February 13, 2019

The Mayor and Common Council convened in open session in the Municipal Building at 215 Stiger Street, Hackettstown, New Jerseyat 7:00 PM on February 13, 2019. The meeting opened

with a salute to the Flag.

Mayor DiGiovanni 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 DiGiovanni, Councilpersons Engelau, Hinrichs, Kunz and

 Sheldon

 Absent – Councilpersons DiMaio and Tynan

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

Jim Lambo, Land Use Board member, asked Council to increase the Board’s 2019 funding to allow for greater enforcement of zoning issues by the Zoning Officer and Town.

Motion was made (Sheldon) and seconded (Hinrichs) to approve the minutes of the regular meeting held on January 24, 2019 as submitted.

Roll Call Vote: Yes – Engelau, Hinrichs, Kunz and Sheldon

Mayor DiGiovanni opened the public hearing on ordinance 2019-01 entitled, ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (NJSA 40A:4-45.14) which was introduced and passed on first reading on January 10, 2019 and offered a copy of the ordinance to anyone who desired a copy. The title of the ordinance was read aloud, and the Town Attorney explained the contents and purpose of the ordinance. The Town Clerk stated that the ordinance and the Notice of Hearing were duly published in the Daily Record; and posted on the bulletin board in the lobby of the Municipal Building, and that copies of the ordinance were made available to members of the general public who requested such copies.

There being no comments from the public, Mayor DiGiovanni closed the public hearing and discussion returned to Council.

Motion was made (Sheldon) and seconded (Engelau) that ordinance 2019-01 entitled, , ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (NJSA 40A:4-45.14), be adopted on second and final reading and that Notice of Final Adoption be published.

Roll Call Vote: Yes – Engelau, Hinrichs, Kunz and Sheldon

Mayor DiGiovanni opened the public hearing on ordinance 2019-02 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN AMENDING SCHEDULE I OF CHAPTER 13 (ENTITLED “TRAFFIC AND PARKING”) OF THE TOWN ORDINANCES PROHIBITING PARKING ON CERTAIN PORTIONS OF MITCHELL ROAD, which was introduced and passed on first reading on January 10, 2019 and offered a copy of the ordinance to anyone who desired a copy. The title of the ordinance was read aloud, and the Town Attorney explained the contents and purpose of the ordinance. The Town Clerk stated that the ordinance and the Notice of Hearing were duly published in the Daily Record; and posted on the bulletin board in the lobby of the Municipal Building, and that copies of the ordinance were made available to members of the general public who requested such copies.

February 13, 2019 (continued)

There being no comments from the public, Mayor DiGiovanni closed the public hearing and discussion returned to Council.

Motion was made (Sheldon) and seconded (Kunz) that ordinance 2019-02 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN AMENDING SCHEDULE I OF CHAPTER 13 (ENTITLED “TRAFFIC AND PARKING”) OF THE TOWN ORDINANCES PROHIBITING PARKING ON CERTAIN PORTIONS OF MITCHELL ROAD, be adopted on second and final reading and that Notice of Final Adoption be published.

Roll Call Vote: Yes – Engelau, Hinrichs, Kunz and Sheldon

Mayor DiGiovanni opened the public hearing on ordinance 2019-03 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN AMENDING SECTION 13-6 (ENTITLED “PARKING RESTRICTIONS ON ALL STREETS”) OF ARTICLE 2 (ENTITLED “PROHIBITED PARKING, TIME LIMIT PARKING, METERED PARKING AND METERED PARKING LOTS”) OF CHAPTER 13 (ENTITLED “TRAFFIC AND PARKING”) OF THE TOWN ORDINANCES PROHIBITING PARKING WITHIN FIVE FEET OF A DRIVEWAY, which was introduced and passed on first reading on January 10, 2019 and offered a copy of the ordinance to anyone who desired a copy. The title of the ordinance was read aloud, and the Town Attorney explained the contents and purpose of the ordinance. The Town Clerk stated that the ordinance and the Notice of Hearing were duly published in the Daily Record; and posted on the bulletin board in the lobby of the Municipal Building, and that copies of the ordinance were made available to members of the general public who requested such copies.

Jim Lambo asked if the painted curbs on Warren Street will be extended to five feet.

Greg Geartner asked if the five foot parking restriction applied to all residential areas of Town.

There being no further comments from the public, Mayor DiGiovanni closed the public hearing and discussion returned to Council.

Motion was made (Sheldon) and seconded (Hinrichs) that ordinance 2019-03 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN AMENDING SECTION 13-6 (ENTITLED “PARKING RESTRICTIONS ON ALL STREETS”) OF ARTICLE 2 (ENTITLED “PROHIBITED PARKING, TIME LIMIT PARKING, METERED PARKING AND METERED PARKING LOTS”) OF CHAPTER 13 (ENTITLED “TRAFFIC AND PARKING”) OF THE TOWN ORDINANCES PROHIBITING PARKING WITHIN FIVE FEET OF A DRIVEWAY, be adopted on second and final reading and that Notice of Final Adoption be published.

Roll Call Vote: Yes – Engelau, Hinrichs, Kunz and Sheldon

A public hearing was conducted on the Taxi Cab Owners License for Metro Car Service, Sergio Rojas appearing and represented by Robert Russell. Violations of Section 8-56 (operation without valid license) were alleged. After considering the testimony and evidence presented, Council suspended the Owners License for 15 days. This penalty was stayed to February 28 on application of Mr. Russell pending their consideration to appeal Council’s decision.

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

Resolution

BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HACKETTSTOWN AS FOLLOWS:

1. That the public be excluded from attendance at a portion of its meeting to be held on February 13, 2019 for the reason that he following subject matter will be discussed:

Potential Litigation

311 Grand Avenue Fire Property Repairs

February 13, 2019 (continued)

1. The Mayor and Common Council may exclude the public from the meeting pursuant to section 10:4-12(b) of the Open Public Meetings Law.
2. Matter to be discussed will be revealed to the public after Council determines action to be taken, if any, and other litigation has been resolved and employees involved contacted.

Roll Call Vote: Yes – Engelau, Hinrichs, Kunz and Sheldon

The meeting was closed at 8:03 PM and reopened at 8:12 PM. The Mayor stated that no formal action was taken by Council during Executive Session.

Motion was made (Hinrichs) and seconded (Kunz) to suspend Metro Taxi/Sergio Rojas taxi cab owner’s license for fifteen (15) days with the start date of the suspension to be determined by the Mayor and Council at their February 28, 2019 meeting.

Roll Call Vote: Yes – Engelau, Hinrichs, Kunz and Sheldon

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

Resolution

WHEREAS, the Tax Collector advises that the subject property has been assess by the Tax Assessor as an exempt property for calendar year 2019 and recommends refund of the overpaid amount of taxes.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body to authorize the Chief Financial Officer to make the following refund of taxes:

Block 51, Lot 9 $2,159.90

Make check payable to:

 Easterseals

 Attn: Marianne Tioch

 25 Kennedy Blvd Suite 600

 East Brunswick, NJ 08816

Roll Call Vote: Yes – Engelau, Hinrichs, Kunz and Sheldon

Motion was made (Sheldon) and seconded (Engelau) to approve the temporary NJDOT easement agreement.

Roll Call Vote: Yes – Engelau, Hinrichs, Kunz and Sheldon

Motion was made (Sheldon) and seconded (Hinrichs) to approve the Recreation Department purchase order in the amount of $17,671.00 to Buckman’s for 2019 pool chemicals.

Roll Call Vote: Yes – Engelau, Hinrichs, Kunz and Sheldon

 Motion was made (Sheldon) and seconded (Engelau) to accept the resignation of Tim Hoffman as the Municipal Assessor effective February 15, 2019.

Roll Call Vote: Yes – Engelau, Hinrichs, Kunz and Sheldon

Motion was made (Sheldon) and seconded (Hinrichs) to hire Jason Cohen to the position of Municipal Assessor effective February 15, 2019 for five hours per week at an annual salary of $30,000.00.

Roll Call Vote: Yes – Engelau, Hinrichs, Kunz and Sheldon

February 13, 2019 (continued)

Motion was made (Engelau) and seconded (Hinrichs) to approve check register #2019-02 in the amount of $1,711,091.23.

Roll Call Vote: Yes – Engelau, Hinrichs, Kunz and Sheldon

Motion was made (Sheldon) and seconded (Kunz) to approve a shared service agreement with Washington Borough to provide animal control services effective March 1, 2019.

Roll Call Vote: Yes – Engelau, Hinrichs, Kunz and Sheldon

Motion was made (Engelau) and seconded (Kunz) to approve the application for social affair permit for the Church of the Assumption, BVM to hold a Fish ‘n Chips Dinner on March 30, 2019.

Roll Call Vote: Yes – Engelau, Hinrichs, Kunz and Sheldon

Motion was made (Sheldon) and seconded (Engelau) to approve raffle license #1197 for Tiger Wrestling to hold an on premise raffle.

Roll Call Vote: Yes – Engelau, Hinrichs, Kunz and Sheldon

Motion was made (Sheldon) and seconded (Hinrichs) to approve raffle license #1198 for the New Jersey Civic Youth Ballet to hold an off premise raffle and raffle license #1199 for the New Jersey Civic Youth Ballet to hold an on premise raffle.

Roll Call Vote: Yes – Engelau, Hinrichs and Sheldon

 Abstain – Kunz

Motion was made (Sheldon) and seconded (Engelau) to adjourn this meeting at 8:35 PM.

Roll Call Vote: Yes – Engelau, Hinrichs, Kunz 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.

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Maria DiGiovanni, Mayor William Kuster, Jr., Town Clerk