January 12, 2023

The Mayor and Common Council convened in open session in the Hackettstown Municipal Building, 215 Stiger Street, Hackettstown, New Jersey at 7:00 PM on January 12, 2023. The meeting opened with a salute to the Flag.

Mayor DiMaio 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 and NJ Herald;
3. Posting notice on the Municipal website www.Hackettstown.net.
4. Furnishing a notice of said meeting to anyone requesting it in accordance with the Open Public Meetings Act; and
5. Filing a notice of said meeting with the Town Clerk.

Mayor DiMaio administered the Oath of Office to Police Officer Anthony Cossio.

Roll Call: Present – Mayor DiMaio, Councilpersons Becker, Engelau, Kunz Lambo, Sheldon

and Tynan

Mayor DiMaio appointed the following to Council Committees:

Fire: Tynan Sheldon, Lambo

Sanitation: Tynan, Sheldon, Engelau

Police: Kunz, Tynan, Becker

Welfare: Kunz, Engelau, Becker

Lighting: Lambo, Kunz, Tynan

Recreation: Engelau, Lambo, Sheldon

Printing, License & Franchise: Lambo, Engelau, Becker

Public Works: Sheldon, Tynan, Becker

Ordinance & Municipal Affairs: Sheldon, Tynan, Lambo

Finance: Engelau, Lambo, Kunz

Ad Hoc Committees:

Insurance: Tynan, Sheldon, Lambo

Personnel & employee Negotiation Sheldon, Kunz, Engelau

Rescue Squad Coordinating: Sheldon, Kunz, Becker

Community Development: Tynan, Sheldon, Lambo

Board of Ed Liaison: Lambo, Engelau,Kunz

University Liaison: Lambo, Tynan, Becker

Parking Authority Liaison: Engelau, Tynan, Becker

BID Liaison: Kunz, Engelau

Mayor DiMaio appointed the following to the positions of Police Matron and Crossing Guards: Steve Carter, Kim Caravino (also Matron), Carolyn Cavanagh, Christina Culp, Derek Owens, Dolores Reagle, G. Sanchez, Judy Stone, Maureen Tice, Pauline Volkert, Kim Smith, Sal Madonna and Nancy Luteran.

Motion was made (Sheldon) and seconded by (Lambo) to confirm Mayor DiMaio’s appointment of the following to Council Committees:

Fire: Tynan Sheldon, Lambo

Sanitation: Tynan, Sheldon, Engelau

Police: Kunz, Tynan, Becker

Welfare: Kunz, Engelau, Becker

Lighting: Lambo, Kunz, Tynan

Recreation: Engelau, Lambo, Sheldon

Printing, License & Franchise: Lambo, Engelau, Becker

Public Works: Sheldon, Tynan, Becker

Ordinance & Municipal Affairs: Sheldon, Tynan, Lambo

Finance: Engelau, Lambo, Kunz

Ad Hoc Committees:

Insurance: Tynan, Sheldon, Lambo

Personnel & employee Negotiation Sheldon, Kunz, Engelau

Rescue Squad Coordinating: Sheldon, Kunz, Becker

Community Development: Tynan, Sheldon, Lambo

Board of Ed Liaison: Lambo, Engelau,Kunz

University Liaison: Lambo, Tynan, Becker

Parking Authority Liaison: Engelau, Tynan, Becker

BID Liaison: Kunz, Engelau

and the appointment of the following to the positions of Police Matron and Crossing Guards: Steve Carter, Kim Caravino (also Matron), Carolyn Cavanagh, Christina Culp, Derek Owens, Dolores Reagle, G. Sanchez, Judy Stone, Maureen Tice, Pauline Volkert, Kim Smith, Sal Madonna and Nancy Luteran.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Mayor DiMaio appointed Edward Syfor to the position of Fire Police Chief and Michael Palko, Jr. to the position of Fire Police Member.

Motion was made (Sheldon) and seconded (Lambo) to confirm Mayor DiMaio’s appointment of Edward Syfor to the position of Fire Police Chief and Michael Palko, Jr. to the position of Fire Police Member.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Mayor DiMaio appointed William O’Connor to the position of Alternate Construction Official with a term expiring December 31, 2023 and William O’Connor to the position of Alternate Building Subcode Official with a term expiring December 31, 2023.

Motion was made (Sheldon) and seconded (Becker) to confirm Mayor DiMaio’s appointment of William O’Connor to the position of Alternate Construction Official with a term expiring December 31, 2023 and William O’Connor to the position of Alternate Building Subcode Official with a term expiring December 31, 2023.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Mayor DiMaio appointed Darren Tynan to the position of Deputy Emergency Management Coordinator with a term expiring December 31, 2023, Gerald DiMaio to the position of Deputy Emergency Management Coordinator with a term expiring December 31, 2023, Mary Matusewicz to the position of Historic Preservation Commission Clerk with a term expiring December 31, 2023, Jamie DeAngelis to the position of Municipal Land Use Board Alternate #2 Member with a term expiring December 31, 2024 and Danielle Ferrara to the position of Municipal Land Use Board Alternate #3 Member with a term expiring December 31, 2024.

Motion was made (Engelau) and seconded (Kunz) to appoint Patricia Noll to the position of Tax Search Officer with a term expiring December 31, 2023.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Motion was made (Sheldon) and seconded (Lambo) to appoint P.J. Reilly to the position of Assessment Search Officer with a term expiring December 31, 2023.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

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

Resolution

Be it resolved that the Chief Financial Officer be designated as the certifying agent for the Public Employee Retirement System, Police and Fire Retirement System, and the NJ Social Security Agency.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon, and Tynan

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

Resolution

Be it resolved that the Town Clerk/Administrator is hereby designated as certifying agent for the NJ Department of Personnel (Civil Service).

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon, and Tynan

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

Resolution

Be it resolved that the Town Clerk/Administrator or her Deputy be designated as the official responsible for checking and verification of all delivery slips and vouchers for items payable by the Town of Hackettstown.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon, and Tynan

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

Resolution

Be it resolved that the Police Manual of the Town of Hackettstown, NJ containing the rules and regulations governing the Hackettstown Police Department be readopted.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon, and Tynan

Motion as made (Sheldon) and seconded (Engelau) to adopt the following resolution:

Resolution

Be it resolved that except in cases of extreme emergency, any necessary expenditure of $7,500.00 or more, whether current budget, operating expense, or capital budget must have prior approval of the Common Council before the encumbrance of funds.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

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

Resolution

Be it resolved that prior to the placement of any purchase order in excess of $500.00, the Town Clerk/Administrator’s approval must be received.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

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

Resolution

WHEREAS, NJSA 54:4-66 provides that taxes are payable in quarterly installments on the first of February, May, August and November in each year with installments becoming delinquent if not paid on or before those dates; and

WHEREAS, NJSA 54:4-67 has been amended to permit the fixing of said rate of eight (8) percent per annum on the first $1,500.00 of the delinquency, and eighteen (18) percent per annum on any amount in excess of $1,500.00 and allows an additional penalty of 6% to be collected against a delinquency in excess of $10,000.00 on accounts that fail to pay the delinquency prior to the end of the fiscal year; and

NOW THEREFORE BE IT RESOLVED that in accordance with NJSA 54:4-67, the Tax Collector is hereby authorized and directed to charge eight (8) percent per annum on the first $1,500.00 of tax or assessment delinquency after the due date and eighteen (18) percent per annum on any tax or assessment delinquency after the due date in excess of $1,500.00. An additional penalty of six (6) percent shall be charged against the total delinquency if the arrears of $10,000.00 remain at the end of the fiscal year; and

BE IT RESOLVED that no interest shall be charged if any installment is paid within ten (10) calendar days after the date upon which the same is due. However, if paid after the expiration of the ten (10) day grace period the interest charged shall be calculated from the original due date and not from the end of the grace period; and

BE IF TRUTHER RESOLVED that no interest shall be charged senior citizens who pay their taxes with their social security check with thirty (30) days of the taxes due date; and

BE IT FURTHER RESOLVED that the Tax Collector is hereby authorized to hold a tax sale in accordance with the law.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

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

Resolution

Be it resolved that P.J. Reilly be appointed Public Agency Compliance Officer for the year 2023.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

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

Resolution

Be it resolved that P.J. Reilly be appointed Health Benefits Administrator for the year 2023.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

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

Resolution

Be it resolved that the Cash Management Plan for the Town of Hackettstown be readopted for 2023.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

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

Resolution

Resolution authorizing the Municipal Assessor to file municipal appeals and enter into stipulations on behalf of the Town of Hackettstown for 2023.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Motion was made (Sheldon) and seconded (Becker) to approve the minutes of the regular meeting held on December 28, 2022 as submitted.

Roll Call Vote: Yes – Becker, Kunz, Lambo, Sheldon and Tynan

Abstain – Engelau

Motion was made (Sheldon) and seconded (Becker) to approve the minutes of the Reorganization meeting held on January 1, 2023 as submitted.

Roll Call Vote: Yes – Becker, Kunz, Lambo, Sheldon and Tynan

Abstain – Engelau

Motion was made (Sheldon) and seconded (Engelau) that Ordinance # 2023-01 entitled, ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (NJSA 40A:4-45.14) be introduced and passed on first reading and that a public hearing be held thereon and it be considered for final passage at 7:00 PM on February 9, 2023; the Town Clerk to publish the ordinance together with Notice of Hearing in the Daily Record, to post the ordinance and 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 requested such copies.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Motion was made (Sheldon) and seconded (Becker) that Ordinance # 2023-02 entitled, AN ORDINANCE BY THE MAYOR AND COUNCIL AMENDING THE TOWN OF HACKETTSTOWN CODE OF ORDINANCES TO REPEAL CHAPTER 17 (FLOOD DAMAGE PREVENTION ORDINANCE OF THE TOWN OF HACKETTSTOWN); TO ADOPT A NEW CHAPTER 17 TO BE KNOWN AS “FLOODPLAIN MANAGEMENT REGULATIONS”; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SERVERABILITY AND AN EFFECTIVE DATE, be introduced and passed on first reading and that a public hearing be held thereon and it be considered for final passage at 7:00 PM on February 9, 2023; the Town Clerk to publish the ordinance together with Notice of Hearing in the Daily Record, to post the ordinance and 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 requested such copies.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Motion was made (Lambo) and seconded (Becker) to adopt the following resolution:

Resolution

BE IT RESOLVED by the Mayor and Common Council for the Town of Hackettstown, N.J. as follows:

1. The following schedule for the regular meetings of the Mayor and Council for 2023 is hereby adopted:

January 1… 1:00 pm May 11…7:00pm September 28…7:00pm

January 12…7:00pm May 25…7:00pm October 12…7:00pm

January 26…7:00pm June 8…7:00pm October 26…7:00pm

February 9…7:00pm June 22…7:00pm November 9...7:00pm

February 23…7:00pm July 13…7:00pm November 20…7:00pm

March 9…7:00pm July 27…7:00pm December 14…7:00pm

March 23…7:00pm August 10…7:00pm December 28…6:30pm

April 13…7:00pm August 24…7:00pm

April 27…7:00pm September 14…7:00pm

1. All regular meetings will be held in the Municipal Building, 215 Stiger Street,

Hackettstown, N.J., on the date and time indicated.

1. A copy of the Resolution will be prominently posted by the Town Clerk throughout

2023 on the bulletin board in the lobby of the Municipal Building.

1. The Town Clerk, upon adoption of this Resolution, will mail copies to the Daily

Record, Parsippany, N.J., and the New Jersey Herald, Newton, N.J., which are designated as the official newspapers for publication of legal notifications; which said newspapers are hereby designated to receive notices of the meetings of the Mayor and Common Council of the Town pursuant to Section 3 (d) of the Open Public Meetings Act (Chapter 231, P.L. 1975); and will cause to be published in said newspaper a notice of the time, place and date of all regular meetings.

1. The Town Clerk will file a copy of this Resolution in the Town Clerk’s Office, and

this Resolution shall remain on file throughout 2023.

1. A copy of this Resolution, or any revision thereto, or any advance written notice of

any regular, special or rescheduled meeting during 2023 will be mailed by regular mail to any person making written application for the same pursuant to Section 14 of the Open Public Meetings Act (Chapter 231 P.L. 1975) upon payment by said person of FIFTEEN DOLLARS ($15.00) to the Town Clerk. Notices of meetings requested by the news media in writing shall be mailed by regular mail to said news media without charge. All requests for notices made shall terminate on December 31st of each year, but shall be subject to renewal upon a new written request to the Mayor and Common Council.

1. At the commencement of all regular meetings, the Mayor or the Acting Mayor will

announce publicly and shall cause to enter into the minutes of the meeting an accurate statement substantially as follows:

“Adequate notice of this meeting has been provided in accordance with the Open

Public Meetings Act by:

1. posting a schedule of all regular meetings of the Mayor and Common Council

on the bulletin board in the lobby of the Municipal Building; and

1. mailing a copy of the schedule of regular meetings to the Daily Record and

the NJ Herald, causing a notice of said schedule to be published in said newspapers; and

1. mailing or delivering a copy of the schedule of regular meetings for 2023 to

those persons requesting the same pursuant to the Open Public Meetings Act; and

1. filing a copy of the schedule of all regular meetings for 2023 with the Town

Clerk/Administrator.

1. The Town Clerk shall keep reasonably comprehensive minutes of all meetings of

the Mayor and Common Council, showing the time and place, the members present, the subjects considered, the action taken, the vote of each member, and any other information required by law which shall be promptly available to the public to the extent that making such matters public shall not be inconsistent with Section 7 of the Open Public Meetings Act.

1. The minutes of each meeting shall become public as soon as they are prepared by the Town Clerk promptly after each meeting. Before releasing the minutes prior to formal approval by the Mayor and Common Council, a statement is to be placed at the top of them stating: “These minutes have not been formally approved and are subject to change or modification by the Mayor and Common Council at its next meeting.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Motion as made (Sheldon) and seconded (Lambo) to adopt the following resolution:

Resolution

WHEREAS, there is presently pending before the Tax Court of the State of New Jersey, the matters entitled “Hackettstown Interstate, LLC vs. Town of Hackettstown”, which matters pertain to the appeals of the 2020 through 2022 tax years municipal property tax assessments for the property located at Block 125, Lot 9 and Block 125, Lot 10; and

WHEREAS, a proposed settlement has been reached in this matter through the negotiations of special counsel for the Town of Hackettstown, McKirdy, Riskin, Olson & Della Pelle, P.C., and counsel for the property owner, and the Tax Court of New Jersey having been advised of the facts of the proposed settlement, subject, however, to approval by this governing body; and

WHEREAS, Block 125, Lot 9 had an original total assessment for the 2020 through 2022 tax years of $25,000,000.00; and Block 125, Lot 10 had an original total assessment for the 2020 through 2022 tax years of $792,100.00.

WHEREAS, the proposed settlement will reduce the assessment on the Block 125, Lot 9 as follows: 2020 tax year to $24,107,900.00; 2021 tax year to $23,957,900.00; 2022 tax year $23,707,900.00, and

WHEREAS, the proposed settlement represents a decrease in the assessed value of the subject property of $892,100.00 for the 2020 tax years; $1,042,100.00 for the 2021 tax year and $1,292,100.00 for the 2022 tax year; and

WHEREAS, the total refund due the plaintiff as a result of the within settlement are as follows:

2022 tax year $28,511.52

2021 tax year $33,305.52

2023 tax year $42,329.20

Total tax savings for the 2020 through 2022 tax years will be $101,146.24

WHEREAS, plaintiff has further agreed that the 2022 assessment on Block 125, Lot 10, 213 Mountain Avenue, shall remain at $792,100.00 for the 2020 through 2023 tax years, with the 2023 assessment on Block 125 Lot 9 to be $23,207,900.00; and

WHEREAS, the taxpayer, as part of the within settlement, will waive any pre-judgment interest due on any refunds provided the refunds are paid within 60 days of the date of entry of judgments by the Tax Court; and

WHEREAS, the within settlement shall be effectuated by way of Stipulation of Settlement executed by counsel for the property owner and special counsel for the Town of Hackettstown, said Stipulation to be filed with the Clerk of the Tax Court and appropriate Judgements to be issued in accordance therewith; and

WHEREAS, the counsel for the Town of Hackettstown, being the governing body of said Town has deemed it to be in the public interest to approve said settlement; and it appears that the settlement is fair and indicative of the true market value of said property.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Hackettstown by its governing body as follows:

1. The Town Council hereby approves the proposed settlement in these matters as set forth above;
2. The law firm of McKirdy, Riskin, Olson & Della Pelle, P.C., as special counsel for the Town of Hackettstown, is hereby authorized to enter into such Stipulation of Settlement and execute on behalf of the Town all necessary instruments and furtherance thereof;
3. The tax collector and treasurer for the Town of Hackettstown are hereby authorized to issue the refunds due the taxpayer in the within matter for the 2020, 2021 and 2022 tax years.

Roll Call Vote: Yes – Becker, Engelau, Kunz and Tynan

No – Lambo and Sheldon

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

Resolution

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2023 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycle and to indicate the assent of the Town of Hackettstown to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Town of Hackettstown Committee of the Town of Hackettstown that the Town of Hackettstown hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates JoAnn Fascenelli, Certified Recycling Professional to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo and Tynan

No – Sheldon

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

Resolution

WHEREAS, the TOWN OF HACKETTSTOWN desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately $215,000.00 to carry out a project to repair the existing Warren Street tennis courts (three tennis, one pickleball);

BE IT THEREFORE RESOLVED:

1. That the TOWN OF HACKETTSTOWN COUNCIL does hereby authorize the application for such a grant; and
2. Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the TOWN OF HACKETTSTOWN and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names, titles, signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Motion was made (Sheldon) and seconded (Engelau) to award the Grand Avenue Improvement Project (Phase I and 2) contract to Colliers Engineering in the amount of $36,800.00.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

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

Resolution

WHEREAS, it is the policy of the Town of Hackettstown to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent

with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act; and

WHEREAS, the Governing Body of the Town of Hackettstown has determined that certain procedures need to be established to accomplish this policy.

NOW, THEREFORE BE IT ADOPTED, by the Mayor and Common Council of the Town of Hackettstown that:

Section 1: No official, employee appointee or volunteer of the Town by whatever title known, or any entity that is in any way a part of the Town shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person’s constitutional rights while such official, employee, appointee, volunteer, or entity is engaged in or acting on behalf of the Town’s business or using the facilities or property of the local.

Section 2: The prohibitions and requirements of this Resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Town to provide services that otherwise could be performed by the Town.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this Resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Mayor and Common Council have established written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this Resolution. Such procedures include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Mayor and Common Council have established written procedures that require all officials, employees, appointees and volunteers of the Town as well as all other entities subject to this Resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this Resolution.

Section 7: The Clerk/Administrator shall establish as system to monitor compliance and shall report at least annually to the Governing Body the results of the monitoring.

Section 8: At least annually, the Clerk/Administrator shall cause a summary of this Resolution and the procedures established pursuant to this Resolution and the procedures established pursuant to this Resolution to be communicated within the Town. This communication shall include a statement from the Governing Body expressing its unequivocal commitment to enforce this Resolution. This summary shall also be posted on the Town’s website.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

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

Resolution

WHEREAS, certain bills have been presented for payment for year 2022 charges for which there are insufficient budget reserves to pay, and

WHEREAS, NJSA 40A:4-59 permits transfers of appropriation reserves within the three months of the succeeding year to cover said charges.

NOW, THEREFORE BE IT RESOLVED, that the following 2022 Budget Appropriation Reserve transfers be authorized;

TRANSFER FROM: TRANSFER TO:

Administration S/W $150.00 Computer Data $150.00

Processing O/E

\_\_\_\_\_\_\_ \_\_\_\_\_\_\_

Totals $150.00 $150.00

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Motion was made (Becker) and seconded (Engelau) to request a certified list for entry level police recruits from Civil Service.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Motion was made (Sheldon) and seconded (Lambo) to rescind letters of formal offers of employment as police officers to Maxwell Francisco, Kayla Cannon-Rodrigues and Matthew Napoli.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Motion was made (Engelau) and seconded (Sheldon) to approve check register #2023-01 in the amount of $1,920,268.33.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Motion as made (Engelau) and seconded (Kunz) to approve the Special Event license application for the Hackettstown BID to hold an Annual Spring Festival from June 2, 2023 through June 4, 2023, to waive the $50.00 application fee and to charge Town costs in the amount of $9,840.12.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

Motion was made (Kunz) and seconded (Engelau) to approve the following areas as designated “No Parking Tow Away Zones” from 12:01 AM on June 2, 2023 to 11:00 PM on June 4, 2023.

1. Fifth Avenue from Grand Ave to Hatchery Hill School driveway, south side only.
2. Fifth Avenue from Hatchery Hill School driveway to Reese Avenue, both sides. That section of roadway to be closed to vehicle traffic.
3. Reese Avenue from First Avenue to Fish Hatchery Gates, both sides. The roadway to be closed to all vehicle traffic from Centenary University driveway to Fish Hatchery Gates.
4. Hatchery Hill School driveway, both sides. Also, all fire zones in and around the Hatchery Hill school grounds.
5. Fourth Avenue from Grand Ave to the Cul-de-sac and also including the cul-de-sac. Road closed except for local traffic.

It is respectfully requested that the following areas be designated as “Handicap Parking Only” from 12:01 AM on June 2, 2023 to 11:00 PM on June 4, 2023.

1. Fifth Avenue from Grand Ave to Hatchery Hill School driveway, north side only.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

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

Tyler Adams, 294 Hoffman Rd., Port Murray, inquired about the status of using E-scooters in Hackettstown and if he could advertise the use of E-scooters.

Motion was made (Sheldon) and seconded (Becker) to adjourn this meeting at 7:40 PM.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, Sheldon and Tynan

This is to certify that the This is to certify that all

ordinances and resolutions proper notices, postings and

contained herein have been filings required by the Open

approved by me in accordance Public Meetings Act (Chapter

with law. 231, P.L. 1975) were provided

for this meeting.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Gerald DiMaio, Jr., Mayor P.J. Reilly, Town Clerk/Administrator