February 13, 2020

The Acting 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, 2020. The meeting opened

with a salute to the Flag.

Acting 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;

(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 – Councilpersons DiMaio, Engelau, Hinrichs and Kunz

Absent – Mayor DiGiovanni, Councilpersons Sheldon and Tynan

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

No one wished to speak at this time.

Motion was made (Engelau) and seconded (Hinrichs) to approve the minutes of the regular meeting held on January 9, 2020 as submitted.

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

Motion was made (Hinrichs) and seconded (Engelau) to approve the minutes of the regular meeting held on January 23, 2020 as submitted.

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

Acting Mayor DiMaio opened the public hearing on ordinance #2020-01 entitled, ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK, which was introduced and passed on first reading on January 9, 2020, and offered a copy of the ordinance to anyone who desired a copy. The title of the ordinance was rad a loud, and the Town Attorney explained the contents and purpose of the ordinance. The Town Clerk sated 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, Acting Mayor DiMaio closed the public hearing and discussion returned to Council.

Motion was made (Engelau) and seconded (Kunz) that ordinance #2020-01 entitled, ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK, be adopted on second and final reading and that Notice of Final Adoption be published.

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

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

Resolution

WHEREAS, NJSA 40A:4-5 as amended by PL 2017, c. 182 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United

February 13, 2020 (continued)

States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Record in Employment Decisions Under Title VII submitted its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Common Council of the Town of Hackettstown, hereby states that it has complied with NJSA 40A:4-5, as amended by PL 2017, c.183, by certifying that the locals unit’s hiring practices comply with the above reference enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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

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

Resolution

WHEREAS, the North Jersey Transportation Planning Authority (NJTPA) has developed the Pilot Freight Concept Development Program to identify and study freight mobility needs through the northern New Jersey region; and

WHEREAS, the NJTPA, in conjunction with Warren County, has identified the existing wight restriction of the 3rd Avenue Drainage Culvert under the Washington Secondary/Morristown Line in the Town of Hackettstown as a critical detriment to providing 286,000-pound rail service between along the rail line; and

WHEREAS, business in the region relies on rail freight to receive commodities, ship finished products and compete in a global economy, supporting the growth of business served by the Washington Secondary/Morristown Line and the jobs and economic value they offer to the local and state economy; and

WHEREAS, the bridge over the Drainage Culvert is structurally deficient and limits the weight of rail cars that can be carried across it is resulting in the short-loading of many of the rail cars that serve the e businesses along the corridor and the connecting branch lines; and

WHEREAS, the NJTPA and Warren County met with local officials to discuss the issue, held a public information center, and hosted a website to gain public input from town residents and stakeholders; and

WHEREAS, after extensive study, the full replacement of the concrete slab component of the bridge and repair of the existing abutments supporting slab was identified as the most effective solution to address the existing 286,000-pound rail limitation and was selected as the preliminary preferred alternative.

NOW THEREFORE BE IT RESOLVED that the Town of Hackettstown formally supports the preliminary preferred alternative identified in the Hackettstown Bridge over Drain Weight Restriction Elimination Project study, and the pursuit of public funding to eliminate the existing 286,000-pound weight restriction.

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

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

Resolution

February 13, 2020 (continued)

WHEREAS, there are stale dated checks outstanding in the Town of Hackettstown Claims Account, and

WHEREAS, every avenue has been extinguished to trace these checks,

NOW, THEREFORE BE IT RESOLVED by the Council of the Town of Hackettstown that the following stale dated checks be cancelled and credited to the Town of Hackettstown Surplus;

Check # Issued To Issue Date Amount

48370 HMS Alliance 7/12/18 $71.90

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

Motion was made (Hinrichs) and seconded (Engelau) to approve the Social Affair Permit Application for Newton Medical Center Foundation.

Roll Call Vote: Yes – DiMaio, Engelau and Hinrichs

Abstain – Kunz

Motion was made (Engelau) and seconded (Hinrichs) to approve the Recreation Department purchase order to Code Green Lawn Care for the 2020 Annual Fertilizer Program in the amount of $14,155.00 and the Recreation Department purchase order to Buchman’s Inc. for 2020 Pool Season Chemicals in the amount of $16,601.60.

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

Motion was made (Hinrichs) and seconded (Engelau) to approve raffle license #1226 for the House of the Good Shepherd to hold an on premise 50/50, raffle license #1227 for the House of the Good Shepherd to hold an on premise 50/50.

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

Motion was made (Hinrichs) and seconded (Engelau) to approve raffle license #1228 for the Knights of Columbus Joyce Kilmer Council #2483 to hold an off premise 50/50.

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

Motion was made (Engelau) and seconded (Hinrichs) to approve raffle license #1229 for Centenary University to hold an on premise 50/50 and raffle license #1230 for Centenary University to hold a Tricky Tray.

Roll Call Vote: Yes – DiMaio, Engelau and Hinrichs

Abstain – Kunz

Motion was made (Engelau) and seconded (Hinrichs) to approve check register #2020-02 in the amount of $3,581,108.75.

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

Motion was made (Engelau) and seconded (Hinrichs) to close Church Street on April 25, 2020 from 9AM to 2PM for Library Appreciation Day.

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

Motion was made (Engelau) and seconded (Kunz) that ordinance #2020-03 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN AMENDING SCHEDULE XV OF CHAPTER 13 (ENTITLED “TRAFFIC AND PARKING”) OF THE TOWN ORDINANCES ESTABLISHING RESTRICTED HANDICAP PARKING ON MADISON STREET, be

February 13, 2020 (continued)

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 March 11, 2020; 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 – DiMaio, Engelau, Hinrichs and Kunz

Motion was made (Hinrichs) and seconded (Kunz) to approve the Special Events License application for the Special Olympics to hold an event on May 2, 2020, to waive the $50.00 application fee and to charge no Town costs on the condition a fire permit is obtained for the use of the grill.

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

Motion was made (Hinrichs) and seconded (Kunz) to approve the Special Event License application for the Warren County Craze to hold a Softball Tournament on June 6, & 7, 2020, to waive the $50.00 application fee and to charge no Town costs on the condition a fire permit is obtained for the use of grills.

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

Motion was made (Hinrichs) and seconded (Engelau) to approve the Special Event License application for World Vision Clean Water for Kids to hold a World Vision Clean Water for Kids Walk on May 2, 2020, to waive the $50.00 application fee and to charge no Town costs.

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

Motion was made (Hinrichs) and seconded (Kunz) to approve the Special Event License application for EB Cops N Rodders to hold a Cruise Night on Thursdays from April 30, 2020 through September 24, 2020 and a car show on August 8, 2020, to waive the $50.00 application fee and to charge no Town costs.

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

Motion was made (Hinrichs) and seconded (Engelau) to approve the Special Event License application for the Hackettstown Committee for Crime Prevention to hold a Town wide garage sale on April 25 & 26, 2020, to waive the $50.00 application fee and to charge no Town costs.

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

Motion was made (Hinrichs) and seconded (Engelau) to approve the Special Event License application for Centenary University to hold a 2020 Commencement Ceremony on May 9, 2020, to waive the $50.00 application fee and to charge Town fees in the amount of $2,136.54 for three Police Officers.

Roll Call Vote: Yes – DiMaio, Engelau and Hinrichs

Abstain – Kunz

Motion was made (DiMaio) and seconded (Engelau) to request the following areas be designated as “No Parking Tow-Away” zones from 8:00 a.m. to 3:00 p.m. on May 9, 2020.

1. Reese Ave between First Ave and Fifth Ave.
2. Fifth Ave between Grand Ave and Reese Ave; west side only

Roll Call Vote: Yes – DiMaio, Engelau and Hinrichs

Abstain – Kunz

February 13, 2020 (continued)

Motion was made (Kunz) and seconded (Engelau) to adjourn this meeting at 7:30 PM.

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

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