

**Borough of Matawan
Workshop Session
March 7, 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 March 7, 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 7:03 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
 Councilwoman Melanie S. Wang (Via Telephone)
 Councilman Charles Ross

Also present were Ryan Michelson, 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.

**Presentation by Monmouth County
Society for the Prevention of Cruelty to Animals**

Mayor Altomonte introduced Ross Licitra, Executive Director of MCSPCA. Mr. Licitra explained the Trap Neuter Release Program that is facilitated by the MCSPCA and the need for such a program to exist. He listed the other towns that successfully benefit from the use of this program and commended the Governing Body for enacting it here. Mr. Licitra offered a town hall information session for anyone interested in the program about becoming ‘Colony Caregivers’ explaining the process of becoming a colony caregiver, noting that any existing cat colonies will be documented by the SPCA and the agency will maintain them as well as any new cat colonies established. This maintenance includes trapping, neutering, vaccinations, and the ultimate release back into the cat colony. The maintenance cost is then split between the Borough and the MCSPCA, which is usually \$37.50 due from each agency, per animal. Councilwoman Wang asked if only the SPCA could go to an already established colony to trap a cat, explaining her concern if a new cat began appearing in the colony. She asked if the caregiver could bring that new cat to the agency. Mr. Licitra stated that if they are already an approved colony caregiver, they can absolutely bring the cat to SPCA for animal maintenance. A discussion occurred about how to become a colony caregiver. Councilwoman Gunn suggested that Councilwoman Wang email Mr. Licitra with any further questions or concerns, as Mr. Licitra had another engagement to attend. Councilwoman Wang agreed. Mayor Altomonte thanked Mr. Licitra for his willingness to speak at the Council Meeting and said he was looking forward to working with the MCSPCA on this ongoing issue.

Mr. Licitra departed at 7:25 PM.

Old Business

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

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Prohibited at All Times on Certain Streets – Indian Trail. Mayor Altomonte requested a motion to open the public hearing. Councilwoman Gunn made the motion, seconded by Councilman Ross. Council agreed. Motion passed. Mayor Altomonte requested comments. There were no comments. Mayor Altomonte requested a motion to close the public hearing. Councilwoman Gunn made the motion, seconded by Councilman Ross. Council agreed. Motion passed. 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, requesting a motion to adopt. Councilwoman Gunn made the motion, seconded by Councilman Ross. Mayor Altomonte requested a roll call. A roll call vote was taken.

Yes: Councilwoman Deana Gunn
Councilman Steven Russell
Councilwoman Stephanie Buckel
Councilman Brian Livesey
Councilwoman Melanie S. Wang
Councilman Charles Ross

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>
<i>Indian Trail</i>	<i>West</i>	<i>8am-4pm School Days</i>	<i>From Ravine Drive 275 feet north</i>

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

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 Street Youth Center & Park. Mayor Altomonte requested a motion to open the public hearing. Councilwoman Gunn made the motion, seconded by Councilwoman Buckel. Council agreed. Motion passed. Mayor Altomonte requested comments. There were no comments. Mayor Altomonte requested a motion to close the public hearing. Councilwoman Gunn made the motion, seconded by Councilwoman Buckel. Council agreed. Motion passed. 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 Street Youth Center & Park, requesting a motion to adopt. Councilwoman Gunn made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a roll call. A roll call vote was taken.

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Yes: Councilwoman Deana Gunn
Councilman Steven Russell
Councilwoman Stephanie Buckel
Councilman Brian Livesey
Councilwoman Melanie S. Wang
Councilman Charles Ross

Motion passed.

**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.

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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 open the public hearing. Councilwoman Gunn made the motion, seconded by Councilman Russell. Council agreed. Motion passed. Mayor Altomonte requested comments. There were no comments. Mayor Altomonte requested a motion to close the public hearing. Councilwoman Gunn made the motion, seconded by Councilman Ross. Council agreed. Motion passed. 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, requesting a motion to adopt. Councilwoman Gunn made the motion, seconded by Councilman Russell. Mayor Altomonte requested a roll call. A roll call vote was taken.

- Yes:
- Councilwoman Deana Gunn
 - Councilman Steven Russell
 - Councilwoman Stephanie Buckel
 - Councilman Brian Livesey
 - Councilwoman Melanie S. Wang
 - Councilman Charles Ross

Motion passed.

**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*

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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%.*

**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:*

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<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 and Council Interview</i>	<i>20%</i>

- 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*

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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 lowest 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.*
 - (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>	

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<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) -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 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.*

§ 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*

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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:*

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

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<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.*

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- 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 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>

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+1 point for each commendation up to maximum of 3 points.	
<i>Education</i>	
Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.	
Associate's Degree	1 point
Bachelor's Degree	2 points
Master's Degree	3 points
PhD (JD) Degree	4 points
<i>Military Experience</i>	
Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).	
Rank of Sergeant or lower 1 point	
Any rank above Sergeant 2 points	

<p>Disciplinary Actions 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.</p>

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

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

- 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.

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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 open the public hearing. Councilwoman Gunn made the motion, seconded by Councilman Russell. Council agreed. Motion passed. Mayor Altomonte requested comments. There were no comments. Mayor Altomonte requested a motion to close the public hearing. Councilwoman Gunn made the motion, seconded by Councilman Russell. Council agreed. Motion passed. 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, requesting a motion to adopt. Councilwoman Gunn made the motion, seconded by Councilman Russell. Mayor Altomonte requested a roll call. A roll call vote was taken.

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

Motion passed.

**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.

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***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.*

Police Department Oaths of Office

Mayor Altomonte read by title Resolution: 23-03-01: Authorizing the Promotion of Jonathan Borsari to the Rank of Sergeant for the Matawan Police Department. Councilwoman Gunn made the motion, seconded by Councilman Ross. Mayor Altomonte requested a voice vote. Council Agreed. Motion passed.

**RESOLUTION 23-03-01
AUTHORIZING THE PROMOTION OF JONATHAN BORSARI
TO THE RANK OF SERGEANT FOR THE
MATAWAN POLICE DEPARTMENT**

***WHEREAS**, it is the desire of the Mayor and Council to act upon the recommendations of the Chief of Police to maintain the supervisory structure of the Police Department as a result of vacancies within the supervisory ranks of the department by the appointment of a Sergeant of Police for the Borough of Matawan Police Department; and*

***WHEREAS**, the Borough Ordinances established the eligibility requirements and the testing process for promotion to the rank of Sergeant; and*

***WHEREAS**, the promotion process was conducted on the basis of merit, experience, education, demonstrated ability, competitive written and oral examinations and interview; and;*

***WHEREAS**, Ptl. Jonathan Borsari has successfully completed all phases of the promotional process and;*

***WHEREAS**, Chief Thomas J. Falco, Jr. has recommended Ptl. Jonathan Borsari to the Mayor and Council for promotion to the rank of Sergeant.*

***NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Matawan hereby authorizes the promotion of Ptl. Jonathan Borsari to the rank of Sergeant of the Matawan Police Department with all the rights and responsibilities attendant thereto effective March 8, 2023 at the rate of compensation in accordance with the current Collective Negotiations Agreement between the Matawan Policeman's Benevolent Association #179 and the Borough of Matawan.*

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

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 3-01-25-240-180 Budget of the Borough of Matawan for the promotion of Jonathan Borsari to Sergeant of the Matawan Police Department at a rate of compensation per annum as indicated in and in accordance with the current Collective Negotiations Agreement between Matawan Policemen's Benevolent Association Local #179 and 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: March 7, 2023

Mayor Altomonte read Sergeant Jonathan Borsari's police career biography and issued the Oath of Office.

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Mayor Altomonte read by title Resolution 23-03-02: Authorizing the Promotion of Jamil Brooks to the Rank of Sergeant for the Matawan Police Department. Councilwoman Gunn made the motion, seconded by Councilwoman Buckel. Mayor Altomonte requested a roll call vote. A roll call vote was taken.

Yes: Councilwoman Deana Gunn
Councilman Steven Russell
Councilwoman Stephanie Buckel
Councilman Brian Livesey
Councilwoman Melanie S. Wang
Councilman Charles

Ross

Motion passed.

**RESOLUTION 23-03-02
AUTHORIZING THE PROMOTION OF JAMIL BROOKS
TO THE RANK OF SERGEANT FOR THE
MATAWAN POLICE DEPARTMENT**

WHEREAS, it is the desire of the Mayor and Council to act upon the recommendations of the Chief of Police to maintain the supervisory structure of the Police Department as a result of vacancies within the supervisory ranks of the department by the appointment of a Sergeant of Police for the Borough of Matawan Police Department; and

WHEREAS, the Borough Ordinances established the eligibility requirements and the testing process for promotion to the rank of Sergeant; and

WHEREAS, the promotion process was conducted on the basis of merit, experience, education, demonstrated ability, competitive written and oral examinations and interview; and;

WHEREAS, Ptl. Jamil Brooks has successfully completed all phases of the promotional process and;

WHEREAS, Chief Thomas J. Falco, Jr. has recommended Ptl. Jamil Brooks to the Mayor and Council for promotion to the rank of Sergeant.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Matawan hereby authorizes the promotion of Ptl. Jamil Brooks to the rank of Sergeant of the Matawan Police Department with all the rights and responsibilities attendant thereto effective March 8, 2023 at the rate of compensation in accordance with the current Collective Negotiations Agreement between the Matawan Policeman's Benevolent Association #179 and the Borough of Matawan.

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

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 3-01-25-240-180 Budget of the Borough of Matawan for the promotion of Jamil Brooks to Sergeant of the Matawan Police Department at a rate of compensation per annum as indicated in and in accordance with the current Collective Negotiations Agreement between Matawan Policemen's Benevolent Association Local #179 and 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: March 7, 2023

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Mayor Altomonte read Sergeant Jamil Brooks's police career biography and issued the Oath of Office.

Chief Falco offered his congratulations to both newly sworn Sergeants and made a brief speech about the procedure for promotion within the Police Department. He explained the need for restructuring, noting the recent retirements within the agency which now consists of younger officers. He concluded by thanking the Governing Body for their continued support.

Chief Falco dismissed the Police Department at 7:40 PM.

Mayor Altomonte called for a brief recess.

Mayor Altomonte called the meeting to order resuming at 7:48 PM.

Privilege of the Floor for 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 Councilman Russell. Council agreed. Motion passed.

Recreation Commission Presentation of Awards to Turkey Trot Vendors

Councilwoman Buckel related the success of the Borough's November 26 annual 5K Turkey Trot. The net proceeds collected for the event are allocated to Borough park maintenance, refurbishing of the MMCC cafeteria for our recreation programs and contributing to the Summer Recreation Program. Generous sponsorship plays a vital role within the community and are grateful for your continued support. She presented awards to the vendors who sponsored the 2022 Turkey Trot as an acknowledgement of thanks for their contribution. Those businesses receiving award plaques were: All Around Matawan & Aberdeen, KP Edgestone Realty, Law Office of Hanan A. Boulos, Matawan Aberdeen Chamber of Commerce, Mullaney & Associates, NJ Spine and Wellness, Roadly Logistics, Original Scarlet Reserve, Spring Valley Turkey Farm, Studio B Dance, Suplee Clooney & Co., T&M Associates, Therapy Enlightens, Tim Clifton Insurance, Town Tire Service, and Vallee Construction.

Approval of Minutes

Mayor Altomonte requested a motion to approve the minutes of the December 20, 2022 Council Meeting. Councilwoman Gunn made a motion, seconded by Councilwoman Buckel. Councilman Russell abstained. Council agreed. Motion passed.

Mayor Altomonte requested a motion to approve the minutes of the January 3, 2023 Council Meeting. Councilwoman Gunn made a motion, seconded by Councilwoman Buckel. Council agreed. Motion passed.

Public Hearing on the Person-to-Person Plenary Retail Consumption License from Green Valley Corp. DBA Park Place Diner to 1040 Route 34, LLC DBA Park Place Diner License #1329-33-013-007

Mayor Altomonte requested a motion to open the Public Hearing. Councilwoman Gunn made the motion, seconded by Councilman Ross. Mayor Altomonte asked if there were any comments for Resolution 23-03-03: Person-to-Person Transfer of Plenary Retail Consumption License from Green Valley Corp. dba Park Place Diner to 1040 Rt 34, LLC dba Park Place Diner – #1329-33-

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013-007. Mr. Menna explained the resolution. There were no comments. Mayor Altomonte requested a motion pass Resolution 23-03-03: Person-to-Person Transfer of Plenary Retail Consumption License from Green Valley Corp. dba Park Place Diner to 1040 Rt 34, LLC dba Park Place Diner – #1329-33-013-007. Councilwoman Gunn made the motion, seconded by Councilman Ross. Mayor Altomonte requested a roll call vote. A roll call vote was taken.

Yes: Councilwoman Deana Gunn
Councilman Steven Russell
Councilwoman Stephanie Buckel
Councilman Brian Livesey
Councilwoman Melanie S. Wang
Councilman Charles Ross

Motion passed.

**RESOLUTION 23-03-03
PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE
FROM GREEN VALLEY CORP. DBA PARK PLACE DINER TO
1040 RT 34, LLC DBA PARK PLACE DINER
#1329-33-013-007**

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1329-33-013-007, heretofore issued to Green Valley Corp. dba Park Place Diner for premises located at 1040 Route 34, Matawan, New Jersey 07747; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business.

***NOW, THEREFORE, BE IT RESOLVED** the Council of the Borough of Matawan does hereby approve, effective March 8, 2023, the Person-to-Person Transfer of the aforesaid Plenary Retail Consumption License held by Green Valley Corp. dba Park Place Diner to 1040 Rt 34, LLC dba Park Place Diner, and does hereby direct the Borough Clerk/ABC Board Secretary to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to 1040 Rt 34, LLC dba Park Place Diner, 1040 Route 34, Matawan, New Jersey 07747, effective March 8, 2023."*

***BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Finance, Police, Green Valley Corp. dba Park Place Diner as well as 1040 Rt 34, LLC dba Park Place Diner, as well as the NJS Division of Alcohol Beverage Control.*

Consent Agenda

Mayor Altomonte read by title Resolutions 23-03-04 through and including 23-03-12 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 23-03-04
AUTHORIZING REFUND OF TAX OVERPAYMENT
26 COLONIAL DRIVE – BLOCK 65.04, LOT 15
13 CHURCH STREET – BLOCK 37, LOT 12.01**

WHEREAS, the following property overpaid taxes as a result of the reason(s) outlined below; and

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WHEREAS, the property owner's representative has made the payment and a refund is in order to clear the account; and

WHEREAS, the following refund has been verified as accurate by the Tax Collector.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, that the Borough Tax Collector refund according to the following:

<u>Block/Lot</u>	<u>Vendor</u>	<u>Amount of Refund</u>	<u>Notation</u>
65.04/15	Daniel & Stacy White 17 Ridge Rd Clark, NJ 07715	\$3,037.01	Overpayment
37/12.01	Patricia E & Kurtis S Roinestad 13 Church St Matawan, NJ 07747	\$1,973.72	Overpayment

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

**RESOLUTION 23-03-05
RELEASE OF ESCROW FUNDS FOR APPLICATION FOR STREET OPENING PERMIT
AJ PERRI PLUMBING, HEATING & COOLING
8 LAKESIDE DRIVE – BLOCK 118, LOT 22**

WHEREAS, posted escrow in association with an Application for Permit to Cut Surface of Public Place, and subsequent issued Permit for Street Opening #MATN-R1480, for Block 118, Lot 22, otherwise known as 8 Lakeside Drive, Matawan, New Jersey; and

WHEREAS, all Borough Departments and Professionals associated with this project have certified any and all outstanding issues and billing have been satisfied to allow the release of all remaining escrow.

NOW, THEREFORE, BE IT RESOLVED the Council of the Borough of Matawan hereby approves the release of all remaining escrow funds to AJ Perri Plumbing, Heating & Cooling.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution shall be forwarded to the following Borough of Matawan Departments: Clerk, Finance, as well as the Borough Engineer, and AJ Perri Plumbing, Heating & Cooling.

**RESOLUTION 23-03-06
APPOINTMENT OF RYAN L. MICHELSON
COMMUNITY DEVELOPMENT REPRESENTATIVE AND
COMMUNITY DEVELOPMENT ALTERNATE REPRESENTATIVE**

WHEREAS, there exists in the Borough of Matawan, County of Monmouth, the need for a Community Development Representative and a Community Development Alternate Representative; and

WHEREAS, Ryan L. Michelson, Administrator for the Borough of Matawan, is qualified for said position of Community Development Representative; and

WHEREAS, Mayor Joseph Altomonte is qualified for said position of Community Development Alternate Representative.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan that Ryan L. Michelson be appointed as Community Development Representative and Mayor Joseph Altomonte be appointed as Community Development Alternate Representative.

BE IT FURTHER RESOLVED that a true certified copy of this Resolution be forwarded to Community Development, Hall of Records Annex, One East Main Street, Freehold, New Jersey 07728.

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

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**RESOLUTION 23-03-07
APPOINTING RYAN L. MICHELSON AS THE FUND COMMISSIONER TO THE
MONMOUTH COUNTY MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the Council of the Borough of Matawan has authorized its participation in the Monmouth County Municipal Joint Insurance Fund; and

WHEREAS, it is necessary for the Council of the Borough of Matawan to appoint a Fund Commissions to the Monmouth County Municipal Joint Insurance Fund; and

WHEREAS, it is the desire of the Council to appoint Ryan L. Michelson as the Fund Commissioner to the Monmouth County Municipal Joint Insurance Fund; and

WHEREAS, it is the desire of the Council to appoint Ryan L. Michelson as the Fund Commissioner for the Borough of Matawan to the Central Jersey Health Insurance Fund (CJHIF); and

WHEREAS, it is the desire of the Council to appoint Joseph Altomonte as the Alternate Fund Commissioner to the Monmouth County Municipal Joint Insurance Fund.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, County of Monmouth, State of New Jersey as follows:

1. *That Ryan L. Michelson is hereby appointed as the Fund Commissioner for the Borough of Matawan to the Monmouth County Municipal Joint Insurance Fund.*
2. *That Joseph Altomonte is hereby appointed as the Alternate Fund Commissioner for the Borough of Matawan to the Monmouth County Municipal Joint Insurance Fund.*
3. *That a certified copy of this Resolution be forwarded to the Administrator for the Monmouth County Municipal Joint Insurance Fund.*

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

**RESOLUTION 23-03-08
APPOINTING RYAN L. MICHELSON AS THE MUNICIPAL CROSS-ACCEPTANCE REPRESENTATIVE**

WHEREAS, the New Jersey State Planning Commission is re-examining the New Jersey State Development and Redevelopment Plan; and

WHEREAS, the State Planning Act provides for a process of "Cross-Acceptance", whereby each municipality in the state has the opportunity to review and comment on the revised State Development and Redevelopment Plan; and

WHEREAS, the Monmouth County Planning Board has requested that the Mayor and Governing Body designate a Cross-Acceptance delegation comprised of representatives that are most knowledgeable with the Municipality's master plan, zoning regulations, and other planning initiatives.

NOW, THEREFORE, BE IT RESOLVED by the Council of Matawan Borough that Ryan L. Michelson is hereby designated as the representative for the Cross-Acceptance process.

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

**RESOLUTION 23-03-09
APPOINTING RYAN L. MICHELSON AS THE PUBLIC AGENCY COMPLIANCE OFFICER**

WHEREAS, the Affirmative Action Regulations of the State of New Jersey Affirmative Action Office address public agencies awarding contracts under PL 1975, Chapter 127, (NJAC 17:27) and further provide contract language and reporting procedures for entering into procurement, service and construction contracts; and

WHEREAS, regulations further provide for the annual designation of an officer or employee of the public agency to serve as a Public Agency Compliance Officer (PACO) who will be responsible for coordinating the reporting procedure from contractors and to generally supervise the compliance procedures regarding the Affirmative Action Regulations.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Matawan, Monmouth County, New Jersey, that Ryan L. Michelson, Borough Administrator, be and is hereby appointed as Public Agency Compliance Officer of the Borough of Matawan.

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***BE IT FURTHER RESOLVED** that a true certified copy of this Resolution shall be forwarded to all Borough of Matawan Department Heads as well as the Department of Treasury, Division of Administration, PO Box 211, 50 West State Street, 8th Floor, Trenton, New Jersey 08625.*

**RESOLUTION 23-03-10
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 From</i>	<i>Amount</i>	<i>Transfer To</i>	<i>Amount</i>
<i>Account Number</i>	<i>Of Transfer</i>	<i>Account Number</i>	<i>Of Transfer</i>
2-01-26-291-200 <i>Railroad Other Expense</i>	\$ 10,000.00	2-01-20-155-200 <i>Legal Other Expense</i>	\$ 10,000.00
2-01-22-195-100 <i>Construction Salary & Wage</i>	\$ 4,000.00	2-01-20-155-200 <i>Legal Other Expense</i>	\$ 4,000.00
2-01-26-290-100 <i>Streets & Roads Salary & Wage</i>	\$ 5,000.00	2-01-26-290-200 <i>Streets & Roads Other Expense</i>	\$ 5,000.00

***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.*

**RESOLUTION 23-03-11
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 \$7,006,330.80.*

***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.*

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2023 Temporary Budget-for March 7, 2023 Meeting

	Salary & Wages	Other Expenses	
MUNI CLERK	1,000.00		
TAX COLLECTOR	1,000.00		
TAX ASSES		7,000.00	
FIRE PREVENTION	1,500.00		
PUBLIC BLDGS	7,000.00		
UTILITIES		7,000.00	
SUBTOTAL	10,500.00	14,000.00	
TOTAL TEMPORARY EMERGENCY APPROPRIATIONS OPERATING		24,500.00	4,344,990.38
		100,000.00	
SUBTOTAL	-	100,000.00	
TOTAL WATER SEWER UTILITY TEMPORARY EMERGENCY APPROPRIATIONS		100,000.00	2,661,340.42

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.

**RESOLUTION 23-03-12
PAYMENT OF BILLS**

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

Current	\$1,968,471.72
Water/Sewer	\$47,428.58
Grant	\$242.14
Borough Trust	\$47,805.28
Total	\$2,063,947.72

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.

There were no comments.

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.

Adjournment

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

The meeting adjourned at 7:56 PM.

Robin Klinger

Robin Klinger
Acting Deputy Clerk