call.

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.

**Privilege of the Floor – Agenda Items Only**

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

There were no comments.

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

**Old Business**

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 open the public hearing. Councilwoman Salvatore 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. Councilwoman Buckel made the motion, seconded by Councilman Cannon. Council agreed. Motion passed. 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 requesting a motion to adopt. Councilwoman Salvatore made the motion, seconded by Councilman Cannon. 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.

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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: 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 open the public hearing. Councilwoman Salvatore 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. Councilwoman Salvatore made the motion, seconded by Councilwoman Buckel. Council agreed. Motion passed. Mayor Altomonte read by title 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 requesting a motion to adopt. Councilwoman Buckel made the motion, seconded by Councilman Cannon. 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

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Councilwoman Deana Gunn  
Councilman David Vergaretti

Motion passed.

**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 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.

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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.*

<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>

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***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 and Council Interview	20%

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, 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%).

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*\*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).*  
*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, 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.*

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.*

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**§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.

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

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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.*

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.*

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*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.*

*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.*

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*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.*

**Administration of the Matawan Police Department Oaths**

Mayor Altomonte read by title Resolution 18-10-01: Authorizing the Appointment of Jeremiah E. Hourihan, III as Captain of Police, Matawan Police Department. Mayor Altomonte requested a motion. Councilwoman Salvatore 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 18-10-01  
AUTHORIZING THE APPOINTMENT OF JEREMIAH E. HOURIHAN, III  
AS CAPTAIN OF POLICE  
MATAWAN POLICE DEPARTMENT**

**WHEREAS**, *it is the desire of the Mayor and Council to act upon the recommendations of the Chief of Police to enhance the Command and Administrative structure of the Police Department by the appointment of a Captain of Police for the Borough of Matawan; and*

**WHEREAS**, *Jeremiah E. Hourihan, III has been a member of the Matawan Police Department since 2000; having served as a sworn law enforcement officer since 1998; and*

**WHEREAS**, *in 2008, Jeremiah E. Hourihan, III was promoted to the position of Sergeant; supervising a Patrol Squad and the Traffic Safety Unit; and*

**WHEREAS**, *in 2017, Jeremiah E. Hourihan, III was promoted to the position of Lieutenant of Police; and has served since as the Commander of the Support Services Bureau; and*

**WHEREAS**, *Jeremiah E. Hourihan, III is currently serving as the only Lieutenant of Police and is second-in-command of the agency; and*

**WHEREAS**, *throughout his career, Jeremiah E. Hourihan, III has continually sought additional training by attending numerous law enforcement related classes, training which he has completed successfully; and*

**WHEREAS**, *he has received intensive training in basic police work and police supervision; and*

**WHEREAS**, *Jeremiah E. Hourihan, III has proven to be a leader in the Matawan Police Department; and*

**WHEREAS**, *the Mayor and Council of the Borough of Matawan hereby appoint Jeremiah E. Hourihan, III to the position of Captain of Police of the Matawan Police Department; and*

**WHEREAS**, *the formal employee agreement signed March 6, 2018 as Lieutenant of Police, will remain in full force and effect without changes until the expiration of said agreement.*

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***NOW, THEREFORE, BE IT RESOLVED** that Jeremiah E. Hourihan, III is hereby appointed to the position of Captain of Police of the Matawan Police Department effective on the date of October 1, 2018 with all the rights and responsibilities attendant thereto.*

***BE IT FURTHER RESOLVED** that the Council approves this resolution which along with State Statute and Borough Ordinances and Codes effective October 1, 2017, constitute the relationship between the Borough and Captain Jeremiah E. Hourihan, III.*

***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, Payroll, Police as well as Captain Jeremiah E. Hourihan, III.*

Mayor Altomonte and Councilwoman Salvatore administered the Oath of Office to Captain Jeremiah E. Hourihan, III.

Captain Hourihan thanked everyone stating like every other position he's held he will give 110%.

Mayor Altomonte read by title Resolution 18-10-02: Authorizing the Appointment of Police Service Dog to the Matawan Police Department K9 Unit – K9 Officer Blade. Mayor Altomonte requested a motion. Councilwoman Buckel made the motion, seconded by Councilwoman Gunn. 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 18-10-02  
AUTHORIZING THE APPOINTMENT OF A POLICE SERVICE DOG  
MATAWAN POLICE DEPARTMENT K-9 UNIT  
K-9 OFFICER BLADE**

***WHEREAS**, the use of a canine is a legitimate tool in attaining the objectives of a law enforcement agency; and*

***WHEREAS**, in an effort to attain such objectives including those to combat the current opioid crisis and to assist in the prevention and detection of crime, the tracking of persons sought by police, the protection of police officers and other such legitimate law enforcement goals, the Matawan Police Department requested to reactivate their K-9 Unit; and*

***WHEREAS**, the K-9 Unit was reactivated upon recommendation of the Chief of Police with the consent of the Appropriate Authority in February of 2017 by obtaining the requisite funding through private donations; and*

***WHEREAS**, K-9 Officer Blade, a male Belgian Malinois, and his handler, Patrolman Joseph Mason, have completed their Narcotics Scent School training with the New Jersey State Police in June of 2018; and*

***WHEREAS**, K-9 Officer Blade and Patrolman Joseph Mason are currently attending K-9 Patrol School training with the New Jersey State Police with an expected graduation date of January 2019.*

***NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Matawan hereby authorizes the appointment of K-9 Officer Blade as the canine member of the Matawan Police Department K-9 Unit and recognizes the assignment by the Chief of Police of Patrolman Joseph Mason as K-9 Officer Blade's handler effective October 2, 2018.*

***BE IT FURTHER RESOLVED** K-9 Officer Blade shall reside with Patrolman Joseph Mason with the cost of K-9 Officer Blade's care and maintenance to be paid by the Borough of Matawan through the K-9 Trust Account and/or designated line-item.*

***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, Payroll, Police as well as Officer Joseph Mason.*

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**AGREEMENT**

*This Agreement is being executed on this 2<sup>nd</sup> day of October, 2018 between the Borough of Matawan and Joseph Mason, a law enforcement officer with the Matawan Police Department. Whereas Joseph Mason will serve as K-9 Blade's handler and steward by execution of this Agreement. It is understood by all parties that full responsibility for Blade, his care and liability is the responsibility of the Borough of Matawan.*

\_\_\_\_\_  
*Honorable Joseph Altomonte  
Mayor, Borough of Matawan*

\_\_\_\_\_  
*Patrolman Joseph Mason*

\_\_\_\_\_  
*Karen Wynne, RMC  
Municipal Clerk*

Mayor Altomonte and Councilwoman Salvatore administered the Oath of Office to K9 Officer Blade with his handler, Officer Joseph Mason, accepting on his behalf.

Chief Falco, on behalf of the men and women of the Matawan Police Department, thanked the Governing Body as tonight takes the first step in the reorganization of the Department with the addition of a Captain, and hopes to complete the process by year end. He thanked the Police Committee, the Borough Administrator and the Governing Body all of whom have been a pleasure working with, and we've been accomplishing a lot. The ultimate goal is to provide adequate command and supervision for the Department. This restructuring has no adverse impact to the budget. He also thanked everyone for their support for the re-establishment of the Department's K-9 Unit. Patrolman Mason and K9 Blade have recently completed narcotic scent school, and are currently training with the New Jersey State Police patrol school to track and apprehend. They graduate in January 2019, and will be ready to serve the community thereafter.

Chief Falco dismissed the Matawan Police Department leading the exit down the center aisle.

The Department left the meeting at 7:15 PM.

**Consent Agenda**

Mayor Altomonte read by title Resolutions 18-10-03 through and including 18-10-05 requesting a motion to approve en masse. Councilwoman Salvatore made the motion, seconded by Councilman Cannon. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 18-10-03  
REDEMPTION OF TAX SALE CERTIFICATE  
PACIFIC SUNSET CAPITAL, LLC  
CERTIFICATE #11-00062**

**WHEREAS**, the Borough of Matawan Tax Collector has reported that Tax Sale Certificate #11-00062 was sold to Pacific Sunset Capital, LLC, PO Box 131, Lakewood, NJ 08701-0131; and

**WHEREAS**, the Certificate has been paid and fully redeemed for the property owner, Block 66.12, Lot 19, otherwise known as 6 Fredwood Place.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan, that they hereby authorize payment in the amount of \$10,155.64 to the above for the redemption of Tax Sale Certificate #11-00062.

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

**RESOLUTION 18-10-04  
RELEASE OF ESCROW FUNDS  
PARK AVENUE HOMES, LLC – ONE OAK LANE - BLOCK 111, LOT 4  
PERMIT FOR STREET OPENING**

**WHEREAS**, Park Avenue Homes, LLC has requested the release of the balance of their escrow account for One Oak Lane, Block 111, Lot 4, Permit for Street Opening, Matawan, New Jersey; and

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*WHEREAS, the Borough Engineer has certified any and all outstanding issues and billing have been satisfied at this time.*

*NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan hereby approves the release of all remaining escrow funds in the account of Park Avenue Homes, LLC, One Oak Lane, Matawan, New Jersey 07747.*

*BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Finance, as well as the Borough Engineer and Park Avenue Homes, LLC.*

**RESOLUTION 18-10-05**

**FAIR AND OPEN REQUEST FOR QUALIFICATION FOR PROFESSIONAL SERVICES AND TO DIRECT THE CLERK TO ADVERTISE FOR 2019 REQUESTS FOR QUALIFICATIONS UNDER THE FAIR AND OPEN PROCESS**

*WHEREAS, the Borough of Matawan has elected to undertake the appointment of professionals pursuant to the State authorized Fair and Open Process promulgated by the State of New Jersey for professional services for various professionals for the Borough of Matawan; and,*

*WHEREAS, the statutory enactment of the Fair and Open Process is guided by the rules and regulations adopted by the State under NJSA 19:44A-20.4, et seq; and,*

*WHEREAS, the Governing Body has determined that all professional appointments and candidates who answer and Requests for Qualification for appointments will not include any remuneration as employees of the Borough of Matawan, but all professionals shall be subcontractors of the Borough of Matawan, and that the municipality and will not provide any pension contribution to any of its professionals as part of remuneration; and,*

*WHEREAS, it is the sense of the Governing Body that professional appointments are confidential appointments of the Governing Body; and therefore, it is the desire of the Council to solicit more candidates for various positions of professional appointments, so that the Council can make a determination submitted under the Requests for Proposals that will be proffered to the Fair and Open Process.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that it acts as follows:*

1. *The Clerk is authorized and empowered to advertise for Requests for Qualifications, pursuant to the Fair and Open.*

*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 Finance.*

**New Business**

Mayor Altomonte read by title Resolution 18-10-06: Approval to Submit a Grant Application and Execute a Grant Contract With the New Jersey Department of Transportation for the Overhill Road Improvements Project. Mayor Altomonte requested a motion. Councilwoman Salvatore 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.

**BOROUGH OF MATAWAN  
RESOLUTION 18-10-06**

**Resolution:** *Approval to Submit a Grant Application and Execute a Grant Contract With the New Jersey Department of Transportation for the Overhill Road Improvements Project*

*NOW, THEREFORE, BE IT RESOLVED, that Council of the Borough of Matawan formally approves the grant application for the above stated project.*

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**BE IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized to submit an electronic grant application, identified as MA-2019-Overhill Road Improvements-00504 for Matawan Borough to the New Jersey Department of Transportation on behalf of the Borough of Matawan.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Matawan, and their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution, adopted by the Council of the Borough of Matawan on this 2<sup>nd</sup> day of October, 2018.

(Signature on File)

\_\_\_\_\_  
Karen Wynne, RMC  
Municipal Clerk

My signature and the Clerk’s seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

(Signature on File)

\_\_\_\_\_  
Karen Wynne, RMC  
(Municipal Clerk)

(Signature on File)

\_\_\_\_\_  
Mayor Joseph Altomonte  
(Presiding Officer)

Mayor Altomonte read by title Ordinance 18-19: Naming Street Gravelly Brook Way. Mayor Altomonte requested a motion to introduce. 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.

**ORDINANCE 18-19  
NAMING STREET GRAVELLY BROOK WAY**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Matawan, the street leading into Gravelly Brook Park off of Route 79 and Claire Court be named Gravelly Brook Way.

**BE IT ORDAINED** that Gravelly Brook Way be known as the same upon final approval and publication of this ordinance.

**IN WITNESS WHEREOF**, the parties hereto have hereunto set their hands and caused their presence to be signed by the proper corporate officers and having their corporate seal affixed hereto.

The Clerk announced the Public Hearing will be held at 7:00 PM on October 16, 2018.

Mayor Altomonte read by title Resolution 18-10-07: Payment of Bills. 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

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Councilwoman Deana Gunn  
Councilman David Vergaretti

Motion passed.

**RESOLUTION 18-10-07  
PAYMENT OF BILLS**

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

Current	\$1,651,489.81
Water & Sewer	\$364,772.41
Borough Capital	\$108,519.22
Grant	\$1,270.23
Borough Trust	\$9,400.23
Railroad Parking Trust	\$11,620.00
Recreation Trust	\$1,046.00
<b>Total</b>	<b>\$2,148,117.90</b>

***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.*

**Privilege of the Floor**

Mayor Altomonte opened the Privilege of the Floor.

Fran Bucco, 79 Freneau Avenue, Matawan. Ms. Bucco questioned the decision of painting vs. the decorative vinyl wrapping the new Street Sweeper asking for the cost. Mr. Ferrara replied, approximately \$3,000. Ms. Bucco asked who pays for that. Mr. Ferrara replied, the Borough. Ms. Bucco believes the taxpayer should have had a say in the matter, and does not agree with Council’s decision on the wording or the wrap itself. Councilman Cannon stated he has received positive comment on the truck. Ms. Bucco said it could have been painted, not wrapped, and believes an alternate painting of something such as “Matawan Huskies” on the side would have been more cost effective. Councilman Cannon believes what Ms. Bucco is getting at is there is the old method of maintaining the Borough versus how we are proudly restoring the Borough. Ms. Bucco, said no, she does not. You paved the parking lot of the train station and from what I understand it’s going to be uprooted or something, and rebuilt – new curbs and sidewalks – asking if it could have been done in town. Mayor Altomonte stated it was funding exclusive to the train station with the Safe Routes to Transit Grant. Ms. Bucco asked if it could have been closer into town. Councilwoman Buckel said, no. Ms. Bucco asked if it was going to be ripped up with something else put there or is it going to stay that way. Mayor Altomonte replied, no. Councilman Cannon stated his belief the reason for a new full Council is the residents were unhappy and had an issue with the way the Borough was previously maintained. Almost every improvement we’ve tried to make you’ve attacked or had an issue with and complained about, and that’s your right. Ms. Bucco interjected stating, you have a million projects going on and nothing’s been finished. Councilwoman Gunn asked, nothing’s been finished? Ms. Bucco replied, yes, the sidewalks, the lamps, the benches. Councilman Cannon continued addressing Ms. Bucco stating she has that right as a resident and constituent, and she said, yes, I do. He continued, you have that right but we are proudly restoring the town and the bulk of the residents are happy with it. Ms. Bucco disagreed. Councilwoman Buckel added as a resident, not a Councilwoman, she questioned the disposition of the other sweeper and posed that question to Mayor Buccellato when he campaigned at my home. There were stories going around on matter. Our town now invests in a new sweeper when other stuff went on with the other one and nobody knows what happened to that money. When you’re talking about things like that and money getting wasted then you need to look into the details of it. Councilwoman Gunn informed it is an individual resident cost of \$0.35. Ms. Bucco reiterated her comments over the cost of the vinyl wrapping versus paint stating she guarantees there are many residents upset over the truck.

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As Ms. Bucco stood down, a gentleman approached the podium. The Clerk asked the gentleman to state his name and address which the gentleman did not do. As the Clerk is familiar with the gentleman, for the purposes of these minutes, the Clerk identifies the gentleman as Michael Salvatore, 2 William Street, Matawan. Mr. Salvatore said if the truck panel expressed a Republican saying it would be different. They are fighting you guys (Council) trying to make you look like crap, and they are jealous they can't come up with anything but bad stuff to say about you (Council). Ms. Bucco told Mr. Salvatore to sit down. Mr. Salvatore said, no he will not. Ms. Bucco and Mr. Salvatore exchanged name calling and expletives. Mayor Altomonte restored order and the meeting resumed.

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

**Recess to Executive Session**

Mayor Altomonte requested a motion to recess to Executive Session. Mr. Menna announced the purpose of the Council retiring into Executive Session is to discuss issues of personnel and contracts. No formal action will be taken, and Council will not return into public session. Councilman Reeve made the motion, seconded by Councilwoman Gunn. Council agreed. Motion passed.

The meeting recessed at 7:28 PM.

**Executive Session**

Mayor Altomonte requested a motion to open the executive session. Councilman Cannon made the motion, seconded by Councilwoman Gunn. Council agreed. Motion passed.

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

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

***RESOLUTION 18-10-08  
EXECUTIVE SESSION RESOLUTION***

***BE IT RESOLVED*** that the following portion of this meeting dealing with following general described shall not be open to the public:

- *Contracts*
- *Personnel*

***BE IT FURTHER RESOLVED*** that it is anticipated that the matters to be considered in private may be disclosed to the public upon the final decision of the Council as to contracts, leases; the completion of the litigation or anticipated litigation, the decision of the Council as to personnel matters if the employee requests that the matter be made public or upon completion of said matters.

Mayor Altomonte requested a motion to adjourn the executive session. Councilwoman Gunn made the motion, seconded by Councilwoman Salvatore. Council agreed.

The meeting adjourned at 7:49 PM.

**Reconvene the Public Session**

Mayor Altomonte announced no formal action was taken in Executive Session.

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Mayor Altomonte requested a motion to adjourn the Public Session. Councilwoman Salvatore made the motion, seconded by Councilwoman Gunn. Council agreed. Motion passed.

The meeting adjourned at 7:50 PM.

(Signature on file)

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Karen Wynne, RMC  
Municipal Clerk