

**Borough of Matawan  
Public Session  
February 21, 2023**

**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 February 21, 2023, 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 6, 2023, by sending notice to the *Star Ledger*, 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 7:02 PM, requesting a roll call.

On roll call the following members responded present:

Yes: Councilwoman Deana Gunn  
Councilman Steven Russell  
Councilwoman Stephanie Buckel  
Councilman Brian Livesey  
Councilman Charles Ross

Absent: Councilwoman Melanie S. Wang

Also present were Thomas J. Falco, Jr., Acting 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. Councilwoman Gunn made the motion, seconded by Councilwoman Buckel. Council agreed. Motion passed.

**Approval of Minutes**

Mayor Altomonte requested a motion to approve the minutes of the November 14, 2022 Council Meeting. Councilwoman Gunn made a motion, seconded by Councilwoman Buckel. Councilmen Russel and Livesey both abstained. Council agreed. Motion passed.

Mayor Altomonte requested a motion to approve the minutes of the December 6, 2022 Council Meeting. Councilwoman Gunn made a motion, seconded by Councilwoman Buckel. Councilman Russell abstained. Council agreed. Motion passed.

**Clerk's Report**

No report.

**Mayor's Report**

No report.

**Administrator's Report**

Chief Falco reported on the following:

**Borough of Matawan  
Public Session  
February 21, 2023**

- Conducted a Department Head Meeting on 2/14/23 to keep all the department heads abreast of current issues and objectives within the Borough and to continue working toward the goals and objectives of the Borough as we transition to a new Borough Administrator.
- Assisted with the scheduling and preparation for the candidate interviews for Borough Administrator. Five candidates, as selected by the mayor, were interviewed.
- Worked with the DPW Superintendent, the DPW Union Shop Steward and Borough Attorney to establish criteria and complete the selection process for Assistant Forman positions within the Department of Public Works. Both are on tonight's agenda.
- Preparation of tonight's meeting agenda with the Deputy Clerk, as directed by the mayor, including the introduction of two new ordinances regarding parking and two amended ordinances regarding the composition and structure of the Police Department, as well as the interview process for promotions.
- Coordinated the response to a few Code Enforcement complaints on Broad Street and Center Avenue, personally visiting and speaking with a resident regarding an on-going complaint.
- Participated in several meetings related to the proposed cannabis retail establishments within the Borough, something I will continue to assist with moving forward, in my roles as Chief of Police, as needed by the Special Counsel.

Chief Falco concluded by thanking the Governing Body for having the confidence in him to serve as the Interim Borough Administrator in the hope that he was able to bridge the gap between the former and incoming Administrators and was responsive to the needs of the Governing Body, Department Heads and employees as well as the residents.

**Attorney's Report**

No report but Mr. Menna thanked the Interim Administrator for taking on the role, explaining the intricacies and demands of the position, noting Chief Falco is a consummate professional.

**Engineer's Report**

Mr. Keady provided status on the following Projects:

- 2022 Road Program
  - a. Waiting for the contractor to receive a permit from NJ DOT, to work on the sanitary sewer within Route 34. Once they receive the permit, they will complete that and begin the design.
  - b. Water main and sanitary sewer services have been completed along Cedar Street, Oak Street, and the dead-end portion of Johnson Avenue. The concrete and paving work are the only items that remain for each roadway.
  - c. The police parking lot expansion area is curbed and base-course paved. The fencing and dumpster area have been completed and all that remains is the lighting, the gate, the concrete, drainage, and a final paving.
  - d. Concrete work for all should begin in March, with paving occurring in April.
- The Spring Street sewer viaduct project remains in design. They are working on the support details as well as the repairs within the water.
- The water plant well testing: The contractor expects it to commence in the next few weeks and a confirmation should be received by the end of the week.
- The sanitary sewer water meters were installed in the manholes and they should be in place within four-to-six weeks, depending on the number of storm events occur in the area.

**Borough of Matawan  
Public Session  
February 21, 2023**

**EBD, Planning & Zoning, Police**

Councilwoman Gunn reported in coordination with the Chamber of Commerce, the Economic Business Development Committee looks to schedule Matawan Day on October 7, with a rain date of October 8. As this is the holiday weekend, she asked that any concerns be brought to her attention. The Chief of Police spoke to the EBD about a program the Monmouth County Prosecutor's office is overseeing called Safe Place and she described what that program entails. This program will help to provide the community with a safer place to live. The EBD is working on a brochure to promote businesses to open within the Borough. May 24 will be the Blues 'n Cruise event, the Memorial Day Parade on May 29, and the 300<sup>th</sup> Anniversary of Burrowes Mansion events occurring during June 2-4. She wanted to make sure businesses and residents are aware these events are occurring and any street closures that will coincide with them. The Police Committee conducted interviews for the two open sergeant positions that need to be filled due to retirements within the Department. The promotional process should be completed sometime in March. Broad Street, a County road, has now become a 25 MPH roadway with the new signage installed by the County. A referendum will be placed on the November General Election ballot to allow a Class III officer placed within the schools. The Patrol Divisions responded to 766 calls for service, YTD. Councilwoman Gunn thanked Chief Falco for his continuing commitment and service to the Borough especially during his time as Interim Borough Administrator.

**Historic Sites & Personnel**

Councilman Russell explained Resolution 23-02-23 stating after a long process the Governing Body was ready to appoint Ryan Michelson as the new Borough Administrator. The Historic Sites Committee is working on applying for a grant from the New Jersey Historic Trust and he has been working with the Committee President and Borough CFO on the 2023 budget. The Committee is investigating refurbishing the historical markers in town as well as having markers installed by the Daughters of the American Revolution. Lastly, the Committee is advertising for the position of recording secretary for their monthly meetings as well as working on the events for the 300<sup>th</sup> Anniversary of Burrowes Mansion.

**Recreation, Recycling & Sanitation**

Councilwoman Buckel reported that the 2023 Recycling calendar went to print so residents should be receiving them the first week in March. The Recreation Department will be posting a 'Save the Date' calendar for all 2023 events scheduled thus far. April 1 is our Annual Easter Egg Hunt, May 6 will be the Townwide Yard Sale, and May 29 will be the Memorial Day Parade. The Recreation Commission has scheduled a Philip Freneau presentation, to be held on May 31, in honor of the 300<sup>th</sup> Anniversary of Burrowes Mansion. The Matawan Fishing Derby will be held on June 3, coordinated with Washington Engine Fire Company, and the Matawan Fireworks Display is scheduled for July 2, with a rain date of July 8. The senior exercise classes have been well attended, which are free for residents (with non-residents paying a slight fee to take the classes). She explained that the fees paid by non-residents go towards the cost of the classes and may also be used to expand the senior program. Registration for summer camp will begin April 29 and the camp will be extended an additional week, going from a 5-week program to a 6-week program, with the fees remaining the same as last year. All information can also be found on Recreation's Facebook page. Lastly, Recreation is working on scheduling a Farmers Market at the Borough's NJT parking lot on Fridays, possibly beginning this spring.

**DPW, Fire Department, Shade Tree**

Councilman Livesey reported the Shade Tree Committee met with an individual who reviewed their proposal for the Borough's tree inventory which will help the Borough manage them and helps with liability. Having this in place will enable the Borough to apply for larger grants from the State in the future. On February 26, the Fire Department plans to conduct ice rescue training at Lake Lefferts. With the weather being as it is, there may not be any ice so they will then conduct water rescue training. Councilman Livesey read a letter from Washington Engine requesting Borough approval and to invite the Governing Body to their annual Shortest St. Patrick's Day Parade, on March 10. Council agreed.

**Borough of Matawan  
Public Session  
February 21, 2023**

The DPW has been working on the renovations for the cafeteria. They are hoping to have work completed by March 5. Lastly, he explained Resolutions 23-02-21, 23-02-22, and 23-02-24, asking for Council support for when they come up for a vote.

**ADA, Animal Welfare Advisory, Property Maintenance**

No report.

**Construction, Environmental, Finance**

Councilman Ross said that the Borough's fees received for construction was \$31K, for January. He asked that everyone submit their 2023 budgets to the CFO, if they have not been handed in yet.

**Consent Agenda**

Mayor Altomonte read by title Resolutions 23-02-18 through and including 23-02-20, requesting a motion to approve en masse. Councilwoman Gunn made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 23-02-18  
AUTHORIZING THE TRANSFER OF A  
2014 FORD POLICE INTERCEPTOR UTILITY (EXPLORER) FROM THE  
BOROUGH OF MATAWAN POLICE DEPARTMENT TO THE BOROUGH OF MATAWAN VOLUNTEER FIRE  
DEPARTMENT**

*WHEREAS, the Chief of the Borough of Matawan Police Department has advised the Mayor and Council via the Police Committee that a 2014 Ford Police Interceptor Utility vehicle is no longer needed by the Matawan Police Department; and*

*WHEREAS, the Chief of the Matawan Borough Volunteer Fire Department has requested the use of the vehicle to replace outdated existing vehicles that will be sold via Municibid and;*

*WHEREAS, the vehicle, a 2014 Ford Police Interceptor Utility (Explorer), VIN #1FM5K8AR0EGB964 77, has exceeded its useful life to serve as a police vehicle;*

*NOW, THEREFORE, BE IT RESOLVED, the Council of the Borough of Matawan, acting under the recommendation and opinions of the Interim Business Administrator and the Chief of the Borough of Matawan Police Department, at the request of the Chief of the Matawan Borough Volunteer Fire Department, hereby authorize the transfer of the above referenced vehicle from the Police Department to the Fire Department.*

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

**RESOLUTION 23-02-19  
AUTHORIZING THE DONATION OF PERSONAL PROPERTY OF TWO (2) 1987 AG WAGONS  
(HUMVEES) FROM THE BOROUGH OF MATAWAN POLICE DEPARTMENT TO THE  
BOROUGH OF UNION BEACH, NJ POLICE DEPARTMENT PURSUANT TO NJSA 40A:11-36(2)**

*WHEREAS, NJSA 40A:11-36(2) provides that when the Governing Body of any local government unit determines that personal property owned by that unit is no longer needed for its purposes and has no public or useful need or value to the Borough, it may authorize, by Resolution, a conveyance of that personal property pursuant to NJSA 40A:11-36(2); and*

*WHEREAS, the Chief of Police of the Borough of Matawan Police Department has notified the Mayor and Council of the Borough of Matawan via the Police Committee, that two (2) 1987 AG Wagons (Humvees), initially obtained from the U.S. Government via the LESO Program, are no longer used by the Borough of Matawan Police Department and their value is such that both vehicles can be used by other agencies, particularly those with re-occurring flooding and evacuation issues and;*

*WHEREAS, the Borough of Matawan Police Department wishes to donate the following vehicles: 1987 AG Wagon, Model M99, VIN 1 032796, 1987 AG Wagon, Model N99, VIN 1 057594, to the Borough of Union Beach, NJ Police Department; and*

*WHEREAS, in return for the donation of the above referenced vehicles, the Borough of Union Beach Police Department will donate one (1) GEM or similar make/model low speed vehicle to the Borough of Matawan Police Department with said vehicle being selected with the approval of both Chiefs of Police.*

**Borough of Matawan  
Public Session  
February 21, 2023**

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Matawan, on behalf of the Borough of Matawan Police Department, hereby authorizes the donation of personal property of two (2) 1987 AG Wagons (Humvees) from the Borough of Matawan to the Borough of Union Beach, NJ, subject to all terms and conditions as outlined herein.

**BE IT FURTHER RESOLVED**, by the Council of the Borough of Matawan that the Borough Administrator be and is hereby authorized as signatory on behalf of the Borough of Matawan to execute any and all documents that will effectuate this donation and acceptance.

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

**RESOLUTION 23-02-20  
RESOLUTION OF THE BOROUGH OF MATAWAN, MONMOUTH COUNTY  
AUTHORIZING SUSPENSION OF PART OF THE PROVISIONS OF ORDINANCE 9-26.4c3(a)  
FOR APPOINTMENT OF POLICE DEPARTMENT SERGEANTS**

**WHEREAS**, Ordinance 9-26.4c3(a) provides that promotions to the rank of Sergeant in the Matawan Police Department may only be made after a series of processes and after an interview by the entire Mayor and Council of eligible candidates to fill the position of Sergeant prior to any appointment to the rank; and

**WHEREAS**, there are vacancies in the administrative structure of the Police Department to fill two positions for Sergeant; and

**WHEREAS**, qualified candidates have been administratively processed and have fulfilled the eligibility criteria for appointment and been approved by the Chief of Police; and

**WHEREAS**, only two qualified candidates have been recommended for appointment after completing the administrative process and there are only two vacancies in the organizational structure for Sergeant positions

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council that the provisions of Ordinance 9-26.4c3(a) be suspended for the within consideration of promotion since there are only two candidates for two positions and that an interview be delegated to the Police Committee of the Council if requested; and further that the recommendations of the Chief of Police may be posted for acceptance of Council without the necessity of the Ordinance requirement of Council interview.

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

**New Business**

Mayor Altomonte read by title Resolution 23-02-21: Authorizing the Promotion to Full-Time Assistant Forman – Adam Castaneda. Mayor Altomonte requested a motion. Councilman Ross made the motion, seconded by Councilwoman Gunn. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 23-02-21  
AUTHORIZING THE PROMOTION TO FULL-TIME ASSISTANT FORMAN  
ADAM CASTANEDA**

**WHEREAS**, the Mayor and Council has been advised that there is a need for a full-time Assistant Forman within the Borough of Matawan; and

**WHEREAS**, the position was posted internally and applications were received and reviewed, and applicants were duly screened pursuant to law.

**WHEREAS**, Adam Castaneda, is qualified for the position to fill this need in the Borough of Matawan.

**NOW, THEREFORE, BE IT RESOLVED** said appointment shall take effect March 1, 2023, with an annual gross base salary increase of \$1,500.00.

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

**Borough of Matawan  
Public Session  
February 21, 2023**

**CERTIFICATION AS TO AVAILABLE FUNDING**

*I, Nicole Horvath, Chief Financial Officer of the Borough of Matawan, County of Monmouth, State of New Jersey, do hereby certify that as of the date of this certification, funds are available from the 3-01-20-100-80 Budget (Salary & Wages) of the Borough of Matawan.*

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

*Chief Financial Officer*

*(Signature on file)*

\_\_\_\_\_  
*Nicole Horvath, CMFO*

*Dated: February 21, 2023*

Mayor Altomonte read by title Resolution 23-02-22: Authorizing the Promotion to Full-Time Assistant Forman – Frank Reinhold. Mayor Altomonte requested a motion. Councilman Ross made the motion, seconded by Councilwoman Gunn. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 23-02-22  
AUTHORIZING THE PROMOTION TO FULL-TIME ASSISTANT FORMAN  
FRANK REINHOLD**

**WHEREAS**, the Mayor and Council has been advised that there is a need for a full-time Assistant Forman within the Borough of Matawan; and

**WHEREAS**, the position was posted internally and applications were received and reviewed, and applicants were duly screened pursuant to law.

**WHEREAS**, Frank Reinhold, is qualified for the position to fill this need in the Borough of Matawan Department of Public Works.

**NOW, THEREFORE, BE IT RESOLVED** said appointment shall take effect March 1, 2023, with an annual gross base salary increase of \$1,500.00.

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

**CERTIFICATION AS TO AVAILABLE FUNDING**

*I, Nicole Horvath, Chief Financial Officer of the Borough of Matawan, County of Monmouth, State of New Jersey, do hereby certify that as of the date of this certification, funds are available from the 3-01-20-100-80 Budget (Salary & Wages) of the Borough of Matawan.*

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

*Chief Financial Officer*

*(Signature on file)*

\_\_\_\_\_  
*Nicole Horvath, CMFO*

*Dated: February 21, 2023*

Mayor Altomonte read by title Resolution 23-02-23: Authorizing Execution of Employment Agreement Between the Borough of Matawan and Borough Administrator Ryan L. Michelson. Mayor Altomonte requested a motion. Councilman Russell made the motion, seconded by Councilwoman Gunn. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 23-02-23  
AUTHORIZING EXECUTION OF EMPLOYMENT AGREEMENT BETWEEN  
THE BOROUGH OF MATAWAN AND  
BOROUGH ADMINISTRATOR RYAN L. MICHELSON**

**Borough of Matawan  
Public Session  
February 21, 2023**

*WHEREAS, Ryan L. Michelson is well qualified to assume the duties of Business Administrator for the Borough of Matawan and possesses the requisite educational, professional training, and past experience to undertake the duties and obligations as Business Administrator for the Borough; and*

*WHEREAS, the Mayor and Council herewith approves the attached Terms and Conditions for Ryan L. Michelson in his position as Borough Administrator;*

*NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Matawan that pursuant to N.J.S.A. 40A:9-136 and 137, Ryan L. Michelson is the Borough Administrator, said term of service at the pleasure of the Governing Body.*

*BE IT FURTHER RESOLVED, Ryan L. Michelson shall receive a salary and benefits per attached agreement to perform all duties required of the position of Borough Administrator.*

*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, Payroll as well as Ryan L. Michelson.*

**CERTIFICATION AS TO AVAILABLE FUNDING**

*I, Nicole Horvath, Chief Financial Officer of the Borough of Matawan do hereby certify that as of the date of this certification funds are available from the 3-01-20-100-100 Budget (Salary & Wages) of the Borough of Matawan.*

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

*Chief Financial Officer*

*(Signature on file)*

\_\_\_\_\_  
*Nicole Horvath, CMFO*

*Dated: February 21, 2023*

**Employment Agreement  
between  
the Borough of Matawan  
and  
RYAN L. MICHELSON**

**Introduction**

This Agreement is made and entered into on this \_\_\_\_ day of \_\_\_\_\_ 2023 by and between the Borough of Matawan, a municipal corporation, (hereinafter called "Employer") and Ryan L. Michelson, hereinafter called "Employee"), both of whom agree as follows:

**Section 1: Term**

This agreement shall remain in full force and effect from February 21, 2023 to December 31, 2024 or until terminated by Employer or Employee as provided in Section 9, 10 or 11 of this Agreement.

The Borough hereby retains and reserves unto itself all powers, rights, authority, duties, and responsibilities conferred upon and vested in it prior to the signing of this agreement by the laws and Constitution of the State of New Jersey and of the United States, except those limited by the specific and express terms of this Agreement, and then only to the extent that such specific and express terms hereof are in conformance with the Constitution and the laws of New Jersey and of the United States.

**Section 2: Duties and Authorities**

Employer agrees to employ Ryan L. Michelson as Borough Administrator to perform the functions and duties specified in the Ordinances of the Borough of Matawan and to perform such other legally permissible and proper duties and functions as authorized and directed by Matawan Borough Council and N.J.S.A. 40A:9-136.

Pursuant to state law, the Ordinances of the Borough and the regulations and policies established by the office of the Mayor, the responsibilities of the appointed Borough Administrator shall include the

**Borough of Matawan  
Public Session  
February 21, 2023**

responsibility to:

- 1) Conduct and manage the day-to-day operations of the Borough of Matawan;
- 2) Administer and enforce rules, regulations and special emergency directives regarding the disposition and discipline of the employees of the Borough of Matawan and its personnel;
- 3) Delegate such of his authority as he may deem necessary for the efficient operation of the Borough's employees to be exercised under his direction and supervision;
- 4) Prescribe the duties and assignments of all subordinates and other personnel; and
- 5) Report at least weekly to the Mayor, or the Mayor's designee in such other form as the Borough shall require, as to the operation of the Borough and its employees during the preceding week.
- 6) Attend and be present at all Regular, Workshop and Special Meetings of the Mayor and Council unless otherwise excused by the Mayor.

**Section 3: Compensation**

A. Base Salary: Employer agrees to pay Employee an annual base salary of \$145,000.00 per annum ( \$12,083.33/month) for calendar year 2023, payable in installments in accordance with the Employer's usual payroll schedule. The Employee's compensation for 2023 based on the salary shall be prorated from the date of employment. Employee shall be accorded annual review and increase in his base salary consistent with the annual percentage raise accorded by the Employer to non union and non tenured employees of the Borough of Matawan.

B. This Agreement shall be automatically amended to reflect any salary adjustments that are authorized by Resolution of the Matawan Borough Council.

**Section 4: Health, Disability and Life Insurance Benefits**

A. The Employer agrees to provide health, hospitalization, surgical, vision, dental and comprehensive medical insurance benefits for the Employee and his legal dependents equal to that which is provided to all other non-collective bargaining unit employees of the Borough of Matawan.

B. The Employer agrees to provide and to make the required premium payments for long-term disability coverage for the Employee in the same fashion as all other non-collective bargaining Borough employees.

C. Employee is automatically entitled to any other standard benefits available to non-collective bargaining unit employees of the Borough as may now exist or be made available during the term of this contract.

**Section 5: Vacation and Sick Leave**

A. The Employee shall be credited with 15 days of vacation per calendar year, which will be prorated for year 2023.

B. The Employee is entitled to accrue all unused sick and vacation leave, in accordance with personnel policies for non-collective-bargaining employees in effect at the time of employment, except in the event that the Employee's employment is terminated, either voluntarily or involuntarily, the Employee shall be compensated for all accrued leave as provided for in section 10. The Employee may use said sick and vacation leave, at his choice, to care for family members with health issues pursuant to the provisions of the Family Leave Act.

C. Employee is automatically entitled to any other standard leave available to non-bargaining-unit employees of the Borough as may now exist or be made available during the term of this contract.

**Section 6: Retirement**

A. The Employer agrees to enroll the Employee in the Public Employee's Retirement System (PERS) of the State of New Jersey and to make all the appropriate employer contributions on the Employee's



**Borough of Matawan  
Public Session  
February 21, 2023**

behalf from the date of employment.

**Section 7: General Business Expenses**

A. Employer agrees to pay for travel and subsistence expenses of Employee for professional and official travel, meetings, and occasioned only as authorized by prior approval of the Governing Body.

B. The Borough Administrator shall be permitted to attend and be compensated for, at his regular salary, any school, seminar or retraining session conducted or sponsored by the State of New Jersey Division of Local Government Services, professional association or group of Municipal Business Administrators, or any other education program or a management or supervisory nature of the same type. All expenses, such as travel, room, food, tuition, special clothing, books, or any other charges connected with the educational program shall be borne by the Borough as long as the charges have been previously approved by the Mayor.

C. The Borough agrees to grant time off, including travel time, and pay all associated and reasonable expenses for the Borough Administrator to attend the annual New Jersey League of Municipalities Convention.

D. The Borough agrees to grant time off and pay all expenses incurred by the Borough Administrator in attending any meeting of the above-named associates, as long as such meetings are held within the State of New Jersey.

E. The employee shall be provided with a Borough vehicle to attend meetings and other events while employee is on duty which is a vehicle that is in the possession of the Borough of Matawan, which may be a used vehicle owned by the Borough.

F. The employee shall be provided with a Borough issued cell phone and number assigned for his use which shall be paid by the Employer.

**Section 8: Termination**

For the purpose of this agreement, termination shall occur if:

A. Two-thirds (2/3) of the Governing Body votes to terminate the Employee at a duly authorized public meeting after proceedings held in accordance with N.J.S.A. 40A:9-138.

B. The Employer, citizens or state legislature acts to amend any provision of the Charter of the Borough of Matawan or Matawan Codified Ordinances pertaining to the role, powers, duties, authority or responsibilities of the Employee's position that substantially changes the administrative organization of the Borough Government and eliminates the position of Borough Administrator.

C. The Employer reduces the base salary, compensation or any other financial benefit of the Employee, unless it is applied in no greater percentage than the average reduction of all department heads.

D. The Employee resigns following a request to resign made by a representative of or representatives of the majority of the Borough Council.

**Section 9: Severance**

If the Employee is terminated, as set forth in Subsections A, B, C, or D of Section #8 above, the Employer shall provide payment to the Employee as set forth in N.J.S.A. 40A:9-138. This payment shall be paid over the normal course of pay cycles.

The Employee shall also be compensated for accrued earned sick leave, vacation time, and all paid holidays as allowed in the Borough Personnel Policies at the time of employment up to the date of adoption of the Resolution of Termination.

For a period of three months following the date of the adoption of the Resolution of Termination, or until such time as equivalent benefits are available through a new employer, whichever comes first, the Employer shall pay the costs to continue the following benefits:

1. Health insurance for the employee and all dependents as provided in Section 4A;

**Borough of Matawan  
Public Session  
February 21, 2023**

If the Employee is terminated because of a conviction of a felony, then the Employer is not obligated to pay severance or any other benefits under this section or pursuant to the Policy and Procedures Manual of the Borough of Matawan.

**Section 10: Resignation**

In the event that the Employee voluntarily resigns his position with the Employer, the Employee shall provide the Employer with not less than 30 days advance written notice of his resignation, unless the parties agree otherwise. The employer will have no obligation for the payment of severance or any other benefits of any type upon a resignation. The Employee shall be eligible and shall be paid any accumulated sick and vacation time.

**Section 11: Performance Evaluation**

Employer, through the Personnel Committee of the Borough Council, shall annually review the performance of the Employee. The evaluation process, at a minimum, shall include the opportunity for both parties to: (1) prepare a written evaluation, (2) meet and discuss the evaluation, and (3) present a written summary of the evaluation results. The final written evaluation should be completed and delivered to the Employee within 30 days of the evaluation meeting.

**Section 12: Hours of Work**

It is expected that the Employee will typically work during normal Borough Hall office hours. However, it is recognized that the Employee must devote a great deal of time outside those normal office hours on business for the Employer. Accordingly, and to that end, Employee may establish his own work schedule, subject to reasonable direction by Employer. Employee is not eligible for overtime or paid or accrued compensatory hours. The Borough Administrator shall spend sufficient time at his or her job to insure the smooth and responsible operation of the Borough of Matawan, over which (s)he has supervisory control. The Borough Administrator shall work at least thirty-five (35) hours per week.

**Section 13: Outside Activities**

The employment provided for by this Agreement shall be the Employee's sole employment. Recognizing that certain outside consulting or teaching opportunities provide indirect benefits to the Employer and the community, the Employee may elect to accept and receive compensation for limited teaching, consulting or other business opportunities as long as such arrangements do not interfere with or cause a conflict of interest with Employee's responsibilities pursuant to this Agreement, and as long as those activities are disclosed in a written form, which can be by email to the Governing Body transmitted to the Municipal Clerk.

**Section 14: Indemnification**

Employer shall defend, save harmless and indemnify Employee against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of and arising out of the course and scope of Employee's duties as Borough Administrator, or resulting from the exercise of judgment or discretion in connection with the performance of the duties or responsibilities of the Borough Administrator, unless the act or omission involved willful or wanton conduct. Legal representation, provided by Employer for Employee, shall extend until a final determination of the legal action, including any appeals brought by either party. The Employer shall indemnify Employee against any and all losses, damages, judgments, interest, settlements, fines, court costs, and other reasonable costs and expenses of legal proceedings, including attorney's fees and any other liabilities incurred by, imposed upon, or suffered by such Employee in connection with or resolution from any claim, action, suit, or proceeding, actual or threatened, arising out of or in connection with the performance of his duties and occurring with the course and scope of his employment. Any settlement of any claim must be made with prior approval of the Employer in order for indemnification, as provided in this Section, to be available.

Employer agrees to pay Employee's reasonable litigation expenses, including travel expense, throughout the pendency of any litigation to which the Employee is a party or witness. Such expense payments shall continue beyond Employee's service to the Employer as long as the litigation is pending.

**Borough of Matawan  
Public Session  
February 21, 2023**

**Section 15: Bonding**

Employer shall bear the full cost of any fidelity of other bonds required of the Employee under any law or ordinance, and professional liability insurance.

**Section 16: Other Terms and Conditions of Employment**

The Employer, upon agreement with Employee, may provide for such other terms and conditions of employment as it may determine from time to time relating to the performance and duties of the Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the Charter of the Borough of Matawan, or applicable law.

**Section 17: Notices**

Notice pursuant to this Agreement shall be given by depositing in the custody of the United States Postal Service, postage prepaid, addressed as follows:

**EMPLOYER:**

Borough of Matawan  
c/o Borough Clerk

201 Broad Street  
Matawan, NJ 07747

**EMPLOYEE:**

Ryan L. Michelson  
27 Fleetwood Drive

Woodbridge, NJ 07095

Alternatively, notice required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as the date of deposit of such written notice in the course of transmission in the United States Postal Service.

**Section 18: General Provisions**

A. Integration. This Agreement sets forth and establishes the entire understanding between the Employer and the Employee relating to the employment of the Employee by the Employer. Any

**Borough of Matawan  
Public Session  
February 21, 2023**

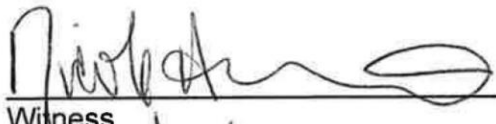
prior discussions or representations by or between the parties are merged into and rendered null and void by this Agreement. The parties by mutual written agreement may amend any provision of this Agreement during the life of the Agreement. Such amendments shall be incorporated and made a part of this Agreement.

B. Binding Effect. This Agreement shall be binding on the Employer and the Employee, as well as their heirs, assigns, executors, personal representatives and successors in interest.

C. Effective Date. This Agreement shall become effective on February 27, 2023.

D. Severability. The invalidity of any portion of this Agreement will not affect the validity of any other provision. In the event that any provision of this Agreement is held to be invalid, the remaining provisions shall be deemed to be in full force and effect as if they have been executed by both parties.

Adopted and approved by the Matawan Borough Council on this 21<sup>st</sup> day of February, 2023.




Witness

Date: 2/21/23



Ryan L. Michelson

Date: 2/21/23



Witness

Date: 2/21/23



Mayor Joseph Altomonte

Date: 2/21/23

Approved as to Form



Pasquale Menna, Esq. Borough Attorney  
February 16, 2023

**Borough of Matawan  
Public Session  
February 21, 2023**

Mayor Altomonte read by title Resolution 23-02-24: Authorizing the Hiring of Full-Time Field Technician with the Borough of Matawan Department of Public Works – Zachary Gazire. Mayor Altomonte requested a motion. Councilman Ross made the motion, seconded by Councilman Livesey. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 23-02-24  
AUTHORIZING THE HIRING OF FULL-TIME FIELD TECHNICIAN WITH THE  
BOROUGH OF MATAWAN DEPARTMENT OF PUBLIC WORKS  
ZACHARY GAZIRE**

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

*NOW, THEREFORE, BE IT RESOLVED* by the Council of the Borough of Matawan authorizes the hiring of Zachary Gazire as a full-time Field Technician for the Department of Public Works (Roads/Water Sewer), effective March 1, 2023, at salary of Forty-Five Thousand, Seventy-Two Dollars and Thirty-Four Cents (\$45,072.34) per annum, pursuant to the provisions of the Contract between the Borough of Matawan and the International Brotherhood of Electrical Workers (IBEW) Local 400 dated January 1, 2020 through December 31, 2022.

*BE IT FURTHER RESOLVED* said employment is contingent upon pending favorable outcome of his physical and background examination, and completion of probationary period.

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

**CERTIFICATION AS TO AVAILABLE FUNDING**

*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 3-01-26-290-100 Budget of the Borough of Matawan to Zachary Gazire in an amount not to exceed Forty-Five Thousand, Seventy-Two Dollars and Thirty-Four Cents (\$45,072.34).*

*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)*

*Nicole Horvath, CMFO*

*Dated: February 16, 2023*

Mayor Altomonte read by title Resolution 23-02-25: Authorizing T&M Associates to Provide Professional Services for the Borough of Matawan Stormwater Pollution Prevention Plan Update – 2023 MS4 Permit Requirements. Mayor Altomonte requested a motion. Councilwoman Gunn made the motion, seconded by Councilman Russell. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 23-02-25  
AUTHORIZING T&M ASSOCIATES TO PROVIDE PROFESSIONAL SERVICES FOR  
THE BOROUGH OF MATAWAN STORMWATER POLLUTION PREVENTION PLAN UPDATE  
2023 MS4 PERMIT REQUIREMENTS**

*WHEREAS, the Mayor and Council of the Borough of Matawan received an estimate from T&M Associates for professional services to update the Borough of Matawan Stormwater Pollution Prevention Plan (SPPP); and*

*WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires the update as part of the Stormwater Discharge Master General Permit renewal process; and*

*WHEREAS, Robert Keady of T&M Associates, Borough Engineer, has submitted the attached scope of fees and services for the SPPP update in an amount not to exceed Six Thousand Five Hundred Dollars and No Cents (\$6,500.00).*

*NOW, THEREFORE, BE IT RESOLVED* the Council of the Borough of Matawan does hereby award the contract for professional services to T&M Associates for professional services to update the Borough of Matawan Stormwater Pollution Prevention Plan as outlined in the attached scope of fees and services in an amount not to exceed Six Thousand Five Hundred Dollars and No Cents (\$6,500.00).

**Borough of Matawan  
Public Session  
February 21, 2023**

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

**CERTIFICATION AS TO AVAILABLE FUNDING**

I, Nicole Horvath, Chief Financial Officer of the Borough of Matawan do hereby certify that as of the date of this certification funds are available from the 3-01-20-165-200 Budget of the Borough of Matawan to T&M Associates for professional services to update the Borough of Matawan Stormwater Pollution Prevention Plan in an amount not to exceed Six Thousand Five Hundred Dollars and No Cents (\$6,500.00).

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)

\_\_\_\_\_  
Nicole Horvath, CMFO

Dated: February 21, 2023

Mayor Altomonte read by title Ordinance 23-02: Amending and Supplementing the Revised General Ordinances of the Borough of Matawan – Chapter VII – Traffic, Section 7-15 Parking Prohibited at All Times on Certain Streets – Indian Trail. Mayor Altomonte requested a motion to introduce. Councilwoman Gunn made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**ORDINANCE 23-02  
AMENDING AND SUPPLEMENTING THE  
REVISED GENERAL ORDINANCES OF THE BOROUGH OF MATAWAN  
CHAPTER VII – TRAFFIC, SECTION 7-15  
PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS  
INDIAN TRAIL**

**WHEREAS**, the Traffic Safety Unit of the Matawan Police Department, upon conducting a traffic and parking study, has recommended the adoption of this revision to Chapter VII – Traffic Section, Section 7-15, Parking Prohibited During Certain Hours on Certain Streets.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Borough of Matawan that it herewith amends and supplements Chapter VII – Traffic Regulations, Section 7-15 Parking Prohibited During Certain Hours on Certain Street as follows:

**7-15 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.**

No person shall park a vehicle between the hours specified on any day (unless also specified) upon any streets or parts thereof described.

<i>Name of Street or Area</i>	<i>Sides</i>	<i>Hours</i>	<i>Location</i>
Indian Trail	West	8am-4pm School Days	From Ravine Drive 275 feet north

**BE IT FURTHER ORDAINED**, any Ordinance or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed.

The Deputy Clerk announced the Public Hearing is scheduled for 7:00 PM on March 7.

Mayor Altomonte read by title Ordinance 23-03: Amending and Supplementing the Revised General Ordinances of the Borough of Matawan – Chapter VII – Traffic, Section 7-42 Public Parking Areas Matawan Municipal Community Center – Matawan Borough Hall / Police Headquarters, Clinton St. Youth Center & Park. Mayor Altomonte requested a motion to introduce. Councilwoman Gunn made the motion, seconded by Councilman Livesey. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**Borough of Matawan  
Public Session  
February 21, 2023**

**ORDINANCE 23-03  
AMENDING AND SUPPLEMENTING THE  
REVISED GENERAL ORDINANCES OF THE BOROUGH OF MATAWAN  
CHAPTER VII – TRAFFIC, SECTION 7-42 PUBLIC PARKING AREAS  
MATAWAN MUNICIPAL COMMUNITY CENTER  
MATAWAN BOROUGH HALL / POLICE HEADQUARTERS  
CLINTON ST. YOUTH CENTER & PARK**

*WHEREAS, the Traffic Safety Unit of the Matawan Police Department, upon conducting a traffic and parking study, has recommended the adoption of this revision to Chapter VII – Traffic Section, Section 7-42, Public Parking Area.*

*NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Matawan that it herewith amends and supplements Chapter VII – Traffic Regulations, Section 7-42 Public Parking Areas as follows:*

7-42.4 *Matawan Municipal Community Center (MMCC) – Matawan Borough Hall / Matawan Police Headquarters - 201 Broad Street*

A. *Use. It shall be unlawful to:*

1. *Park any vehicle within any parking areas of 201 Broad St. from the hours of 10:00 PM to 6:00 AM. This prohibition shall not apply to any Borough-owned vehicle or personally owned vehicle of an employee of the Borough of Matawan.*
2. *Park any vehicle within the parking area adjacent to the Church St. Annex during normal business hours unless on official Borough business. Official Borough business shall be defined as employee parking, parking by members of the Matawan Borough Volunteer Fire Department or other boards, commissions or agencies, or parking by those conducting business within Borough Hall, the MMCC or Police Headquarters.*
3. *Park any vehicle in areas other than those designated with lines or stalls for parking purposes.*
4. *Authorize residential parking for residents of Broad Street, Church St. or the surrounding or contiguous streets except with the approval of the governing body via Municipal Resolution upon conferring with the Chief of Police.*
5. *Authorize commuter parking in any location at 201 Broad St.*
6. *Enter or park within the gated parking area of the Matawan Police Department and Office of Emergency Management.*

7-42.5 *Clinton Street Youth Center & Park – Parking Lot (Clinton St. & West Atlantic St.)*

A. *Use. It shall be unlawful to:*

1. *Park any vehicle within the parking area of the Clinton Street Parking Lot from the hours of 10:00 PM to 5:00 AM. This prohibition shall not apply to any Borough-owned vehicle.*
2. *Park any vehicle from 5:00 AM to 10:00 PM unless visiting the Clinton St. Youth Center, Clinton St. Park (during authorized park hours as set by ordinance) or the Monmouth County Park System's Henry Hudson Trail.*
3. *Park any vehicle in areas other than those designated with lines and stalls for parking purposes.*
4. *Authorize residential parking for residents of Clinton St., Orchard St. or surrounding and contiguous streets.*
5. *Authorize commuter parking.*

*BE IT FURTHER ORDAINED, any Ordinance or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed.*

The Deputy Clerk announced the Public Hearing is scheduled for 7:00 PM on March 7.

Mayor Altomonte read by title Ordinance 23-04: Amending and Supplementing the Code of the Borough of Matawan Chapter 9 Personnel Policies, Article 2 Personnel Policies Concerning Members of the Police Department, Section 9-26 Promotions. Mayor Altomonte requested a motion to introduce. Councilwoman Gunn made the motion, seconded by Councilman Ross. Mayor Altomonte requested a voice vote. Council agreed. Motion passed. Mr. Menna explained that this ordinance is procedural noting that it only affects the review process for the positions of Lieutenant and Sergeant.

**Borough of Matawan  
Public Session  
February 21, 2023**

**ORDINANCE 23-04  
AMENDING AND SUPPLEMENTING THE CODE OF THE  
BOROUGH OF MATAWAN CHAPTER 9 PERSONNEL POLICIES, ARTICLE 2 PERSONNEL POLICIES  
CONCERNING MEMBERS OF THE POLICE DEPARTMENT, SECTION 9-26 PROMOTIONS**

*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, 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, 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, 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 9, Article 2 of the Code of the Borough of Matawan entitled "Personnel Policies Concerning Members of the Police Department" is hereby amended as follows:

**§ 9-26.1. 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 subsection 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 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 years in said rank, unless the Mayor and Council, in the best interest of the department, choose to test a wider pool of candidates, in which case they may open testing to the next lower rank and/or reduce the length of time requirement in rank.*
- b. *The Borough Administrator shall announce the promotional process to members of the Department at least 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 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 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 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 70%.*



**Borough of Matawan  
Public Session  
February 21, 2023**

*\*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 70% on the written examination and a minimum score of 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 and the Chief of Police.*
  - (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 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 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:*

<i>Specialized Training (e.g. FBI Academy)</i>	<i>0 to 3 points</i>
<i>Each completed course +1 point to a total of 3 points.</i>	
<i>Performance Evaluations</i>	<i>0 to 8 points</i>
<i>All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.</i>	
<i>Commendations</i>	<i>0 to 3 points</i>
<i>+1 point for each commendation up to maximum of 3 points.</i>	
<i>Education</i>	
<i>Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.</i>	
<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>
<i>Military Experience</i>	
<i>Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).</i>	
<i>Rank of Sergeant or lower 1 point</i>	

<i>Any rank above Sergeant 2 points</i>
<i>Disciplinary Actions</i>
<i>Each major sustained discipline (more than 5 days) -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.</i>

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

**Borough of Matawan  
Public Session  
February 21, 2023**

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

- d. *(Reserved)*
- 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. The Candidate's overall score must be 70% or greater to be considered for promotion by the Mayor and Council.*
- f. *Where two 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.*

**§ 9-26.2. 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 subsection 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 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 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 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 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 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 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 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 70% on the written examination and a minimum score of 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.*

**Borough of Matawan  
Public Session  
February 21, 2023**

- (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 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 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:*

<i>Specialized Training (e.g. FBI Academy)</i>	<i>0 to 3 points</i>
<i>Each completed course +1 point to a total of 3 points.</i>	
<i>Performance Evaluations</i>	<i>0 to 8 points</i>
<i>All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.</i>	
<i>Commendations</i>	<i>0 to 3 points</i>
<i>+1 point for each commendation up to maximum of 3 points.</i>	
<i>Education</i>	
<i>Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.</i>	
<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>
<i>Military Experience</i>	
<i>Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).</i>	
<i>Rank of Sergeant or lower 1 point</i>	
<i>Any rank above Sergeant 2 points</i>	
<i>Disciplinary Actions</i>	
<i>Each major sustained discipline (more than 5 days) -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.</i>	

- 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>

- d. *The completion of the promotional testing process shall result in the creation of an eligible promotional list that will remain in effect for two years from the date all scores are tabulated. Candidates shall be ranked and eligible for promotion according to their overall score. Eligible candidates must have an overall score of 70% or greater to be included on the list.*
- 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. The Candidate's overall score must be 70% or greater to be considered for promotion by the Mayor and Council.*
- f. *Where two 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.*

**Borough of Matawan  
Public Session  
February 21, 2023**

**§ 9-26.3. 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 subsection 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 7 years or more (5 years to be eligible for promotion to Sergeant followed by 2 years in the rank). Promotions to the rank of Lieutenant shall be open to members of the next lowest rank who have served at least two 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 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 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 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 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 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 Police Committee and Police Chief. Candidates that successfully achieve a minimum score of 70% on the written examination and a minimum score of 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 Police Committee and the Police Chief. The record review shall be conducted by the Borough Administrator and the Police Chief.*
  - (a) *The interview with the Police Committee 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 Police Committee and Police Chief shall grade each candidate on a 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 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:*

<i>Specialized Training (e.g. FBI Academy)</i>	<i>0 to 3 points</i>
<i>Each completed course +1 point to a total of 3 points.</i>	
<i>Performance Evaluations</i>	<i>0 to 8 points</i>

**Borough of Matawan  
Public Session  
February 21, 2023**

<i>All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.</i>	
<i>Commendations</i>	<i>0 to 3 points</i>

<i>+1 point for each commendation up to maximum of 3 points.</i>	
<i>Education</i>	
<i>Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.</i>	
<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>
<i>Military Experience</i>	
<i>Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).</i>	
<i>Rank of Sergeant or lower 1 point</i>	
<i>Any rank above Sergeant 2 points</i>	
<i>Disciplinary Actions</i>	
<i>Each major sustained discipline (more than 5 days) -2points. 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.</i>	

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>

- d. *The completion of the promotional testing process shall result in the creation of an eligible promotional list that will remain in effect for two years from the date all scores are tabulated. Candidates shall be ranked and eligible for promotion according to their overall score. Eligible candidates must have an overall score of 70% or greater to be included on the list.*
- 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. The Candidate's overall score must be 70% or greater to be considered for promotion by the Mayor and Council.*
- f. *Where two 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.*

**§ 9-26.4. 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 subsection 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 5 years or more.*
- b. *The Police Chief shall announce the promotional process to members of the Department at least 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.*

**Borough of Matawan  
Public Session  
February 21, 2023**

*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 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 Police Committee and Police Chief.*

1. *Written Examinations\*: The written examination shall be supplied by a professional testing company, professional law enforcement organization (e.g. State Chiefs of Police Association, International Chiefs of Police Association, etc.) To proceed to the oral examination of the examination procedure, a candidate must achieve a minimum score of 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 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 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 Police Committee until after the interview and record review of the applicants are complete.*

3. *Record Review and Interview by the Police Committee and the Police Chief. Candidates that successfully achieve a minimum score of 70% on the written examination and a minimum score of 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 Police Committee and Police Chief. The record review shall be conducted by the Borough Administrator and the Police Chief.*

(a) *The interview with the Police Committee 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 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 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:*

<i>Specialized Training (e.g. FBI Academy)</i>	<i>0 to 3 points</i>
<i>Each completed course +1 point to a total of 3 points.</i>	
<i>Performance Evaluations</i>	<i>0 to 8 points</i>
<i>All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.</i>	
<i>Commendations</i>	<i>0 to 3 points</i>
<i>+1 point for each commendation up to maximum of 3 points.</i>	
<i>Education</i>	
<i>Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.</i>	
<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>
<i>Military Experience</i>	
<i>Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).</i>	

**Borough of Matawan  
Public Session  
February 21, 2023**

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

<b>Disciplinary Actions</b>
Each major sustained discipline (more than 5 days) -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>

- d. *The completion of the promotional testing process shall result in the creation of an eligible promotional list that will remain in effect for two years from the date all scores are tabulated. Candidates shall be ranked and eligible for promotion according to their overall score. Eligible candidates must have an overall score of 70% or greater to be included on the list.*
- 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 Sergeant title. The Candidate’s overall score must be 70% or greater to be considered for promotion by the Mayor and Council.*
- f. *Where two 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.*

**BE IT FURTHER ORDAINED**, by the Governing Body of the Borough of Matawan that any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as to said inconsistencies and conflicts.

**BE IT FURTHER ORDAINED**, by the Governing Body of the Borough of Matawan that if any provision of this Ordinance or the application of such provision this Ordinance to any person or circumstances is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be give effect, and to this end, the provisions of this Ordinance are declared to be severable.

**BE IT FURTHER ORDAINED**, by the Governing Body of the Borough of Matawan that this Ordinance shall take effect immediately upon passage and adoption according to law.

The Deputy Clerk announced the Public Hearing is scheduled for 7:00 PM on March 7.

Mayor Altomonte read by title Ordinance 23-05: Ordinance Amending and Supplementing the Code of the Borough of Matawan Chapter II – Administration Article IV – Administrative Organization of the Departments of Local Government Section 2-14.1 – Police Department Composition. Mayor Altomonte requested a motion to introduce. Councilwoman Gunn made the motion, seconded by Councilman Ross. Mayor Altomonte requested a voice vote. Council agreed. Motion passed. Councilwoman Gunn explained that this Ordinance added an additional sergeant position, which became necessary due to the abundance of retirements from the Department and lack of supervision for such a young Department.

**Borough of Matawan  
Public Session  
February 21, 2023**

**ORDINANCE 23-05  
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, up to one (1) Captain, up to two (2) Lieutenants, up to six (6) Sergeants, up to twenty (20) Patrol Officers, such Class I, Class II and Class III Special Law Enforcement Officers as authorized by state statute (NJSA 40A-146.14-17); and recommended by the Chief of Police up to three (3) Police Matrons; such School Crossing Guards as recommended by the Chief of Police; one (1) Records Clerk; one Confidential Administrative 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.*

The Deputy Clerk announced the Public Hearing is scheduled for 7:00 PM on March 7.

Mayor Altomonte read by title Resolution 23-02-26: Authorizing the Transfer of Unexpended Balances in Certain 2022 Appropriation Reserve Accounts. Mayor Altomonte requested a motion. Councilwoman Gunn made the motion, seconded by Councilman Ross. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 23-02-26  
AUTHORIZING THE TRANSFER OF FUNDS FROM  
CURRENT AND UTILITY ACCOUNTS IN THE 2022 BUDGET**

*WHEREAS, N.J.S.A. 40A:4-59 provides for the transfers within certain appropriations within the Municipal Budget during the first three months of the following year: and*

*WHEREAS, there are unexpended balances in certain 2022 appropriation reserve accounts; and*

*WHEREAS, additional funds are required in certain other 2022 appropriation reserve accounts.*

*NOW, THEREFORE, BE IT RESOLVED* that the following transfers are authorized from and to the following accounts:

<i>Transfer</i>		<i>Transfer</i>	
<i>From</i>		<i>To</i>	
	<i>Amount</i>		<i>Amount</i>



**Borough of Matawan  
Public Session  
February 21, 2023**

<i>Account Number</i>	<i>Of Transfer</i>	<i>Account Number</i>	<i>Of Transfer</i>
2-01-25-252-100 Emergency Management Salary & Wage	\$ 3,000.00	2-01-27-330-200 Board of Health Other Expense	\$ 3,000.00
2-01-25-252-100 Emergency Management Salary & Wage	\$ 1,000.00	2-01-20-155-200 Legal Other Expense	\$ 1,000.00

**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 23-02-27: Emergency Temporary Appropriation. Mayor Altomonte requested a motion. Councilwoman Gunn made the motion, seconded by Councilman Ross. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 23-02-27  
EMERGENCY TEMPORARY APPROPRIATION**

**WHEREAS**, emergent conditions have arisen with respect to the payment of bills in a number of accounts and no adequate provision has been made in a 2023 temporary budget for the aforesaid purposes; and

**WHEREAS**, NJSA 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned; and

**WHEREAS**, the total emergency temporary resolutions adopted in the year 2023 pursuant to the provisions of Chapter 96, PL 1951 (NJSA 40A:4-20) including this resolution total \$6,881,830.80.

**NOW, THEREFORE, BE IT RESOLVED** (not less than two thirds of all member of the Council of the Borough of Matawan, New Jersey affirmatively concurring) that in accordance with the provisions of NJSA 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for the purposes stipulated in the attached list.
2. That said emergency temporary appropriations will be provided for in the 2023 budget under the appropriate titles.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

**BE IT FURTHER RESOLVED**, that the amount required by Statue for the payment of 2023 County, and Local School District Taxes, which are not included in this temporary budget, shall be paid as and when due.

**2023 Temporary Budget-for February 21, 2023 Meeting**

	Salary & Wages	Other Expenses
HOSPITALIZATION		180,000.00
SHADE TREE COMM		2,000.00
PUBLIC BLDGS		7,500.00
UTILITIES		6,000.00
MCIA LEASE INTEREST		1,500.00
TOTAL TEMPORARY EMERGENCY APPROPRIATIONS		197,000.00
		<b>197,000.00</b>
WATER SEWER UTILITY		<b>4,320,490.38</b>
OPERATING		50,000.00

**Borough of Matawan  
Public Session  
February 21, 2023**

<i>BAYSHORE REGIONAL SEWERAGE AUTHORITY</i>	294,068.46	
<i>SUBTOTAL</i>	-	344,068.46
<i>TOTAL WATER SEWER UTILITY TEMPORARY EMERGENCY APPROPRIATIONS</i>		
	<b>344,068.46</b>	<b>2,561,340.42</b>

***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 Director of Local Government Services.*

Mayor Altomonte read by title Resolution 23-02-28: Payment of Bills. Mayor Altomonte requested a motion. Councilwoman Gunn made the motion, seconded by Councilman Russell. Mayor Altomonte requested a voice vote. Council agreed. Motion passed.

**RESOLUTION 23-02-28  
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.*

<i>Current</i>	\$607,655.46
<i>Water/Sewer</i>	\$39,179.07
<i>Borough Capital</i>	\$76,989.70
<i>Water Capital</i>	\$9,081.48
<i>Grant</i>	\$422.14
<i>Borough Trust</i>	\$38,323.17
<i>Recreation Trust</i>	\$142.65
<b>Total</b>	<b>\$771,793.67</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.

Lisa Revel, 15 Colonial Drive, Matawan. Ms. Revel asked for the next steps with the passage of the TNR ordinance; specifically, if individuals have outdoor cats they are caring for and need help with TNR, can they call the Monmouth County SPCA. Mr. Menna informed the Agreement with MCSPCA is in place, and the Ordinance adopted and passed, and, law in the Borough. Any calls with respect to animal matters should be directed to the Matawan Police Department non-emergency phone number, who will then, in turn, inform the MCSPCA. He further announced a representative from the MCSPCA will appear at a scheduled public forum to explain the program. Mayor Altomonte added he spoke with the Director of MCSPCA, Ross Licitra, and he will speak at either the March 7 or April 4 Council Meeting.

Dr. Marianne Mauro, 123 Main Street, Suite A, Matawan. Dr. Mauro related a sewer report received by her landlord. The work was done by a licensed plumber and the report issued by them, to OSHA, was not accepted. The report was accepted by the previous Property Maintenance Officer. Her concern is this is a health hazard issue. Mr. Menna stated it is his understanding the Property Maintenance Officer, from our shared service with Aberdeen, has been notified. Dr. Mauro questioned the status of applied permits. Councilwoman Gunn directed Dr. Mauro to the Construction Department as the Governing Body does not have that information at this time. Mr. Menna offered some background information on the issue stating it is a landlord issue, and the Borough asked Code Enforcement to review. Councilwoman Gunn asked Chief Falco to call Aberdeen Construction for an update.

**Borough of Matawan  
Public Session  
February 21, 2023**

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

**Adjourn**

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

Meeting adjourned at 7:40 PM.

*Robin Klinger*

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Robin Klinger  
Acting Deputy Clerk