August 8, 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 August 8, 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, Kunz

 and Sheldon

 Absent – Councilperson Tynan

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

No one wished to speak at this time.

Motion was made (Sheldon) and seconded (DiMaio) to approve the minutes of the regular meeting held on July 11, 2019 as submitted.

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

 Abstain – Engelau

Motion was made (Sheldon) and seconded (Engelau) to approve the executive session minutes held on July 11, 2019 as submitted.

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

Mayor DiGiovanni opened the public hearing on ordinance #2019-07 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN, COUNTY OF WARREN AND STATE OF NEW JERSEY, AMENDING THE LAND DEVELOPMENT ORDINANCE OF THE TOWN OF HACKETTSTOWN TO IMPLEMENT RECOMMENDATIONS OF THE 2018 HACKETTSTOWN MASTER PLAN REEXAMINATION REPORT, which was introduced and passed on first reading on June 13, 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 (Hinrichs) that ordinance #2019-07 entitled, , AN ORDINANCE OF THE TOWN OF HACKETTSTOWN, COUNTY OF WARREN AND STATE OF NEW JERSEY, AMENDING THE LAND DEVELOPMENT ORDINANCE OF THE TOWN OF HACKETTSTOWN TO IMPLEMENT RECOMMENDATIONS OF THE 2018 HACKETTSTOWN MASTER PLAN REEXAMINATION REPORT, be adopted on second and final reading and that Notice of Final Adoption be published.

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

August 8, 2019 (continued)

Mayor DiGiovanni opened the public hearing on ordinance #2019-08 entitled, ORDINANCE PROVIDING FOR IMPROVEMENTS OR PURPOSES IN AND BY THE TOWN OF HACKETTSTOWN, IN THE COUNTY OF WARREN, NEW JERSEY, AND APPROPRIATING $27,000.00, which was introduced and passed on first reading on July 11, 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 #2019-08 entitled, ORDINANCE PROVIDING FOR IMPROVEMENTS OR PURPOSES IN AND BY THE TOWN OF HACKETTSTOWN, IN THE COUNTY OF WARREN, NEW JERSEY, AND APPROPRIATING $27,000.00, be adopted on second and final reading and that Notice of Final Adoption be published.

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

Motion was made (Sheldon) and seconded (Kunz) that ordinance #2019-09 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN AMENDING SCHEDULE XII OF CHAPTER 13 (ENTITLED “TRAFFIC AND PARKING”) OF THE TOWN ORDINANCES PROHIBITING STOPPING AND STANDING ON BROOK HOLLOW DRIVE BETWEEN WILLOW GROVE STREET AND SAXTON DRIVE, 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 September 12, 2019; the Town Clerk to publish the ordinance together with 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, Kunz and Sheldon

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

Resolution

WHEREAS, pursuant to NJSA 54:4-66.3d which provides that third quarter property taxes shall not be subject to interest until the later of: August 1; or, the ten-day grace period, as authorized by a resolution of the governing body adopted on January 10, 2019; or the twenty-fifth calendar day after the tax bills were mailed; and

WHEREAS, the Tax Collector mailed the 2019 Final/2020 Preliminary tax bills on July 26, 2019; and the due date for the third-quarter payment is August 20, 2019, which is 25 days from the mailing date of July 26, 2019.

NOW, THEREFORE, BE IT RESOLVED, on this 8th day of August 2019 by the Mayor and Common Council of the Town of Hackettstown that the Tax Collector is hereby authorized and empowered, pursuant to NJSA 54:4-66.3d to hold interest charges until after August 20, 2019.

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

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

Resolution

WHEREAS, the General Code of the Town of Hackettstown, Chapter 11, Article 1 – Removal of Debris, Plant Growth, Etc. Required authorizes the Department of Public Works to remove debris, brush and obnoxious growth after providing the notice required by the ordinance; and

August 8, 2019 (continued)

WHEREAS, the required notice was sent to the below property by certified mail return receipt requested and regular mail; and

WHEREAS, ten days has elapsed since the notices were receive; and

WHEREAS, the property owners failed to remove the debris, brush and obnoxious growth within ten days of their receipt of the notice; and

WHEREAS, the Department of Public Works has caused the debris, brush and obnoxious growth to be removed; and

WHEREAS, the Director/Superintendent of the Department of Public Works has certified to the Mayor and Common Council the cost of the removal of the debris, brush and obnoxious growth.

THEREFORE, be it resolved by the Mayor and Common Council of the Town of Hackettstown as follows:

1. The certification of the costs of removal of the debris, brush and obnoxious growth has been examined and found to be correct.
2. The tax collector is hereby directed that the following costs shall be charged against the land and shall be added to and become part of the taxes next to be assessed and levied upon such land, to bear interest at the same rate ads taxes, and shall be collected and enforced by the tax collector in the same manner as taxes:

Property Address Block Lot Property Owner Cost

226 Park Ave 55 5.01 US BankTrust NA $320.00

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

Motion was made (Sheldon) and seconded (Engelau) to approve the Memorandum of Agreement between the Hackettstown and Mansfield Township Police Departments for computer hard drive storage.

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

Motion was made (Sheldon) and seconded (Hinrichs) to approve the release of a performance bond in the amount of $23,232.00 for S&S Real Estate Inc., Block 120 Lot 12 for MC Project No. HKC-083.

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

Motion was made (Engelau) and seconded (DiMaio) to approve check register #2019-13 in the amount of $377,638.01 and check register #2019-14 in the amount of $3,460,840.81

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

Motion was made (Sheldon) and seconded (Engelau) to approve the permit for social affair application for Centenary Performing Arts Guild to hold a Gala on September 21, 2019.

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

 Abstain – Kunz

Motion was made (Sheldon) and seconded (Kunz) to approve raffle license #1208 for the Knights of Columbus to hold an off premise 50/50, raffle license #1209 for the Church of the Assumption, B.V.M to hold an off premise raffle, raffle license #1210 for the Foundation for Hackettstown Medical Center to hold an off premise raffle and raffle license #1211 for Project Graduation of Hackettstown, Inc. to hold an off premise raffle.

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

August 8, 2019 (continued)

Motion was made (Sheldon) and seconded (Engelau) to approve the taxicab owners license for Henry Sondi for a 2009 Nissan, VIN# 85N1AN08W19C519638 through May 1, 2020.

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

Motion was made (Hinrichs) and seconded (Sheldon) to approve the special event license application for the Hackettstown Medical Center to hold a Holiday Lights Festival on November 23, 2019, to waive the $50.00 application fee and to charge Town costs in the amount of $1,881.60 with the requirement of the Hackettstown Fire Department to stand by at the event as well as obtain any necessary permits from the Mount Olive Fire Marshall.

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

Motion was made (Hinrichs) and seconded (Engelau) to approve the special event application for Centenary University to hold a Fun Food Fest 19 on August 30, 2019, to waive the $50.00 application fee and to charge no Town costs.

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

 Abstain – Kunz

Motion was made (Hinrichs) and seconded (Sheldon) to approve the special event license application for the Church of the Assumption to hold a Parish Community Festival on September 22, 2019, to waive the $50.00 application fee, to charge no Town costs with the requirement that any necessary permits be obtained from the Mount Olive Fire Marshall.

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

Motion was made (Engelau) and seconded (Hinrichs) 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 August 8, 2019 for the reason that the following subject matter will be discussed:

Contractual Matters

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. Matters 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 – DiMaio, Engelau, Hinrichs, Kunz and Sheldon

The meeting was closed at 7:23 PM and reopened at 7:45 PM. The Mayor stated that no formal action was taken by the Council during Executive Session.

Motion was made (Sheldon) and seconded (Kunz) to adjourn this meeting at 7:46 PM.

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

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

ordinances and resolutions proper notices, postings and

august 8, 2019 (continued)

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