

June 13, 2011

The Mayor and Common Council convened in open session in the Municipal Building at 215 Stiger Street, Hackettstown, New Jersey at 7:30 PM on Monday, June 13, 2011. The meeting opened with a salute to the Flag.

Mayor Lavery announced that this meeting was being held in accordance with the Open Public Meetings Act by:

- (1) posting a notice of said meeting on the bulletin board in the lobby of the Municipal Building;
- (2) causing a notice of said meeting to be sent to the Daily Record;
- (3) furnishing a notice of said meeting to anyone requesting it in accordance with the Open Public Meetings Act; and
- (4) filing notice of said meeting with the Town Clerk.

Roll Call Vote: Present – Mayor Lavery, Councilpersons Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Absent – Councilperson Stout

Mayor Lavery asked if anyone from the public would like to speak at this time.

Carol Auero, 9 Purple Martin, Panther Valley, advised the Mayor and Council of a new bill introduced in Congress relative to the Glass/Steagall Act.

Motion was made (Sheldon) and seconded (DiGiovanni) to approve the minutes of the regular meeting held on May 26, 2011 as submitted.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (Sheldon) and seconded (Conforti) to approve the minutes of the executive session held on May 26, 2011 as submitted.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (Sheldon) and seconded (DiGiovanni) to adopt the following resolution:

RESOLUTION

WHEREAS, the following applicants have submitted applications for 2011/12 Alcoholic Beverage Licenses of the type stated;

NOW THEREFORE BE IT RESOLVED, that subject to approval of the N.J. Division of Alcoholic Beverage Control, the liquor licenses hereafter listed be issued, signed on behalf of the governing body, and delivered by the Town Clerk to:

<u>LICENSEE</u>	<u>LICENSED PREMISES</u>	<u>TYPE OF LICENSE</u>	<u>LICENSE #</u>
Lehna Corporation	268 Main Street	PRC LEO	2108-33-001-007
Apple Food Service Of Hackettstown	215-225 Mountain Avenue	ETN NAS AIU RLM Y P T	2108-33-002-007
Charlie Brown's	109 Grand Avenue	I O	2108-33-003-011
David's Country Inn	314 Main Street	N	2108-33-006-002

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Oscjo Enterprises Inc.	169-171 Main Street		2108-33-004-006
Hackettstown Beverage Inc.	80-80 Main Street	PLENARY RETAIL DISTRIBUTION	2108-44-005-006
American Legion Blue Ridge Post #164	Willow Grove Street	CLUB	2108-31-007-001
Hackettstown Columbus Club, Inc.	142 Liberty Street	CLUB	2108-31-010-001
Loyal Order of Moose Lodge #816	263 Main Street	CLUB	2108-31-011-002
Hackettstown Elks Lodge #2331	210 Mountain Avenue	CLUB	2108-31-009-002

BE IT FURTHER RESOLVED that the effective dates of the foregoing licenses shall be from July 1, 2011 to June 30, 2012.

CERTIFIED to be a true copy of a RESOLUTION adopted by the Mayor and Common Council of the Town of Hackettstown, New Jersey at a regular meeting held on June 13, 2011.

Roll Call Vote: Yes – Conforti, DiGiovanni, DiMaio and Sheldon

Abstain – Bristow

Motion was made (Sheldon) and seconded (Bristow) authorizing the execution of a NJ Transit permit #P22127-5690-01, 15” RPC storm sewer pipe.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (Sheldon) and seconded (Conforti) to adopt the following resolution:

Resolution

WHEREAS, the Town of Hackettstown has experienced various natural hazard events and has been found to be vulnerable to damages resulting from these events, such as property loss, economic hardship and threats to public health and safety; and

WHEREAS, the Town of Hackettstown had previously entered into an agreement with the County of Warren to participate in the development of a Regional All-Hazards Pre-Disaster Mitigation Plan, now known as the Multi-Jurisdictional Hazard Mitigation Plan (the Plan); and

WHEREAS, the Plan recommends hazard mitigation actions that will protect people and property affected by natural hazards, will reduce future public, private, community and personal costs of disaster response and recovery, and will reinforce the Town of Hackettstown’s leadership in emergency preparedness efforts; and

WHEREAS, THE Plan, having been open to public review and comment on May 19, 2010 and on July 22, 2010 and meeting all other requirements as ordered by the New Jersey State Police Emergency Management Section, Hazards Mitigation Unit, and the Federal Emergency Management Agency, Region 2, New York City, has been approved by both the State and Federal entities; and

WHEREAS, the Disaster Mitigation Act of 2000 (P.L. 106-390) and associated Federal regulations published under 44 CFR Part 201 require the Town of Hackettstown to formally adopt a Hazard Mitigation Plan to be eligible for federal funds for hazard mitigation project and activities;

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Hackettstown, that the Multi-Jurisdictional Hazard Mitigation Plan is hereby adopted as an official plan and that appropriate requirements as specified in the Plan.

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Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (Sheldon) and seconded (DiGiovanni) to approve Chapter 159 special item of revenue for the Highlands Council Plan Conformance Grant in the amount of \$5,000.00.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (Sheldon) and seconded (Conforti) to approve Chapter 159 special item of revenue for the Highlands Council Plan Municipal Response Review Grant in the amount of \$7,500.00.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (DiGiovanni) and seconded (Bristow) to approve check register #2011-10 in the amount of \$4,727,121.60.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (Sheldon) and seconded (Conforti) that Ordinance entitled, AN ORDINANCE TO AMEND SECTION 13-12, SCHEDULE XII OF THE GENERAL CODE OF THE TOWN OF Hackettstown TO ADD A NO STOPPING OR STANDING ZONE ON MAIN STREET NEAR THE INTERSECTION OF MOORE STREET, be introduced and passed on first reading and that a public hearing be held thereon and it be considered for final passage at 7:30 PM on Monday, July 11, 2011; the Town Clerk to publish the ordinance together with Notice of Hearing in the Daily Record, to post the ordinance and Notice of Hearing on the bulletin board in the lobby of the Municipal Building, and to make copies of the ordinance available to members of the general public who request such copies.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (Sheldon) and seconded (Conforti) to approve the taxi cab owner's license for Milton Caceres for a 2005 White Ford, VIN #2FAFP71W75X101391.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (Sheldon) and seconded (DiGiovanni) to deny the taxi cab driver's license for Rafael Garcia.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (Sheldon) and seconded (Conforti) to approve the taxi cab driver's license for Abdelali Rouchdi.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (DiMaio) and seconded (Sheldon) to approve the application for Coin-Operated Amusement Device License and Proprietor's License for Oscjo Enterprises, DBA Marley's Gotham Grill.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (Sheldon) and seconded (Conforti) to acknowledge the receipt of the Bond Anticipation Note Bids as follows:

<u>Authorized Bidder</u>	<u>Interest Rate</u>	<u>Premium</u>	<u>Net Interest Payable</u>
Fulton Financial/Skylands	1.75%		\$47,356.61
Jefferies & Company	2.00%	\$4,737.00	\$49,384.84
Oppenheimer & Co. Inc.	2.00%	\$3,851.00	\$50,270.84
First Hope Bank	2.41		\$64,323.44

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Roll Call Vote: Yes – Bristow, Conforti, DiMaio and Sheldon

Abstain – DiGiovanni

Motion was made (Sheldon) and seconded (DiGiovanni) to approve raffle license #947 for Mansfield Township Fire Company No. 1 to hold an on premise 50/50.

Roll Call Vote: Yes – Bristow, DiGiovanni, Conforti, DiMaio and Sheldon

Motion was made (Sheldon) and seconded (DiMaio) to approve the request from Paladin Music and Entertainment, Inc. to shoot a movie in certain sections of Hackettstown during the summer and also to allow the use of a police vehicle, with with no reference/identification of the vehicle to Hackettstown, for one of the scenes.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (Sheldon) and seconded (DiMaio) to adopt the following resolution:

Resolution

BE IT RESOLVED by the Council of the Town of Hackettstown that effective June 13, 2011 the following Town officials are hereby authorized to sign checks where a combination of two signatures are required with at least one signature being that of a principal officer.

J. Edward Palmer (Principal Officer), Lynne M. Timlin (Principal Officer) and Lindsay Miller

This resolution applies to the following Skylands Community Bank accounts only:

Municipal Court General Account	101031041
Municipal Court Bail Account	101031068

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (DiMaio) and seconded (Sheldon) to approve the application for special permit for social affair for the Cataract Hose Company #1 to hold a Beefsteak Dinner and Comedy Dinner on October 8, 2011.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (DiGiovanni) and seconded (Conforti) to approve raffle license #948 for the Hackettstown Moose Lodge #816 to hold a pull tab raffle.

Roll Call Vote: Yes – Conforti, DiGiovanni, DiMaio and Sheldon

Abstain – Bristow

Motion was made (Sheldon) and seconded (Bristow) to authorize a bid for a new Dump Truck for the Department of Public Works.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (Sheldon) and seconded (Bristow) to adopt the following resolution:

Resolution

WHEREAS, the Hackettstown Planning Board conditioned minor site plan approval on the grading and stormwater management improvements proposed by Moudro Corporation on the property known as Block 45 Lots 1.01 and 2 on Bilby Road upon a Developers Agreement being signed; and

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WHEREAS, the terms and conditions of the Developer's Agreement have been consented to by Moudro; and

WHEREAS, the Town Attorney has drafted a Developer's Agreement that is acceptable to Moudro, their attorney and the Town Engineer.

THEREFORE BE IT RESOLVED by the mayor and Common Council of the Town of Hackettstown to approve the Developer's Agreement and to authorize the Mayor and Clerk to sign the agreement on behalf of the Town of Hackettstown.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (Sheldon) and seconded (Conforti) to approve the landing of a Blackhawk helicopter at the Lowe's parking lot on Community Day.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (Sheldon) and seconded (Conforti) to approve the special events license application for the Hackettstown Business Improvement District to hold the 4th Annual Stiger Street Cruise Nights, to waive the \$50.00 application fee and the municipal costs in the amount of \$201.30.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (Conforti) and seconded (Sheldon) to approve the special events license application for the Knights of Columbus to hold a Knights of Columbus Father's Day Softball Tournament on June 18 and June 19, 2011.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (Conforti) and seconded (Bristow) to approve the special events license application for the Cataract Hose Company #1 to hold a Beefsteak Dinner and Comedy Night on October 8, 2011 and to waive the \$50.00 application fee.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (Conforti) and seconded (Bristow) to not enter into an agreement with ASCAP Music Corp.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (DiGiovanni) and seconded (Sheldon) to approve the Fire Department membership application for Kevin Danielson, 16 Rolling Rapids Court, Hackettstown.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (Sheldon) and seconded (Bristow) to accept the resignation of Thomas Marshall from the Zoning Board of Adjustment and to send a letter thanking him for his service to the Town.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

Motion was made (Sheldon) and seconded (Conforti) to adjourn this meeting at 8:15 PM.

Roll Call Vote: Yes – Bristow, Conforti, DiGiovanni, DiMaio and Sheldon

This is to certify that the ordinances and resolutions contained herein have been

This is to certify that all proper notices, postings and filings required by the Open

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approved by me in accordance
with law.

Michael B. Lavery, Mayor

Public Meetings Act (Chapter
231, P.L. 1975) were provided
for this meeting.

William Kuster, Jr., Town Clerk