

**Borough of Matawan  
Workshop Session  
December 6, 2022**

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 December 6, 2022, 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 *Asbury Park Press* on January 8, 2022, by sending notice to *The Independent*, 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 7:05 PM requesting a roll call.

On roll call the following members responded present:

Yes:                Councilwoman Deana Gunn  
                      Councilman Brian Livesey  
                      Councilwoman Stephanie Buckel  
                      Councilman Brett Cannon  
                      Councilwoman Melanie S. Wang  
                      Councilman Charlie Ross

Also present was 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 for Agenda Items Only**

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

Suzanne Reynolds, 3 Elm Place, Matawan. Ms. Reynolds expressed her dissatisfaction with the rewording of Ordinance 22-15. She reiterated what she stated at the last meeting regarding the enacting of a TNR program for the Borough. She said that what was discussed at the previous Council Meeting seemed to be for naught, as the rewritten Ordinance still has no mention of a TNR program and the rewording, while changed, pretty much states the same information as the previous Ordinance. She specifically quoted 5-5.2, "Animal Control Officer or other designated authority may pursuant to NJ State law, dispose or house the animal humanely causing as little pain as possible pursuant to State Law." She also objected to the Ordinance requiring licensing and registration. She acknowledged that not everyone will be satisfied with the amended Ordinance or TNR program, but she asked where those who object to the cats were. She said she felt that the Borough is wasting time on verbiage and asked where they were with sponsors and a new ACO. She acknowledged that those who spoke at the last meeting left as soon as the topic was closed and that residents do not regularly show up to meetings to discuss things such as building projects, other ordinances or taxes. But the attendees who spoke last meeting did so with concern to the four-legged friends because this is important to them. She requested that the Governing Body write the Ordinance and its amendments correctly to get the sponsors we need,

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to get the program running, to show that the Governing Body actually care as much as the residents do, about this cause. Maybe by resolving this issue it will prove to other residents that they can make a difference and they can make their voices heard. If they don't act on this, residents will lose their faith in their town and this Council.

Councilman Cannon explained how the Borough's Governing Body functions by having committees of three Council members, plus volunteers, and he explained the Open Public Meetings Act otherwise known as the "Sunshine Law." He expressed that he was surprised with the new Ordinance, as well, and asked what would be needed so that everyone could be on the same page.

Mr. Menna clarified: There is an Ordinance on the Agenda tonight which amends the original 1971 Animal Welfare Ordinance that we have and it makes it more appropriate to 2022. However, when it was introduced 2 weeks ago we informed it would go to the Animal Welfare Advisory Board (AWAB) and it was my understanding that if they could come to an agreement as to what was proposed for a TNR, this Council and this Mayor would be absolutely elated to adopt such an Ordinance. The problem is that as of tonight the Mayor and Council do not have an AWAB recommendation.

Due to the year-end calendar and the legal introduction and adoption of Ordinances, a new Ordinance cannot be introduced until the first or second meeting in January 2023. The Council is committed to doing a TNR Ordinance to be appended to this Ordinance. At this time Council has a couple of options: They can table this Ordinance which means by tabling it nothing happens because it can't be reintroduced in 2022 they would have to start the act all over again in January. The second option is to adopt after a public hearing the Ordinance that we have before us tonight which is a modern version of the 1971 Ordinance which makes no sense and then if the Council in January adopts a TNR program that can be attached to this Ordinance as part of this Ordinance without reinventing the wheel but that has to be done in January.

Councilwoman Wang said that is procedure. The heart of the matter is this we have been working diligently to get a TNR sponsor for months as well as review of our current ACO agreement. There are 3 separate things here: There is an Ordinance and an ACO agreement. We've been working with the Associated Humane Society. However, the Animal Welfare Advisory Board has been working so that we know what happens with the ACO and an animal. Then you have your TNR policy we will not have a problem and I doubt anyone on Council will have a problem denying except for the cost which may have to go out to bid for anything over \$17,500.00, but we can work with that. The problem is that we need instead of this piecemeal stuff, changing this little Ordinance and that little Ordinance or Ordinances which haven't even been addressed, and I can guarantee you as a lawyer who has done this for 41 years and working with animals, it doesn't matter that's not the problem. I guarantee you there are Ordinances in these towns that conflict with their TNR policy but you don't know about it because no one has brought it up.

Just like no one brought up the problem except several residents in a meeting that was held with our Borough Administrator and the ACO and the resident. And the AWAB was not wanted at that meeting. However, I insisted on attending. Why? For one question: What do we do with an animal once it's

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been trapped? Whether it's already ear tipped, it's been fixed, it belongs to somebody, if they can't locate the owner, if it's not micro chipped, or nobody comes forward, what happens to the animal after 7 days? And that's when it came out by State statute and it's on Borough's Ordinances that if nobody claims the animal it is put down. So the problem here is not TNR. TNR is the solution for all of us to stop the animal reproduction process. There are residents who don't want to see the animal killed but they want an immediate solution. They don't want to wait until we slow down the growth. So the bottom line is this we want to work together to get something comprehensive. We are not going to probably have a problem finding a sponsor for a TNR program. But first we need to get an ACO, review our current agreement for amendment so it all works together with our current Ordinances. Our Borough Attorney did this because there was such outrage to our current aged Ordinance. And to some of you it may sound like a mincing of words and I have to agree. The word dispose is still in there which brings us to the real issue: It's not whether we are going to get a TNR program. I mean if we had to we could get one overnight. And then we have to worry about conflicting Ordinances for people that come through that say hey wait a minute you've got a TNR program that's great but don't bring them back here because they are going to roam on my property. And I don't dare if there are 5, 15 or 50 residents there's an Ordinance that not all of us mind that cats come on our property but there's a lot of residents and we have to respect their opinion that they don't want cats just lounging on their property, being fed someplace else and coming back. So what are we doing to do? The Monmouth County SPCA, the Associated Humane Society, nobody could come up with what happens if we trap a cat, spay and neuter it, but we can't put it back in the same area.

The other part is get the Ordinance to not conflict with the ACO agreement, and a TNR sponsor. A lot of people think we're going to have a TNR program and people are going to call asking us to pick up, spay and neuter it and take care of it. It's more than that. There are forms and documents, the cat is registered, it's ear tipped. A proper TNR program as done in Sea Bright, you have to show proof of vaccination, the cat is micro chipped all that kind of stuff. And we can get there but it can't be done overnight. There is protocol and procedure with Council. And we don't just sit on our butts here. It takes time and we just can't meet like that. Everybody wants an answer and I know your frustration. But now I see what goes on. So the million dollar question is we are working very hard and our Borough Attorney prepared this to try to make it less palatable but you are never going to have a solution.

People may say we'll take a cat that can't be put out we have a sanctuary we'll take it in. Be our guest. The problem is nobody wants to see an animal killed especially not me but nor do I want to see an animal that is trapped somebody brings in it's hanging out by a dumpster but we can't put it back out. And we can't because it's not socialized and we can't. What do we do with the cat? Does anyone have a solution? And for any organization that says we don't kill anything we only kill sick or injured animals. So I ask what do you do with cats that can't go back out. There's nobody that wants to take care of it and the residents don't want it back. Does anyone have a solution?

Michelle Broadbeck on behalf of People for Animals, I reside at 220 4<sup>th</sup> Avenue, Asbury Park. My answer for that is a lot of TNR Ordinances have nuisance mitigation clauses where it has to go through a process and you just don't remove on the spot. I managed the TNR program for the City of

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Philadelphia for 3 years so I'm very familiar with nuisances and complaints. It just has some harm reduction at a minimum because most people given the choice between removal and death and TNR are going to choose TNR because I spent 6 years of my life trapping thousands of cats, and even people who are not really jazzed about it are going to choose the other option, and if they don't and they go through the nuisance mitigation and at the end they're still a nuisance and we still have to remove the cat then at least there is some harm reduction. We are not doing as a systematic removing all cats to die. Councilwoman Wang agreed stating it's not a problem of finding a place to spay and neuter, some people want the cats back they'll take care of them. The problem is whether its one resident or 10 they have a right to not want the animals back. So what do we do with the cats do you have a sanctuary? Ms. Broadbeck answered, we have to reduce the amount of cats being sent to the shelters to eventually be euthanized. You need to counsel people on what is going to happen and what the process is. Councilwoman Wang agreed stating you have to get to the root of it with population control. The question remains: What do we do with the animals that can't go back? There's no sanctuary. Ms. Broadbeck stated if you do pass this Ordinance in your TNR Ordinance you will have to create exemptions for community cats because you have colony limits and licensing, a lot of Ordinances do have those also as well.

Mr. Menna respectfully asked Council to do is this is the public comment session that this is the opportunity for the public to tell us what they have in terms of suggestions or on their minds. It is not a time to question the public otherwise we'll go back and forth without any resolve. So this is only for the public and after the public has finished that if members of the Council wish to editorialize on some of the comments they should take notes and answer it at that time because we don't want to take opportunity from the public to say what they want. And the only thing I can say to this young lady is I know you were here the last time and I know you were kind enough to give us your name and professional affiliation, and I was hoping that you would have received an invitation to provide some feedback by the AWAB so that can be incorporated. And if that hasn't happened, it should have.

Ms. Broadbeck lastly added there are many types you do not have to have as sponsored-based Ordinance. Community-based ordinances are very popular. PFA has written a model ordinance that was drafted by animal welfare lawyers from many national organizations.

Mickey Cleadokus, 1000 Central Avenue, Aberdeen. A review of the proposed Ordinance states, "If the cat or dog is unlicensed at the time of the seizure and the owner or person keeping or harboring the cat or the dog doesn't produce the license or registration the Animal Control Officer (ACO) or designated Agency by the Borough, in accordance with State Law, is authorized and empowered to take control of any unclaimed cat or dog, in as humane a manner as possible." Does that mean that the TNR cats have to be registered and/or licensed? We were promised by Councilwoman Wang when she will get a TNR in place and help the colony caretakers. And I know not everything is one person. We got the letter on November 1 with massive social media comment following the next day. Matawan Police Department said, "The notice was prepared by the AWAB. The Matawan Police Department does not condone or authorize the destruction of animals." The Restore Matawan Page, "The program about cats was not sanctioned by Council majority and will be ceased immediately. Any input should be directed to Councilwoman Wang." Monmouth County SPCA (MCSPCA), "Effective immediately

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all animal intake from Matawan Borough has been suspended by the MCSPCA until further notice. We are completely outraged and disheartened that our organization has been attached to this archaic campaign to euthanize feral cats when there are so many other successful humane alternatives.” Charlie Ross you even made the statement that, “no cats have been trapped and destroyed and all traps have been removed from Ned Drive.” As a community we were thankful that cats were not being destroyed just because they went on some people’s property. The Police Dept, the MCSPCA and Council majority stated they are against it. Two days later the Borough Administrator, Scott Carew, was answering questions, “every animal even humans can spread diseases.” Per the NJ Dept of Health there was only one reported rabies case. 9 racoons and 3 skunks positive. Are we just doing to kill racoons and skunks because they can have rabies. From 2019 to 2022 the number of rabies has dropped 40%. Birds can transmit disease from their droppings. How can we allow these cats to have no right? No feral cat is going to attack a human but will run unless cornered. With a TNR program in place they get vaccinated, spayed/neutered. The majority of feral cats do have a colony caregiver. I personally have been a caregiver for over 10 years and did so at my own expense. As a colony caretaker we dedicate our lives to these animals. Aberdeen has a TNR program in place with MCSPCA and my cats are registered with them. The MCSPCA has come and taken a sick cat when asked. I just found a kitten with a severely broken leg and MCSPCA came, found him a foster home, amputated the leg, gave it its shots and found it a good home.

The Borough Administrator asked, “How are we going to deal with feral cats going forward? Until the existing Ordinance is changed there will only be resumption in trapping efforts if a complaint about feral cats is made.” Why can’t we educate the people complaining? Why can’t we work with the colony caretaker to and see if there is another option and place the food in a different area? Why are we going to trapping and killing without alternatives? Mr. Carew stated the MCSPCA agreed to continue to help Matawan address animal control issues moving forward and will accept guidance with control issues in ways that are responsible and humane. I ask if we are working with the MCSPCA on a better alternative, will the ACO still be trapping cats and bring them to MCSPCA? We were promised a new ordinance would be written, that trapping and killing of community cats has ceased, and that Councilwoman Wang and her group is the one authorized, and they want us to believe that she is the only one with that power and if this is all true how can this new Ordinance be allowed to be submitted?

Councilman Cannon stated he is a prominent advocate of the freedom of speech and as a teacher of civics, his knowledge of the Constitution most likely will surpass most in the room. I will never step on your right for freedom of speech. I assure you I’ve had no process in any of this and the AWAB is working to modernize our Ordinances and has taken serious steps in the process of a TNR program. The adoption of this Ordinance tonight is one step to that next step, and do not feel we are that far off. We want to do the right thing. But I hope this will expedite this but we don’t want to be told 2 weeks in a row how much we hate animals.

Suzanne Reynolds, 3 Elm Place, Matawan. I do not think anyone in this room believes the Governing Body hates animals. The public is being told different things on various platforms as well as here. We can’t be told that things can’t be done because of steps 1, 2 or 3. I don’t think any one of you doesn’t want to do this TNR program. I’m sure the last thing any one of you wants is to spend 2 hours every

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2 weeks listening to 40 of us telling you we want this. The fact is we're at the point of hey we just want the verbiage to say we don't have to worry that if a cat gets trapped it's going to get killed. You're right – where are we going to put these cats? We have no idea. But in the defense of that statement how much time has been wasted that you could have worked with various rescue groups and then you would not have to say that you don't have to say that we took the time out and we researched where we can put these cats. 'Don't worry we're the Council of BOM and we have the solution.' I do believe we keep hearing the same thing as to why things are not happening, we want solutions. That's what we're here for. So when your first sponsor fell through you should have had another. We expect you to have the answers not expect us to give them to you.

Councilwoman Gunn asked Councilwoman Wang, as other towns have a TNR program, and I sent you a Tinton Falls municipal ordinance to you for review and Asbury Park has a program, what do other towns do in this scenario to mitigate the problem? We should be able to come up with something by our next meeting. Don't let perfect be the impediment of progress.

Councilwoman Wang reiterated they had a valued sponsor which fell through. When you go through contracts, as I'm learning the progress, that anything over \$17,500.00 it has to go out to bid. A person at MCSPCA questioned what to do with the animal when it's ready to be returned to its colony – where does it go? It is my understanding that someone on Council let it out and then went to the MCSPCA and Councilwoman Wang was involved in this meeting to trap the cat and have it killed. That is not true. After the letter came out is when the MCSPCA was contacted and said this is your culprit – AWAB. The problem is it takes steps we are trying to do it so that we don't have to do it piecemeal. Turning it into a political thing, I'm fed up with it. I ran to help these cats. Little did I know that these Ordinances exist. And not only that if you remove it from an Ordinance which is governed by State law, and it's the Marlboro ACO who said they have to be put to sleep if not claimed. So again everyone wants to do a TNR and we can and make it work but it's not done overnight. My suggestion was if there's a TNR program in place this will be the protocol. So it takes a lot of creative writing to circumvent the loopholes if we want to really save these cats. Councilwoman Gunn asked Councilwoman Wang if it is reasonable to say that something can be presented to Council at its second meeting in January which is a full month from now. Councilwoman Wang replied the AWAB will continue to meet and work on several agreements, the ACO agreement, we were going to work with in the interim if we went with the AQHS which we've gotten pretty far. We want to put everything in writing and attach to any agreement we have the AHS does have a provision in there for TNR but it is not a comprehensive program that MCSPCA may offer. For now until we can get a comprehensive program I think people are under the impression that I can call and it can be spayed/neutered but there are forms to complete. Councilwoman Gunn said the Borough of Tinton Falls is renewing their arrangement at their meeting tonight, and I encouraged Councilwoman Wang to take a look at that.

Hannah Watson, 92 Eaton Crest Drive, Eatontown. Ms. Watson said I'm here on behalf of a company I work for and am trying to get something on the Agenda the Scarlett Reserve Room. Councilman Cannon asked Ms. Watson to come back to the 2<sup>nd</sup> Privilege of the Floor at tonight's meeting or contact the Clerk.

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Lisa Revel, 15 Colonial Drive, Matawan. Ms. Revel requested clarification on what is being changed in the proposed Ordinance. Mr. Menna informed the methodology as the Ordinance is tailored to NJS law. Ms. Revel asked in our Ordinance it refers to harboring a dog/cat. My concern is that if you feed a dog/cat and it roams they are now responsible for that animal and subject to fine(s). Mr. Menna said there is a State law it means that there is has be a complaint filed. Councilwoman Wang said there are many residents that do not want the cat(s) on their property regardless of ownership. The problem is you can't take away property ownership rights. Mr. Menna stated the word harboring is taken directly from the State statute because if there's any enforcement it has to be in the local municipal court. The harboring part of it can only be proved by intentional act and how can you prove an intentional act. It has to be there for a person who deliberately does it. Mr. Revel asked if you are feeding is that harboring. Mr. Menna said, no. That is not an intentional act.

Kristen Cruz, Aberdeen. Ms. Cruz' concern is if here cat gets trapped in Matawan, Section 5-5.2 of the Ordinance asks for proof of license or registration to obtain the animal back but if I do not have a license or registration how can I get my animal back to avoid the animal being put down. Ms. Cruz asked this Section of the Ordinance be modified.

Kim Leonardi, Aberdeen. Ms. Leonardi asked what is happening in the interim. Mayor Altomonte said there is no trapping. Ms. Leonardi asked if whoever is currently feeding, are they still allowed to feed. Councilman Cannon informed no Borough action of any kind is being taken at this time. Ms. Leonardi asked how many cats were involved in the registered complaint. Councilwoman Wang replied, approximately 6 or 7.

Suzanne Reynolds, 3 Elm Place, Matawan. Ms. Reynolds asked for a date as to when this can be presented for public comment. Mr. Menna informed the next opportunity for the introduction of an Ordinance is the second meeting in January, January 17, assuming the Animal Welfare Advisory Board presents their draft recommendation(s) to the Borough Attorney in plenty of time before January 17, we should anticipate that we can have an Ordinance for introduction on these issues on January 17. Ms. Reynolds asked if that does not stop us to get a sponsor for a TNR program in the interim. Mr. Menna replied, that's correct.

Kristen Cruz, Aberdeen. Ms. Cruz recommended the AWAB consult with Michelle Broadbeck of People for Animals. Mr. Menna stated people who are interested in this topic to leave their full contact information with the Borough Clerk who in turn will provide to the AWAB.

Mr. Menna on the policy issue there is no legal impediment to include the public and they can be included in those discussions. When you negotiate contracts the public is not included which is an Executive Session discussion item.

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

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**Approval of Firefighters**

Mayor Altomonte requested a motion to approve Borough of Matawan Volunteer Firefighters John Boyle, Jr., Anthony Castro, Ryan Chrzanowski, and Zarrin Stephens. Councilman Ross made the motion, seconded by Councilman Cannon. Council agreed. Motion passed.

**Old Business**

Mayor Altomonte then read by title Ordinance 22-15: Amending and Supplementing the Revised General Ordinances of the Borough of Matawan of Various Sections of Chapter 5 – Animal Control. Mayor Altomonte requested a motion to open the public hearing. Councilwoman Gunn made the motion, seconded by Councilman Cannon. Council agreed. Motion passed. Mayor Altomonte requested comments. Councilwoman Wang made a motion to table the Ordinance, seconded by Councilman Ross. Councilwoman Gunn noted that if the Ordinance is tabled and some animal issue occur within the Borough prior to a new Ordinance being adopted, the Borough will have to revert to the previously unamended ordinance. She asked the Council to adopt Ordinance 22-15, which reflects the changes that were requested, so the Borough has an updated Ordinance should something happen. Councilwoman Wang said that the Ordinance needs to be worked on and be further revised. She agreed with residents who appeared at tonight's meeting that the revised Ordinance just has prettier terms for the same actions as were stated the previous Ordinance. Mr. Menna stated that the Ordinance can be changed right there, with the wording in section in Paragraph 5-5.2 addressing proof of ownership, which would be a technical change. He explained that a technical change can be made, to amend an ordinance, directly from the floor. A discussion occurred whether to table the Ordinance. Councilman Ross added that he didn't like the wording of the Ordinance and he thought that the wording should have been discussed before bringing it to the floor for a vote. Councilwoman Buckel mentioned that the Borough's Ordinance has to reflect the State's statute. She suggested that Mr. Menna remove the wording, if possible.

Mayor Altomonte requested a roll call vote for tabling Ordinance 22-15. A roll call vote was taken.

Yes: Councilwoman Melanie S. Wang  
Councilwoman Stephanie Buckel

No: Councilwoman Deana Gunn  
Councilman Brian Livesey  
Councilman Brett Cannon  
Councilman Charlie Ross

Motion passed. Motion to table failed.



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Mr. Menna once again explained the process of changing the language, in terms of retrieving an animal, within Ordinance 22-15, and asked there be a motion to adopt Ordinance 22-15, once the exact wording in Paragraph 5-5.2 is changed. Councilman Cannon reiterated that passing this Ordinance will be step one of revising the animal control portion of the code, noting that the institution of a TNR program will not be sidelined. Councilwoman Buckel asked if Mr. Menna could reword Ordinance 22-15 to reflect everything he mentioned. Mr. Menna said that he could make technical changes. He also mentioned that the TNR will be an addendum to this Ordinance and that will offer the opportunity to revisit this.

Mayor Altomonte read by title Ordinance 22-15: Amending and Supplementing the Revised General Ordinances of the Borough of Matawan of Various Sections of Chapter 5 – Animal Control, requesting a motion to adopt. Councilman Cannon made the motion, seconded by Councilwoman Gunn. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Deana Gunn  
Councilman Brian Livesey  
Councilwoman Stephanie Buckel  
Councilman Brett Cannon  
Councilwoman Melanie S. Wang  
Councilman Charlie Ross

Motion passed.

**ORDINANCE 22-15**

**AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF  
MATAWAN OF VARIOUS SECTIONS OF CHAPTER 5 – ANIMAL CONTROL**

**WHEREAS**, Chapter 5 of the Code of the Borough of Matawan governs Animal Control within the community;  
and

**WHEREAS**, the Council of the Borough of Matawan, recognizes that residents have a legal duty to take care of those animals, need to take reasonable steps to protect their welfare and prevent their suffering.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Matawan, County of Monmouth, State of New Jersey, that the following Chapter 5 – Animal Control, be amended and supplemented as follows:

**5-2.3 Fees**

*e. There shall also be an additional fee of \$3.00 for any dog or cat of reproductive age which has not been spayed/neutered.*

**5-4.2 Disposition of Rabid Dogs**

- *All dogs or cats so noticeably infected with rabies, or displaying vicious propensities, shall be seized by the Animal Control Officer or other authorized persons, with written notice via first class mail to the owner's last known address. The owner shall be notified in writing via first class mail to the owner's last known address of actions to be undertaken pursuant to State law within three business days of the seizure of the animal.*

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**5-4.3      *Confinement and Observation of Rabid Animals***

- *The confinement and observation of rabid animals in the Borough of Matawan shall conform and be in accordance with the provisions of an Act of the Legislature of the State of New Jersey entitled, "Management of Domestic Animal Rabies Exposures" and also comprising N.J.S.A. 26:4 et seq., and in accordance with the rules and regulations of the New Jersey State Department of Health.*

**5-5.1      *Causes for Impounding***

*It shall be the duty of the Animal Control Officer and/or Agency appointed by the Borough, to enforce the provisions of this chapter and to take into custody and impound, or cause to be taken into custody and impounded, the following:*

**5-5.2      *Disposition of Unclaimed Cats or Dogs***

*The Animal Control Officer or designated Agency by the Borough, in accordance with State Law, is authorized and empowered to take control of any unclaimed cat or dog, in as humane a manner as possible, under the following contingencies:*

*When any cat or dog so seized has been detained for seven days after written notice of said detention via first class mail has been given to the owner's last known address, or has been detained for seven days after seizure, when notice cannot be given, in accordance with the laws of the State of New Jersey, and if the owner or person keeping or harboring the cat or dog has not claimed the cat or dog, and paid all expenses incurred by reason of its seizure and detention, and if the cat or dog is unlicensed at the time of the seizure and the owner or person keeping or harboring the cat or dog has not produced a license or registration tag or produced proof of ownership for the cat or dog, the Animal Control Officer or other designated authority may pursuant to NJ State law, dispose or house the animal humanely causing as little pain as possible pursuant to State Law.*

**5-6.1      *Control of Dogs and Cats; Barking; Disposal of Waste; Leash Requirements***

- c. *Injury to Persons; Damage to Property. No person owning, keeping or harboring a dog or cat shall permit or cause it to do any injury to any person, or to do any damage to any lawn, shrubbery, flowers, grounds or property of persons other than the owner or person having the care, custody or control of such dog or cat.*
- e. *Pet Waste Regulations. No person owning, harboring, keeping or in charge of any dog or cat shall cause, suffer or allow such dog or cat to soil, defile or defecate on or commit any nuisance on any common thoroughfare, sidewalk, passageway, bypath, play area, park, school ground or any place where people congregate or walk, or upon any public or private property, without the permission of the owner of the property. The restriction shall not apply to the street right-of-way, except for sidewalk, from property line to property line which shall be used to curb such dog or cat provided that the person who curbs such dog or cat shall immediately remove all feces deposited by such dog or cat and dispose of same in a sanitary manner.*

*All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person. Any owner or keeper who requires the use of a disability assistance animal or emotional service dog shall be exempt from the provisions of this section.*

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- f. Number of Domestic Animals Permitted. No more than six cats and/or dogs of licensing age shall be kept, maintained or harbored at one time in any residential housing unit or on its grounds or in any business establishment or on its grounds. This restriction shall not apply to properly licensed kennels, pet shops, pounds and shelters. This provision on the number of animals shall not apply to instances where the animal that is properly licensed gives birth and the ACO may grant exemption for a period of time to enable the kitten or puppy to be cared by its mother until able to be released.*

**5-7                    Enforcement Authority**

- *The Borough Council shall appoint a suitable person as Animal Control Officer or licensed Animal Welfare Agency for the Borough and such assistants as from time to time may be necessary, who shall possess and exercise the power and the authority described in this chapter. Such Animal Control Officer or Agency shall be paid compensation as the Borough Council shall deem suitable and proper.*
- *No person shall hinder, molest or interface with anyone authorized or empowered to perform any duty under this chapter.*
- *The hindering of the enforcement of this chapter by the Animal Control Officer shall be subject to a summons issued by the Animal Control Officer to the property owner of the property, or owner of the animal, and may be returnable as an ordinance violation in Municipal Court for hindering the exercise of its authority to control and protect animals by the Animal Control Officer. Upon conviction of the Ordinance, the fine to be imposed shall be no less than \$50.00 for a first offense and no greater than \$200.00 for a second offense, and be subject to enhanced fines for a third or subsequent offense at the discretion of the Municipal Court Judge, not to exceed \$1,250.00 for repeated subsequent offenses to deter the conduct prescribed in this Section.*

**BE IT FURTHER ORDAINED**, any Ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies only.

**BE IT FURTHER ORDAINED**, if any provisions of this Ordinance, or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance, which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

**BE IT FURTHER ORDAINED**, this Ordinance shall take effect immediately upon following the passage, adoption and publication pursuant to New Jersey State law.

**Consent Agenda**

Mayor Altomonte read by title Resolutions 22-12-01 through and including 22-12-03, requesting a motion to approve en masse. Councilwoman Gunn explained the need for Resolution 22-12-01, noting that the water usage calculated was not actually consumed by the resident and that issue was due to a faulty water meter. Mr. Menna informed an outside contractor improperly installed the water booster. Our vendor, KKD, inspected the equipment meter and concurred the equipment was faulty with no water consumption/delivery. Councilwoman Gunn then made the motion, seconded by Councilman Cannon. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

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**RESOLUTION 22-12-01  
AUTHORIZING REDUCTION OF CHARGES AGAINST WATER BILL  
147 RAVINE DRIVE – BLOCK 67, LOT 13**

***WHEREAS**, John Catalano, 147 Ravine Drive also known as Block 67, Lot 13, Matawan, New Jersey, experienced above-average consumptions on his August 2022 water bill caused by an improperly installed booster pump resulting in a charge with penalties of \$7,474.27 which was reported by the taxpayer to the Borough of Matawan; and*

***WHEREAS**, John Catalano notified the Superintendent of Public Works that the pump has been corrected; and*

***WHEREAS**, John Catalano has requested Council grant him financial relief from the excess charges and penalties accumulated in the amount of \$7,179.64.*

***NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Matawan that they hereby forgives and discharges the sum of \$7,179.64 from the amount due.*

***BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Finance, Public Works, Tax Collector as well as John Catalano.*

**RESOLUTION 22-12-02  
GOVERNING BODY CERTIFICATION OF THE 2021 LOSAP AUDIT**

***WHEREAS**, the LOSAP Audit for the year 2021 has been filed by a Registered Municipal Accountant with the Municipal Clerk, and a copy has been received by each member of the Governing Body.*

***NOW, THEREFORE, BE IT RESOLVED**, the Governing Body of the Borough of Matawan, hereby certifies receipt and acceptance of the 2021 LOSAP Audit as submitted by the Municipal Auditor.*

***BE IT FURTHER RESOLVED**, certified copy of the Resolution shall be distributed to the following Borough of Matawan Departments: Clerk, Finance, Fire Department as well as the Municipal Auditor.*

**RESOLUTION 22-12-03  
QUALIFIED FOR CREDIT UNDER THE  
LOSAP PROGRAM FOR THE YEAR 2021  
FIRE DEPARTMENT**

***WHEREAS**, Ordinance #03-18 of the Borough of Matawan implemented the Length of Service Award Program (LOSAP) for the Matawan Fire Department and was passed by voters by a referendum on November 4, 2003; and*

***WHEREAS**, pursuant to NJSA 40A:14-191, emergency service organizations participating in a Length of Service Award Program (LOSAP) shall annually certify to the sponsoring agency a list of all volunteer members who have qualified for credit under the LOSAP program for the previous year; and*

***WHEREAS** the Governing Body has received and reviewed such certified list from the Matawan Fire Department.*

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

- Per the certified list received, the following Matawan Fire Department members are hereby approved to receive the 2021 LOSAP award:*

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<i>James Archibald</i>	<i>Katelyn Lynch</i>
<i>Freddy Benjamin</i>	<i>Neil Matthaey</i>
<i>Peter Berliner</i>	<i>Jessica Michitsch</i>
<i>Brian Bernath</i>	<i>Richard Michitsch</i>
<i>Bradley Bland</i>	<i>Vincent Negron</i>
<i>Timothy Clifton, Sr.</i>	<i>Gerard Pandolfo</i>
<i>Matthew Cortopassi</i>	<i>Arjun Roy</i>
<i>Chad Donohue</i>	<i>James Snyder</i>
<i>Peter George, Sr.</i>	<i>Stephen Tatarka</i>
<i>Ted Glick</i>	<i>Brian Thompson</i>
<i>Douglas Hrehowesik</i>	<i>Ryan Todaro</i>
<i>Brian Kopf</i>	<i>Kevin Tormey</i>
<i>Peter Lambusta</i>	<i>Zoltan Varsanyi</i>
<i>Ed Lee</i>	<i>Thomas Young</i>
<i>Martin LiPera</i>	<i>Robert Ziegler</i>

*The amount each qualified member will receive for the 2021 LOSAP award is \$1,718.00:*

<i>James Archibald</i>	<i>Brian C. Kopf</i>
<i>Freddy Benjamin</i>	<i>Ed Lee</i>
<i>Peter Berliner</i>	<i>Richard Michitsch</i>
<i>Brian Bernath</i>	<i>Stephen Tatarka</i>
<i>Timothy Clifton, Sr.</i>	<i>Kevin Tormey</i>
<i>Douglas Hrehowesik</i>	<i>Robert Ziegler</i>

*The amount each qualified member will receive for the 2021 LOSAP award is \$1,030.00:*

<i>Peter George, Sr.</i>	<i>Jessica Michitsch</i>
<i>Ted Glick</i>	<i>Vincent Negron</i>
<i>Neil J. Matthaey</i>	<i>Arjun Roy</i>
	<i>Ryan Todaro</i>
	<i>Thomas Young</i>

*The amount each qualified Member will receive for the 2021 LOSAP award is \$687.00*

<i>Bradley Bland</i>	<i>Gerard Pandolfo</i>
<i>Peter Lambusta</i>	<i>James Snyder</i>
<i>Martin LiPera</i>	<i>Brian Thompson</i>
<i>Katelyn Lynch</i>	<i>Zoltan Varsanyi</i>
	<i>Matthew Cortopassi</i>
	<i>Chad Donohue</i>

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- *The certified list of members is posted at the office of the Municipal Clerk of the Borough of Matawan and at the Matawan Fire Department for a period of 30 days to allow sufficient time for membership review.*
- *Appeals shall be mailed to the Municipal Clerk of the Borough of Matawan, 201 Broad Street, Matawan, NJ 07747, and must be received within 30 days of the posting date of the approved certified list.*

***BE IT FURTHER RESOLVED*** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Finance, Fire as well as Borough Auditor and Lincoln Financial Advisors Corp.

**New Business**

Mayor Altomonte read by title Resolution 22-12-04: Authorizing Remington & Vernick Engineers Change of Scope to Provide Professional Services for Water & Sanitary Utility System Assessment. Councilwoman Gunn made the motion, seconded by Councilman Livesey. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 22-12-04  
AUTHORIZING REMINGTON & VERNICK ENGINEERS  
CHANGE OF SCOPE TO PROVIDE PROFESSIONAL SERVICES FOR  
WATER & SANITARY UTILITY SYSTEM ASSESSMENT**

***WHEREAS***, the Mayor and Council of the Borough of Matawan previously authorized Resolution 21-12-03 authorizing Remington & Vernick Engineers (RVE), the Borough of Matawan Special Projects Engineering Pool Engineer, for professional services for engineering consulting services for the water and sewer utility system – assessment, rate analysis, valuation study and emergency condition analysis; and

***WHEREAS***, RVE has notified the Mayor and Council of the Borough of Matawan over the course of this project, the New Jersey Department of Environmental Protection (NJDEP) has changed the procedures and requirements for the Water Infrastructure Protection Act (WIPA) process, with additional work now required in order to prepare and submit documentation responsive to the Project; and

***WHEREAS***, RVE has submitted the attached Change of Scope Proposal from for professional services for engineering consulting services for the water and sewer utility system – assessment, rate analysis, valuation study and emergency condition analysis.

***NOW, THEREFORE, BE IT RESOLVED*** that the Council of the Borough of Matawan does hereby award the Change of Scope for professional services to Remington & Vernick Engineers, associated with the water and sanitary utility system assessment as outlined in the attached Proposal in an amount not to exceed Six Thousand, Seven Hundred Dollars and No Cents (\$6,700.00).

***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: Clerk, Finance, Public Works as well as Remington & Vernick Engineers.

**CERTIFICATION AS TO AVAILABLE FUNDING**

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*I, Nicole Horvath, Chief Financial Officer of the Borough of Matawan, County of Monmouth, and State of New Jersey, do hereby certify that as of the date of this certification funds are available from the 2-01-20-165-200 and 2-09-55-500-800 Budget Accounts of the Borough of Matawan to Remington & Vernick Engineers for the Borough of Matawan Water & Sanitary Utility System Assessment in an amount not to exceed Six Thousand, Seven Hundred Dollars and No Cents (\$6,700.00).*

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

*Chief Financial Officer*

*(Signature on File)*

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*Nicole Horvath, CMFO*

*Dated: December 6, 2022*

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RVE HQ:  
2059 Springdale Road  
Cherry Hill, NJ 08003  
O: (856) 795-9595  
F: (856) 795-1882

November 28, 2022

Scott Carew, Borough Administrator  
Borough of Matawan  
201 Broad Street  
Matawan, NJ 07747

**REF: Proposal to Provide Consulting Engineering Services – Change of Scope  
Borough of Matawan - Water & Sanitary Utility System Assessment**

Dear Mr. Carew:

As you are aware, our office previously presented and was authorized for work under this project. The original scope of work included a Condition Assessment of the water and sewer utilities, preparation of a Capital Improvement Plan, Rate Study analysis, and an Emergent Condition analysis. Over the course of this project, the NJDEP has changed the procedures and requirements for the WIPA process. As such, additional work will be required in order to prepare and submit these documents. The following additional work is proposed at this time:

- Prepare supporting documents for Emergent Conditions Analysis
- Coordinate and attend kickoff meeting with NJDEP
- Submission of documents to NJDEP and coordinate responses
- Attend a public meeting session

**Cost of Additional Services**

Our additional cost of service for this project will be based on the actual hours worked on the project on a time and material basis for a **not to exceed amount of \$6,700.00.**

Once approved by the NJDEP, RVE can provide a proposal for the RFQ/RFP and negotiations with bidding purveyors.

Should you have any questions or require additional regarding this project or the above information, please do not hesitate to contact the writer at (856) 795-9595 ext. 1067.

Sincerely,

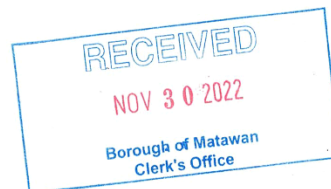
**REMINGTON & VERNICK ENGINEERS**

By 

Stephanie Cuthbert, P.E., C.M.E.  
Principal / Water & Wastewater Division Manager

Cc: Steven Donohue, RVE

[www.rve.com](http://www.rve.com)





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Mayor Altomonte read by title Resolution 22-12-05: Acceptance of Retirement Matawan Police Department Patrolman Eric J. Budelmann. Councilwoman Gunn thanked Patrolman Budelmann for his service to the community, noting that the Governing Body wishes him well. Councilwoman Gunn made the motion, seconded by Councilman Ross. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 22-12-05  
ACCEPTANCE OF RETIREMENT  
MATAWAN POLICE DEPARTMENT PATROLMAN ERIC J. BUDELMANN**

*WHEREAS, Patrolman Eric J. Budelmann, has given over 20 years of dedicated service to the Matawan Police Department and the residents of the Borough of Matawan; and*

*WHEREAS, Patrolman Eric J. Budelmann has submitted notice of retirement to the State of New Jersey Division of Pension and Benefits effective January 1, 2023.*

*WHEREAS, Patrolman Eric J. Budelmann's retirement, as a member of the Matawan Policemen's Benevolent Association, is subject to the terms and conditions as outlined in the Collective Bargaining Agreement between Matawan PBA, Local 179 and the Borough of Matawan dated January 1, 2022 through December 31, 2025.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan accepts the retirement, effective January 1, 2023, of Patrolman Eric J. Budelmann, subject to the terms and conditions as outlined in the aforementioned collective bargaining agreement.*

*BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Finance, Payroll, Police as well as Patrolman Eric J. Budelmann.*

Mayor Altomonte read by title Resolution 22-12-06: Acceptance of Retirement Matawan Police Department Sergeant Brian J. Murphy. Councilwoman Gunn thanked Sergeant Murphy for his service to the community, noting that the Governing Body wishes him well. Councilman Cannon made the motion, seconded by Councilwoman Gunn. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 22-12-06  
ACCEPTANCE OF RETIREMENT  
MATAWAN POLICE DEPARTMENT SERGEANT BRIAN J. MURPHY**

*WHEREAS, Sergeant Brian J. Murphy has given over 20 years of dedicated service to the Matawan Police Department and the residents of the Borough of Matawan; and*

*WHEREAS, Sergeant Brian J. Murphy has submitted notice of retirement to the State of New Jersey Division of Pension and Benefits effective January 1, 2023.*

*WHEREAS, Sergeant Brian J. Murphy's retirement, as a member of the Matawan Policemen's Benevolent Association, is subject to the terms and conditions as outlined in the Collective Bargaining Agreement between Matawan PBA, Local 179 and the Borough of Matawan, dated January 1, 2022 through December 31, 2025.*

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***NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Matawan accepts the retirement, effective January 1, 2023, of Sergeant Brian J. Murphy, subject to the terms and conditions as outlined in the aforementioned collective bargaining agreement.*

***BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Finance, Payroll, Police as well as Sergeant Brian J. Murphy.*

Mayor Altomonte read by title Resolution 22-12-07: Borough of Matawan, Monmouth County, Removal of the Borough Administrator of the Borough of Matawan Pursuant to the Provisions of N.J.S.A. 40A:9-138. Councilwoman Gunn made the motion. Councilwoman Gunn thanked Mr. Carew for his service to the Borough and wished him well on his future endeavors. Mayor Altomonte requested a second. Councilman Ross stated the Resolution is shocking and asked for the reasoning behind it. Mr. Menna noted that it's a personnel matter and should be discussed in Executive Session, not in a public forum. Councilman Ross asked if Council should have been involved in any discussions prior to the Resolution and noted that he was not involved. He added that he does not agree with this and he wants to voice his opinion on it. Councilwoman Wang added that it won't be voted on until after Executive Session. Councilman Cannon suggested they recess to Executive Session to discuss. Mr. Menna suggested they hold this Resolution and continue with the meeting, so the Council could introduce the next two Ordinances and next two Resolutions. He noted that they could then recess to Executive Session to further discuss Resolution 22-12-07. Council agreed.

Mayor Altomonte read by Ordinance 22-16: Amending and Supplementing the Revised General Ordinances of the Borough of Matawan, Chapter 2 – Administration, Article IV – Administrative Organization of the Departments of Local Government, Section 2-15 Fire Department, Section 2-15.12 Composition of Officers; Elections of Officers; Terms of Office. Mayor Altomonte requested a motion to introduce. Councilman Ross made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Deana Gunn  
Councilman Brian Livesey  
Councilwoman Stephanie Buckel  
Councilman Brett Cannon  
Councilwoman Melanie S. Wang  
Councilman Charlie Ross

Motion passed.

**ORDINANCE 22-16  
AMENDING AND SUPPLEMENTING THE REVISED  
GENERAL ORDINANCES OF THE BOROUGH OF MATAWAN  
CHAPTER 2 – ADMINISTRATION  
ARTICLE IV – ADMINISTRATIVE ORGANIZATION OF THE  
DEPARTMENTS OF LOCAL GOVERNMENT  
SECTION 2-15 FIRE DEPARTMENT  
SECTION 2-15.12 COMPOSITION OF OFFICERS; ELECTIONS OF OFFICERS; TERMS OF OFFICE**

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***WHEREAS**, the firematics function of the Matawan Fire Department is vital to public safety; and*

***WHEREAS**, the leadership of the firematics function consists of a Chief and Deputy Chiefs; and*

***WHEREAS**, the Chiefs of the Matawan Fire Department should be the best and most qualified members of the Fire Department to serve in these important leadership roles regardless of which company they represent; and*

***WHEREAS**, as a department of Matawan Borough, the Matawan Fire Department operates under the authority of the Mayor and Council, through the Borough Administrator; and*

***WHEREAS**, it is the desire for of the Mayor and Council to reorganize the firematics leadership structure of the Matawan Fire Department to remain consistent with the declarations above.*

***NOW, THEREFORE, BE IT ORDAINED** by the MAYOR and COUNCIL of the Borough of Matawan, Monmouth County, New Jersey, hereby amends and supplements the Code of the Borough of Matawan Chapter 2 – Administration as follows:*

**SECTION 2-15.12 COMPOSITION OF OFFICERS; ELECTIONS OF OFFICERS; TERMS OF OFFICE**

*Remove Sections b, c, d and e, and replace said Sections with the following:*

***b.** The Firematics Officers of the Department shall be the Chief, First Deputy Chief, and Second Deputy Chief. All officers shall be residents of the Borough, except Chiefs, who may reside in an adjacent municipality within a reasonable distance from the Borough boundary line, not to exceed one mile, or a Chief may be a non-Borough resident provided he is a full-time employee of the Borough of Matawan.*

***c.** To be eligible for appointment as Chief, First Deputy Chief, or Second Deputy Chief, a candidate shall be a member of the Department in good standing in his/her Company and department for at least eight years prior to the date his/her term commences. The member has not been charged with any Department or Company Firematics violations for two years. The candidate shall be required to have served at least one year in each of the following officer ranks: Chief Engineer, First Lieutenant and Captain. They shall be required to have completed and provide certificates for all prerequisite training courses as outlined in Section 54 of the MBFD Bylaws in order to be eligible for consideration as the Third Deputy Fire Chief. In addition, the candidate must be certified as Incident Management Level 3 by the New Jersey Division of Fire Safety and have completed the National Fire Academy's Incident Safety Officers Course.*

***d.** The Chief, First Deputy Chief, and Second Deputy Chief shall be appointed by the Mayor at the Borough's annual reorganization meeting and serve for a term of one year. These appointments will be based on merit alone without regard to company affiliation. There shall be no term limits imposed on any of these positions.*

***e.** The Chief, First Deputy Chief, and Second Deputy Chief can be removed for cause by a majority vote of the governing body. If such an event were to occur, the mayor shall appoint a replacement to complete the unexpired term.*

***BE IT FURTHER ORDAINED**, any Ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies only.*

***BE IT FURTHER ORDAINED**, if any provisions of this Ordinance, or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance, which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.*

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***BE IT FURTHER ORDAINED**, this Ordinance shall take effect immediately upon following the passage, adoption and publication pursuant to New Jersey State law.*

The Clerk announced the Public Hearing is scheduled for 7:00 PM, December 20.

Mayor Altomonte read by Ordinance 22-17: Amending Ordinance 22-07: An Ordinance to Fix and Determine the Salaries and Wages of Officers, Management, Supervisory Personnel and General Employees Not Represented by an Organized Bargaining Unit and Employed by the Borough of Matawan, Monmouth County, NJ. Mayor Altomonte requested a motion to introduce. Councilman Ross made the motion, seconded by Councilman Cannon. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Deana Gunn  
Councilman Brian Livesey  
Councilwoman Stephanie Buckel  
Councilman Brett Cannon  
Councilwoman Melanie S. Wang  
Councilman Charlie Ross

Motion passed.

**ORDINANCE 22-17  
AMENDING ORDINANCE 22-07**

***AN ORDINANCE TO FIX AND DETERMINE THE SALARIES AND WAGES OF OFFICERS, MANAGEMENT, SUPERVISORY PERSONNEL AND GENERAL EMPLOYEES NOT REPRESENTED BY AN ORGANIZED BARGAINING UNIT AND EMPLOYED BY THE BOROUGH OF MATAWAN, MONMOUTH COUNTY, NJ***

*Be it ordained by the Mayor and Council of the Borough of Matawan, in the County of Monmouth, NJ as follows:*

*Section 1. The annual salaries or compensations of the officers, management, supervisory personnel and general employees of the Borough of Matawan not covered by any organized bargaining unit, effective upon final passage and publication as provided by law, shall be as follows:*

<u>DEPARTMENT/TITLE</u>	<u>STATUS</u>	<u>PAYMENT CATEGORY</u>	<u>RANGE FROM</u>	<u>TO</u>
<u>Administration and Executive</u>				
Mayor	Elected	Annual	\$4,000.00	\$6,000.00
Council	Elected	Annual	\$3,000.00	\$5,000.00
Administrator Assistant	Full Time	Annual	\$30,000.00	\$60,000.00
Business Administrator	Full Time	Annual	\$48,000.00	\$175,000.00
Deputy Business Administrator	Part Time	Annual	\$10,000.00	\$25,000.00
Executive Assistant	Full Time	Annual	\$30,000.00	\$50,000.00
Borough Operations Coordinator	Full Time	Annual	\$45,000.00	\$75,000.00
Borough Clerk	Full Time	Annual	\$35,000.00	\$65,000.00

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<i>Deputy Borough Clerk</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$30,000.00</i>	<i>\$45,000.00</i>
<i>Clerical</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$30.00</i>
<i>Elections Clerk</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$1,000.00</i>	<i>\$4,000.00</i>
<i>Deputy Elections Clerk</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$200.00</i>	<i>\$600.00</i>
<i>Community Engagement Coordinator</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$28.00</i>	<i>\$50.00</i>
<i>Downtown Redevelopment Coordinator</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$10,000.00</i>	<i>\$20,000.00</i>
<i>Information Officer</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$28.00</i>	<i>\$50.00</i>
<i>Systems Coordinator</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$4,000.00</i>	<i>\$15,000.00</i>
<i>Registrar</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$3,000.00</i>	<i>\$5,000.00</i>
<i>Deputy Registrar</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$1,000.00</i>	<i>\$2,000.00</i>

**Construction, Inspections, Fire Prevention & Property Maintenance Offices**

<i>Construction Official/ Zoning Officer/Bldg Insp.</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$30,000.00</i>	<i>\$55,000.00</i>
<i>Plumbing Sub-Code Official or Plumbing Insp.</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$5,000.00</i>	<i>\$20,000.00</i>
<i>Electrical Sub-Code Official &amp; Electrical Insp.</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$5,000.00</i>	<i>\$15,000.00</i>
<i>Fire Prevention Official</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$10,000.00</i>	<i>\$42,000.00</i>
<i>Fire Prevention Inspector</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$5,000.00</i>	<i>\$15,000.00</i>
<i>Fire Prevention Inspector</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$20.00</i>	<i>\$30.00</i>
<i>Fire Prevention Official &amp; Inspector</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$10,000.00</i>	<i>\$42,000.00</i>
<i>Technical Assistant</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$30,000.00</i>	<i>\$65,000.00</i>
<i>Fire Prevention Office Assistant</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$30,000.00</i>	<i>\$65,000.00</i>
<i>Clerk/Typist Construction/Zoning/Fire Prev.</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$30,000.00</i>	<i>\$45,000.00</i>
<i>Property Maintenance Officer</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$5,000.00</i>	<i>\$20,000.00</i>

**Finance/Tax Offices**

<i>CFO/Treasurer</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$60,000.00</i>	<i>\$110,000.00</i>
<i>CFO</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$50.00</i>	<i>\$100.00</i>
<i>Tax Assessor</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$10,000.00</i>	<i>\$40,000.00</i>
<i>Revenue Collector/Assessing Clerk</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$30,000.00</i>	<i>\$45,000.00</i>
<i>Tax Collector</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$35,000.00</i>	<i>\$50,000.00</i>
<i>Tax Collector</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$20,000.00</i>	<i>\$40,000.00</i>
<i>Deputy Tax Collector</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$25,000.00</i>	<i>\$50,000.00</i>
<i>Supervisor/Payroll, Personnel &amp; Accounting Services</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$35,000.00</i>	<i>\$75,000.00</i>
<i>Bookkeeper/Staff Assistant</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$25,000.00</i>	<i>\$45,000.00</i>
<i>Bookkeeper/Qualified Purchasing Agent</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$40,000.00</i>	<i>\$60,000.00</i>
<i>Bookkeeper</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$30.00</i>

**Municipal Court**

<i>Magistrate</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$12,000.00</i>	<i>\$35,000.00</i>
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**Public Safety**

<i>Chief of Police</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$79,000.00</i>	<i>\$170,000.00</i>
<i>Captain of Police</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$79,000.00</i>	<i>\$155,500.00</i>
<i>Lieutenant of Police</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$69,000.00</i>	<i>\$150,000.00</i>
<i>Police Matron</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$30.00</i>
<i>School Crossing Guard (based on 10 Months)</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$7,500.00</i>	<i>\$12,000.00</i>
<i>School Crossing Guard</i>	<i>Part Time</i>	<i>Per Post</i>	<i>\$15.00</i>	<i>\$35.00</i>
<i>Substitute School Crossing Guard</i>	<i>Part Time</i>	<i>Per Post</i>	<i>\$23.00</i>	<i>\$35.00</i>
<i>Police Secretary</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$35.00</i>
<i>Police Secretary</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$30,000.00</i>	<i>\$45,000.00</i>

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<i>Police Records Clerk</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$30,000.00</i>	<i>\$50,000.00</i>
<i>Class Two Specials</i>	<i>Part-Time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$30.00</i>
<i>Class One Specials</i>	<i>Part-Time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$30.00</i>
<i>Emergency Management Coordinator</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$500.00</i>	<i>\$5,000.00</i>
<i>Emergency Management 1st Deputy Coordinator</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$500.00</i>	<i>\$3,000.00</i>
<i>Emergency Management 2nd Deputy Coordinator</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$500.00</i>	<i>\$3,000.00</i>
<i>Railroad Parking Enforcement Officer</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$25.00</i>
<i>OEM CERT Coordinator</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$500.00</i>	<i>\$800.00</i>

**Public Works**

<i>Superintendent</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$100,000.00</i>	<i>\$140,000.00</i>
<i>Deputy Superintendent</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$80,000.00</i>	<i>\$100,000.00</i>
<i>Recycling Coordinator</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$2,000.00</i>	<i>\$10,000.00</i>
<i>Clean Communities Coordinator</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$3,000.00</i>	<i>\$10,000.00</i>
<i>Water/Sewer Clerk</i>	<i>Part Time</i>	<i>Hourly</i>	<i>\$15.00</i>	<i>\$30.00</i>

**Recreation**

<i>Director</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$10,000.00</i>	<i>\$43,000.00</i>
<i>Summer Program Director</i>	<i>Seasonal/PT</i>	<i>Annual</i>	<i>\$1,700.00</i>	<i>\$6,000.00</i>
<i>Assistant Summer Program Director</i>	<i>Seasonal/PT</i>	<i>Annual</i>	<i>\$1,260.00</i>	<i>\$4,500.00</i>
<i>Canoe Renter-1<sup>st</sup> Year</i>	<i>Seasonal/PT</i>	<i>Hourly</i>	<i>\$10.00</i>	<i>\$20.00</i>
<i>Canoe Renter-2nd Year</i>	<i>Seasonal/PT</i>	<i>Hourly</i>	<i>\$10.00</i>	<i>\$20.00</i>
<i>Canoe Renter-Substitute</i>	<i>Seasonal/PT</i>	<i>Hourly</i>	<i>\$10.00</i>	<i>\$20.00</i>
<i>Apprentice Summer Counselors</i>	<i>Seasonal/PT</i>	<i>Hourly</i>	<i>\$10.00</i>	<i>\$15.00</i>
<i>Junior Summer Counselors</i>	<i>Seasonal/PT</i>	<i>Hourly</i>	<i>\$10.00</i>	<i>\$15.00</i>
<i>Senior Summer Counselors</i>	<i>Seasonal/PT</i>	<i>Hourly</i>	<i>\$10.00</i>	<i>\$15.00</i>

**Sewer**

<i>Licensed Wastewater Personnel</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$1,000.00</i>	<i>\$15,000.00</i>
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**Water**

<i>Fl Licensed Water Personnel</i>	<i>Part Time</i>	<i>Annual</i>	<i>\$1,000.00</i>	<i>\$15,000.00</i>
<i>Water Plant Operator</i>	<i>Full Time</i>	<i>Annual</i>	<i>\$50,000.00</i>	<i>\$140,000.00</i>

**Boards**

<i>Board, Commission and Agency Secretary</i>	<i>Part Time</i>	<i>Per Meeting</i>	<i>\$100.00</i>	<i>\$250.00</i>
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Section 2. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance shall be and the same are hereby repealed.

Section 3. 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.

Section 4. This ordinance shall take effect upon final passage and publication as provided by law.

The Clerk announced the Public Hearing is scheduled for 7:00 PM, on December 20.

**Borough of Matawan  
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Decembe 6, 2022**

Mayor Altomonte read by title Resolution 22-12-08: Authorizing the Transfer of Funds from Current and Utility Accounts in the 2022 Budget. Councilwoman Gunn made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 22-12-08  
AUTHORIZING THE TRANSFER OF FUNDS FROM  
CURRENT AND UTILITY ACCOUNTS IN THE 2022 BUDGET**

***WHEREAS**, NJSA 40A:4-58 provides for the transfers within certain appropriations within the Municipal Budget during the last two months of the fiscal year: and*

***WHEREAS**, the Chief Financial Officer has advised the Mayor and Council of the Borough of Matawan that the need for certain transfers within the 2022 Municipal Budget exists; and*

***WHEREAS**, it is recommended that these budget transfers be made.*

***NOW, THEREFORE, BE IT RESOLVED** that the following budget transfers be made in the 2022 Municipal Budget:*

<u>Transfer From:</u>		<u>Transfer To:</u>	
Account Number	Amount of Transfer	Account Number	Amount of Transfer
2-01-20-130-200	\$2,000.00	2-01-28-370-200	\$2,000.00
Finance		Recreation	
Other Expense		Other Expense	
2-01-20-130-200	\$4,000.00	2-01-20-100-100	\$4,000.00
Finance		Administration	
Other Expense		Salary & Wage	
2-01-27-330-200	\$700.00	2-01-36-477-200	\$700.00
Board of Health		DCRP	
Other Expense		Other Expense	

***BE IT FURTHER RESOLVED** that a certified copy of this resolution be provided to the Chief Financial Officer of the Borough of Matawan for the permanent records.*

Mayor Altomonte read by title Resolution 22-12-09: Payment of Bills. Councilman Livesey made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 22-12-09  
PAYMENT OF BILLS**

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

<i>Current</i>	<i>\$2,127,635.41</i>
<i>Water/Sewer</i>	<i>\$148,997.37</i>
<i>Borough Capital</i>	<i>\$65,217.05</i>
<i>Water Capital</i>	<i>\$52,818.94</i>
<i>Grant</i>	<i>\$2,386.42</i>
<i>Borough Trust</i>	<i>\$12,812.21</i>
<i>Dog Tax Trust</i>	<i>\$357.00</i>
<i>Recreation Trust</i>	<i>\$11,111.79</i>
<b>Total</b>	<b>\$2,421,336.19</b>

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

**Privilege of the Floor**

Mayor Altomonte opened the Privilege of the Floor.

Martin LiPera, 61 New Brunswick Avenue, Matawan. Mr. Lipera requested the date and time for the public meeting and hearing for Ordinance 22-16. The Clerk reiterated the announcement of the public hearing scheduled for 7:00 PM on December 20 with the introduced Ordinance to be published in the *Asbury Park Press* and posted on the Borough's website. Councilman Cannon informed Mr. LiPera to reach out to him, as the Borough's Fire Department Council Liaison, with any questions.

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

**Recess to Executive Session**

Mr. Menna informed Council can recess to Executive Session to discuss personnel. Council will reconvene the Public Session immediately thereafter for further action. Mayor Altomonte requested a motion to recess to Executive Session. Councilman Ross made the motion, seconded by Councilman Cannon. Mayor Altomonte requested a roll call vote. A roll call vote was taken.

Yes: Councilwoman Deana Gunn  
Councilman Brian Livesey  
Councilwoman Stephanie Buckel  
Councilman Brett Cannon



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Councilwoman Melanie S. Wang  
Councilman Charlie Ross

Motion passed.

The Public Session recessed at 8:58 PM.

The Public Session reconvened at 9:42 PM with the full Governing Body and the Borough Attorney present.

Mayor Altomonte read by title Resolution 22-12-07: Borough of Matawan, Monmouth County Removal of Borough Administrator of the Borough of Matawan Pursuant to the Provisions of NJSA 40A:9-138. Councilman Livesey made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a roll call vote. A roll call vote was taken.

Yes: Councilwoman Deana Gunn  
Councilman Brian Livesey  
Councilwoman Stephanie Buckel  
Councilman Brett Cannon

No: Councilman Charlie Ross

Abstain: Councilwoman Melanie S. Wang

**RESOLUTION 22-12-07  
BOROUGH OF MATAWAN, MONMOUTH COUNTY  
REMOVAL OF THE BOROUGH ADMINISTRATOR  
OF THE BOROUGH OF MATAWAN PURSUANT TO THE  
PROVISIONS OF N.J.S.A. 40A:9-138**

**WHEREAS**, D. Scott Carew, was appointed Borough Administrator of the Borough of Matawan on June 3, 2020 by Resolution No. 20-06-10; and

**WHEREAS**, it is the wish of the Council to remove the Administrator of the Borough of Matawan pursuant to the provisions of N.J.S.A. 40A:9-138.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Matawan that D. Scott Carew is removed as Borough Administrator effective upon the passage of the within Resolution.

**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 as well as D. Scott Carew.

**Borough of Matawan  
Workshop Session  
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**Adjourn**

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

Meeting adjourned at 9:45 PM.

(Signature on file)

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Karen Wynne, RMC  
Municipal Clerk