February 28, 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 28, 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 DiMaio Engelau, Hinrichs, and

Sheldon

Absent – Councilpersons Kunz and Tynan

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

George Stafford , Wharton, NJ asked Council to consider adopting a resolution in favor of continued in lieu of tax payments for municipalities to encourage open space acquisition.

Sergio Rojas, owner of Metro Taxi, advised Council that he will accept the 15 day suspension of his taxi cab owner’s license.

Motion was made (Sheldon) and seconded (Hinrichs) to approve the minutes of the regular meeting held on February 13, 2019 as submitted.

Roll Call Vote: Yes – Engelau, Hinrichs and Sheldon

Abstain – DiMaio

Motion was made (Sheldon) and seconded (Engelau) to approve the minutes of the executive session held on February 13, 2019 as submitted.

Roll Call Vote: Yes – Engelau, Hinrichs and Sheldon

Abstain – DiMaio

Mayor DiGiovanni opened the public hearing on ordinance 2019-04 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN ADOPTING THE REDEVELOPMENT PLAN PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, NJSA 40A:12A-1, ET SEQ., FOR PROPERTY LOCATED AT BLOCK 45, LOTS 1.01 AND 2, which was introduced and passed on first reading on January 24, 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 (DiMaio) that ordinance 2019-04 entitled AN ORDINANCE OF THE TOWN OF HACKETTSTOWN ADOPTING THE REDEVELOPMENT PLAN PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, NJSA 40A:12A-1, ET SEQ., FOR PROPERTY LOCATED AT BLOCK 45, LOTS 1.01 AND 2 be adopted on second and final reading and that Notice of Final Adoption be published.

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

Motion was made (Sheldon) and seconded (Engelau) to introduce the 2019 municipal budget.

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

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

Resolution

WHEREAS, NJSA 40A:4-78b has authorized the Local Finance Board to adopt the rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, NJSAC 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to NJAC 5:30-7.2 thru 7.5, the Town of Hackettstown has been declared eligible to participate in the program by the division of Local Government Services, and the Chief Financial Officer has determined that the Town meets the necessary conditions to participate in the program for the 2019 budget year, so

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Hackettstown that in accordance with NJAC 5:30-7.6a & b and based upon the Chief Financial Officer’s certification. The Governing Body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
   1. Payment of interest and debt redemption charges
   2. Deferred charges and statutory expenditures
   3. Cas deficit of preceding year
   4. Reserve for uncollected taxes
   5. Other reserves and nondisbursement items
   6. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to NJSA 40A:4-45.2 and appropriations for exceptions to limits on appropriations found that 40A:4-45.3 et seq. are fully met. (complies with the “Cap” law.)
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and NJAC 5:30-4 AND 5:30-5.
4. Pursuant to the Local Budget Law:
   1. All estimates of revenue are reasonable, accurate and correctly stated
   2. Items of appropriation are properly set forth
   3. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of NJSA 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

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

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

Resolution

WHEREAS, an error was made by the Tax Assessor on the added assessment billing for 2018 and for 2019 on Block 85, Lot 11; and

WHEREAS, the error resulted in a 2018 added assessment billing of $2,041.20 for the fourth quarter and $2,041.20 for the first and second quarters of 2019 on the above referenced property.

NOW, THEREFORE, BE IT RESOLVED on this 28th day of February 2019 by the Mayor and Common Council of the Town of Hackettstown that the Tax Collector is authorized to delete the added assessment billing for the fourth quarter of 2018 and the first and second quarters of 2019.

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

Motion was made (Engelau) and seconded (DiMaio) to approve check register #2019-03 in the amount of $466,248.42.

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

Motion was made (Sheldon) and seconded (Engelau) to approve the Recreation Department purchase order in the amount of $14,155.00 from Code Green Lawn Care, Great Meadows NJ for 2019 annual fertilization program.

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

Mayor DiGiovanni appointed Kathleen Block to the position of Tax Assessor Assistant for fifteen (15) hours per week at a rate of $14.00 per hour effective February 27, 2019.

Motion was made (DiMaio) and seconded (Hinrichs) to confirm Mayor DiGiovanni’s appointment of Kathleen Block to the position of Tax Assessor Assistant for fifteen (15) hours per week at a rate of $14.00 per hour effective February 27, 2019.

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

Motion was made (DiMaio) and seconded (Sheldon) to approve the Vigilant Hook & Ladder Fire Department membership application for Keil Klaver.

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

Motion was made (DiMaio) and seconded (Sheldon) to enter into an agreement with EMEX, LLC, DBA Energy Market Exchange to provide street lighting electricity for the period from April 18, 2019 through April 16, 2021.

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

Motion was made (DiMaio) and seconded (Sheldon) to enter into an electricity supply agreement with Constellation New Energy, Inc. for the term of 24 months.

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

Motion was made (Hinrichs) and seconded (Sheldon) to approve the special event license application for the Hackettstown BID to hold a Spring Festival on May 3rd, 4th and 5th, to waive the $50.00 application fee and to charge municipal costs in the estimated amount of $8,451.00 in advance of the event.

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

Motion was made (Hinrichs) and seconded (Sheldon) to approve the special event license application for the Hackettstown Committee for Crime Prevention to hold a Town wide yard sale on April 27th and 28th, to waive the $50.00 application fee and to charge no Town costs.

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

Motion was made (Hinrichs) and seconded (Sheldon) to approve the special event license application for EB Cops N Rodders to hold a car show at the Wendy’s/Lowe’s parking lot on Thursdays from April 25th through September 26, to charge the $50.00 application fee and to charge no Town costs.

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

Motion was made (Hinrichs) and seconded (Sheldon) to approve the special event license application for the NJ Civic Youth Ballet to hold a 5K and Tutu 2 Miler Run on April 28th, to waive the application fee and to charge no Town costs.

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

Motion was made (Hinrichs) and seconded (Sheldon) to approve the special event license application for the NJ Highlands Coalition to hold a Pub Crawl on April 13th, to waive the $50.00 application fee and to charge no Town costs.

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

Motion was made (Hinrichs) and seconded (DiMaio) to approve the special event license application for the Special Olympics to hold an Area 3 Track and Field Competition on May 4th, to waive the $50.00 application fee and to charge no Town costs.

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

Motion was made (Sheldon) and seconded (Engelau) to adjourn this meeting at 7:35 PM.

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

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.

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

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