

## **Borough of Matawan**

### **Public Notice of Pending Ordinance 21-06**

The ordinance published herewith was introduced and passed upon first reading at a Video Teleconference meeting of the Governing Body of the Borough of Matawan, in the County of Monmouth, State of New Jersey, on April 20, 2021. It will be further considered for final passage, after public hearing thereon, at a meeting of the Governing Body to be held on May 4, 2021 at 7:00 o'clock PM.

Due to current NJS Executive Orders, the Public Hearing may be conducted by remote video access. Please visit the Borough's website at [www.matawanborough.com](http://www.matawanborough.com) or contact Karen Wynne, Borough Clerk of the Borough of Matawan, at (732) 566-3898 ext. 602 or [karen.wynne@matawanborough.com](mailto:karen.wynne@matawanborough.com), during the regular business hours of 8:30 (AM) to 4:30 (PM) for further information.

During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's Office for the members of the general public who shall request the same or on the Borough of Matawan website at [www.matawanborough.com](http://www.matawanborough.com).

Karen Wynne, RMC  
Municipal Clerk

### **ORDINANCE 21-06 REPEALING ORDINANCE 14-16**

#### **AN ORDINANCE TO REPEAL ORDINANCE 14-16, CHAPTER 2, ARTICLE V, SECTIONS 2-24 THROUGH AND INCLUDING 2-27 ET SEQ. OF THE CODE OF THE BOROUGH OF MATAWAN ABOLISHING THE JOINT MUNICIPAL COURT FOR THE TOWNSHIP OF HAZLET AND BOROUGH OF MATAWAN; APPROVING A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF ABERDEEN AND THE BOROUGH OF MATAWAN FOR A SHARED COURT**

**WHEREAS**, on December 18, 2014, the Mayor and Council adopted Ordinance 14-16 establishing the Joint Municipal Court of the Township of Hazlet and Borough of Matawan; and

**WHEREAS**, the Governing Bodies of the Township of Aberdeen and Borough of Matawan have entered into an Interlocal Shared Court Agreement for court sharing purposes to be known as the Aberdeen Township Municipal Court and the Borough of Matawan Court in Aberdeen.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Governing Body of the Borough of Matawan, Monmouth County, New Jersey as follows:

## **Section 1.**

Effective January 1, 2021, the Joint Municipal Court of the Township of Hazlet and Borough of Matawan is hereby abolished and Sections 2-24 through and including 2-27 of the Code of the Borough of Matawan are hereby deleted in their entirety to abolish the Joint Court.

## **Section 2.**

The Joint Municipal Court of the Township of Hazlet and the Borough of Matawan shall be abolished and this ordinance shall be effective January 1, 2021 at 12:00 am and after due notice is given as set forth in Section 3. All summonses and other appropriate matters issuing or arising from the Borough of Matawan shall be processed in the Borough of Matawan Municipal Court in Aberdeen on and after January 1, 2021, including those matters arising prior to January 1, 2021 which remain pending.

## **Section 3.**

Notice of repeal and abolishment of the Joint Municipal Court of the Township of Hazlet and the Borough of Matawan, and establishment of the Borough of Matawan Municipal Court in Aberdeen shall be given in writing to the Administrative Offices of the Courts and the Assignment Judge of the Monmouth Vicinage in writing and posted in the municipal buildings of the Participating Municipalities in a location where public notices are normally posted.

## **Section 4.**

The Mayor and Governing Bodies of the Participating Municipalities of the Township of Aberdeen and Borough of Matawan desire to enter into a Shared Services Agreement for a Shared Court to be located in the Township of Aberdeen.

## **Section 5.**

The Borough of Matawan shall enter into an agreement pursuant to the terms of the “Shared Services Agreement for the Establishment of a Shared Municipal Court Between the Township of Aberdeen and the Borough of Matawan”.

## **Section 6.**

Pursuant to the provisions of N.J.S.A. 2B:12(c), the Borough of Matawan Municipal Court in Aberdeen is hereby established.

## **Section 7.**

Municipal Court Judges, Prosecutors, Assistant Prosecutors, Special Counsels, Public Defenders, and Assistant Public Defenders, Appointment and Jurisdiction

The Borough of Matawan is solely responsible for the appointment of the Municipal Court Judge, Prosecutor, Assistant Prosecutor, Special Counsel, Public Defender, and Assistant Public Defender. The jurisdiction of the Municipal Court of each municipality shall be separate and each municipality retains its right of appointment as provided in NJSA 2B:12-4 (Judge), 2B:24-3 (Public Defender), and 2B:25-4 (Prosecutor).

**Section 8.**

The territorial jurisdiction of the Aberdeen Township Municipal Court and the Borough of Matawan Municipal Court in Aberdeen shall be coextensive with the territory of the Township of Aberdeen and the Borough of Matawan.

**Section 9.**

**Municipal Court Administrator and Support Staff**

The Shared Court administrative and security staffing will be provided by Aberdeen Township. The compensation of the Court Administrator, Deputy Court Administrator, the Violations Clerk(s) and court security personnel (all staffing) shall be the responsibility of Aberdeen Township.

**Section 10.**

**Repealer**

All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

**Section 11.**

**Severability**

If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

**Section 12.**

**Effective Date**

This ordinance shall take effect as provided by law and only upon adoption of substantially similar ordinances by the Township of Aberdeen.