March 14, 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 March 14, 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,

Sheldon and Tynan

Absent – Kunz

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

Diane Muenzen, 307-309 Grand Avenue, the owner of 313 Grand Avenue and Agust Gudmundsson, 303 Grand Avenue, all spoke of the conditions of the property at 311 Grand Avenue and the need for clean up and repairs of the fire damaged home. Also, all three questioned the tickets received for non-removal of snow from sidewalks.

Sergio Rojas, 324 Hurley Drive, asked the status of his request to have taxi cab insurance limits reduced so as to save taxicab companies costs.

Motion was made (Sheldon) and seconded (DiMaio) to approve the minutes of the regular meeting held on February 28, 2019 as submitted.

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

Abstain – Tynan

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

Resolution

WHEREAS, in 1961, the Green Acres Program was created with the mission “to achieve, in partnership with others, a system of interconnected open spaces, whose protection will preserve and enhance New Jersey’s natural environment and its historic, scenic, and recreational resources for public use and enjoyment”; and

WHEREAS, with the support and participation of public and private partners, the Green Acres Programs has protected over a half million acres of open space and has provided hundreds of outdoor recreation facilities throughout the state; and

WHEREAS, the success of New Jersey’s Open Space program, including Green Acres is threatened by the loss of in-lieu-of tax payments, which are made by the State to municipalities in order to mitigate the impact of the loss of property tax revenues because of the State’s purchase of open space; and

WHEREAS, cuts in funding for this program threaten vital open space and farmland acquisition by discouraging continued and expanded participation by localities due to potential losses in urgently needed Property Tax Revenues; and

March 14, 2019 (continued)

WHEREAS, this program represents less than one half percent of the State’s $37 billion FY 19 annual budget; and

WHEREAS, the program is presently funded in an uneven and unfair manner among localities, further discouraging widespread participation; and

WHEREAS, the in-lieu-of tax payment program is an inexpensive and efficient way to insure adequate, clean water supplies to the people of the State which is imperative to our quality of life;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hackettstown wishes that it be known that we strongly support the goals of the Payment in Lieu of Taxes Program for Open Space; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the members of the New Jersey State Legislature, the Commissioner of Department of Environment Protection and the Governor of the State of New Jersey.

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

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

Resolution

WHEREAS, on October 11, 2018, the Municipal Council (the “Municipal Council”) of the Town of Hackettstown (the “Town”) adopted a resolution designating the property located at Block 45, Lots 1.01 and 2, Bilby Road (the “Property”) and “Area in need of Redevelopment” pursuant to the New Jersey Local Redevelopment and Housing Law, NJSA 40A:12A-1 et seq. (the “Redevelopment Law”); and

WHEREAS, the Land Use Board of the Town of Hackettstown, at its meeting of December 18, 2018, recommended by Resolution that the Municipal Council designate the Property as a non-condemnation Area in Need of Redevelopment; and

WHEREAS, the Municipal Council of the Town of Hackettstown thereafter designated the Property as “an Area in Need of Redevelopment” by Resolution adopted on December 27, 2018 and authorized the Land Use Board of the Town of Hackettstown to prepare a Redevelopment Plan for the Property; and

WHEREAS, the Land Use Board of the Town of Hackettstown caused the Town Planner, Daniel Bloch, PP of Maser Consulting P.A., to prepare a Redevelopment Plan for the Property (the “Redevelopment Plan”); and

WHEREAS, the Land Use Board of the Town of Hackettstown reviewed the Redevelopment Plan, providing comments and suggested changes to its professional staff; and

WHEREAS, at its meeting on February 26, 2019, the Land Use Board of the Town of Hackettstown reviewed reviewed the Redevelopment Plan for Property, dated January 8, 2019 and adopted a Resolution recommending that the Redevelopment Plan be adopted by the Municipal Council; and

WHEREAS, on February 28, 2018, the Municipal Council adopted and ordinance of the Town of Hackettstown adopting the Redevelopment Plan pursuant to the Local Redevelopment and Housing Law, NJSA 40A:12A-1, et seq.; and

WHEREAS, the Town has determined to act as the “redevelopment entity” for the Redevelopment Area in accordance with the provision of the Redevelopment Law which also authorizes the redevelopment entity to arrange or contract for the planning, construction or undertaking of any development project or redevelopment work in an area designated as an “area in need of redevelopment” pursuant to NJSA 40A:12A-8; and

March 14, 2019 (continued)

WHEREAS, Moudro Urban Renewal, LLC, a New Jersey limited liability company, or its affiliate (the “Redeveloper”) is a developer with resources and a team of experts in planning, redevelopment, law engineering, environmental issues, architecture, design, finance, and real estate development with experience suitable for the proposed redevelopment of the Redevelopment Area; and

WHEREAS, the Town and the Redeveloper must enter into a redevelopment agreement (the “Redevelopment Agreement”) providing for the construction of 275 apartments in five detached structures that will include 55 affordable unites (collectively, the “Project”), as well as a financing agreement, subsequent to the adoption of this Resolution; and

WHEREAS, the Town recognizes that he involvement of the Redeveloper in this effort will help ensure that the residents of the Town will benefit from the expertise of the private sector in facilitating the successful redevelopment of the Redevelopment area.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Town of Hackettstown, County of Warren, State of New Jersey, as follows:

Section 1. The recitals are hereby incorporated as if set forth in full herein.

Section 2. Moudro Urban Renewal, LLC, or its affiliate, has been designated the exclusive redeveloper of the Redevelopment Area under the Redevelopment Law with authority to negotiate the terms of a redevelopment agreement with the Town.

Section 3. The Mayor is authorized to execute the Redevelopment Agreement and any additional documents or agreements deemed necessary by the Mayor, in consultation with the Town professionals and consultants, required to effectuate the terms of this resolution and designation.

Section 4. The Mayor is further hereby authorized to take all steps necessary to negotiate and execute any additional documents or agreements necessary in order to carry out the purposes of the Redevelopment Agreement and this resolution.

Section 5. The Redeveloper designation granted herein is conditioned on the execution of a Redevelopment Agreement and Financial Agreement with the Town.

Section 6. The Project shall conform with all federal, state and Town laws ordinances and regulations relating to its construction and use.

Section 7. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 8. This resolution shall take effect immediately.

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

Motion was made (Sheldon) and seconded (Engelau) to approve the Recreation Department purchase requisition in the amount of $7,546.82 to purchase a diving board from Recreonics, Inc.

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

Motion was made (Engelau) and seconded (Sheldon) to approve check register #2019-04 in the amount of $1,681,315.90.

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

Motion was made (Sheldon) and seconded (DiMaio) to approve raffle license #1200 for the Church of the Assumption of the Blessed Virgin Mary to hold an on premise 50/50 and raffle license #1201 for the Hackettstown Rotary Club to hold and on premise 50/50.

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

Motion was made (Hinrichs) and seconded (DiMaio) to approve the special event license application for the Knights of Columbus to hold a softball tournament on June 15th, with a rain date of June 22nd, to waive the $50.00 application fee and to charge no Town costs.

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

Motion was made (Hinrichs) and seconded (Sheldon) to approve the special event license application for Marketplace Vendors to hold an event at Czig Meister Brewery parking lot on April 13th and June 8th, to charge the $50.00 application fee and to charge no Town costs.

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

Motion was made (DiMaio) and seconded (Sheldon) that the following areas be designated as “No Parking Tow Away Zones” from 12:01 AM on May 3, 2019 to 11:00 PM on May 5, 2019.

1. Fifth Avenue from Grand Avenue to Hatchery Hill School driveway, south side only
2. Fifth Avenue from Hatchery Hill School driveway to Reese Avenue, both sides. Area also to be closed to vehicle traffic
3. Reese Avenue from First Avenue to Fish Hatchery Gates, both sides. Also, roadway closed to all vehicle traffic from Centenary College 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 Avenue to the cul-de-sac and also including the cul-de-sac. Road closed except for local traffic

And the following areas be designated as “Handicapped Parking Only” from 12:01 AM on May 3, 2019 to 11:00 PM on May 5, 2019.

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

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

Motion was made (Sheldon) and seconded (Engelau) to adjourn this meeting at 7:45 PM.

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

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