January 9, 2020

The Mayor and Common Council convened in open session in the Municipal Building at 215 Stiger Street, Hackettstown, New Jerseyat 7:00 PM on January 9, 2020. 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,

Sheldon and Tynan

Mayor DiGiovanni presented a proclamation in recognition of School Choice Week.

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

Stephen LoBasso, 506 Grand Avenue, requested the Town approve opening of Grand Avenue by Elizabethtown Gas service to his property.

Karen Gargiulo, 100 Louis Lane, requested longer afternoon hours by Crossing Guards particularly Main Street crossings as after school program cause students to need to cross Main Street at later times.

Lauren Mason, 155 East Prospect Street, believes there need to be better signage at pedestrian crossing.

Mayor DiGiovanni appointed the following Council Members to the following Committees:

Fire: Kunz, Sheldon, Hinrichs

Sanitation: Tynan, Sheldon, Engelau

Police: DiMaio, Tynan, Kunz

Welfare Kunz, Hinrichs, Engelau

Lighting: Tynan, Kunz, Hinrichs

Recreation: Engelau, Tynan, Sheldon

Printing, License & Franchise: Hinrichs, Tynan, Engelau

Public Works: Sheldon, DiMaio, Tynan

Ordinance & Municipal Affairs: DiMaio, Tynan, Sheldon

Finance: Engelau, DiMaio, Hinrichs

Ad Hoc Committees:

Insurance: Tynan, Sheldon, Hinrichs

Personnel & Employee Negotiation: Sheldon, DiMaio, Kunz

Rescue Squad Coordinating: Sheldon, Kunz, Hinrichs

Community Development: Kunz, Sheldon, Engelau

Board of Ed Liaison: Hinrichs, Engelau, Kunz

University Liaison: Engelau, DiMaio, Tynan

Parking Authority Liaison: DiMaio, Engelau

BID Liaison: Kunz, Engelau

Mayor DiGiovanni appointed the following as Police Matrons and Crossing Guards: Joann Armstrong, Armstrong, Ann Bell, Kim Carvino, Carolyn Cavanagh, Patricia Crane, Cynthia Thielitz-Jones, Shirley Kuipers, Derek Owens, Dolores Reagle, Kim Smith, Judith Stone, Maureen Tice, Mariellen Tynan, Pauline Volkert.

January 9, 2020 (continued)

Motion was made (Engelau) and seconded (DiMaio) to confirm Mayor DiGiovanni’s appointment of the following as Police Matrons and Crossing Guards: Joann Armstrong, Armstrong, Ann Bell, Kim Carvino, Carolyn Cavanagh, Patricia Crane, Cynthia Thielitz-Jones, Shirley Kuipers, Derek Owens, Dolores Reagle, Kim Smith, Judith Stone, Maureen Tice, Mariellen Sheldon, Pauline Volkert.

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

Mayor DiGiovanni appointed Edward Syfor to the position of Fire Police Chief, Charles Syfor to the position of Fire Police Assistant Chief and Mike Palko, Jr. to the position of Fire Police Member.

Motion was made (Kunz) and seconded (Tynan) to confirm Mayor DiGiovanni’s appointment of Edward Syfor to the position of Fire Police Chief, Charles Syfor to the position of Fire Police Assistant Chief and Mike Palko, Jr. to the position of Fire Police Member.

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

Mayor DiGiovanni appointed James O’Connor to the position of Alternate Construction Official with a term expiring December 31, 2020 and James O’Connor to the position of Alternate Building Subcode Official with a term expiring December 31, 2020.

Motion was made (DiMaio) and seconded (Engelau) to confirm Mayor DiGiovanni’s appointment of James O’Connor to the position of Alternate Construction Official with a term expiring December 31, 2020 and James O’Connor to the position of Alternate Building Subcode Official with a term expiring December 31, 2020.

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

Mayor DiGiovanni appointed Darren Tynan to the position of Deputy Emergency Management Coordinator with a term expiring December 31, 2020, Gerald DiMaio, Jr. to the position of Deputy Emergency Management Coordinator with a term expiring December 31, 2020, Mary Matusewicz to the position of Historic Preservation Commission Clerk with a term expiring December 31, 2020, James Lambo to the position of Municipal Land Use Board, Class II Member with a term expiring December 31, 2020, Joseph Bristow to the position of Municipal Land Use Board Class I Member with a term expiring December 31, 2020, John Stout to the position of Municipal Land Use Board, Class IV with a term expiring December 31, 2023, Don Sherman to the position of Municipal Land Use Board, Class IV with a term expiring December December 31, 2023, Donna Walling to the position of Municipal Land Use Board, Alternate #1 with a term expiring December 31, 2021, Steven Wolfrum to the position of Municipal Land Used Board, Alternate #3 with a term expiring December 31, 2021, Jody Becker to the position of Municipal Land Use Board, Alternate #2 with a term expiring December 31, 2020 and James Lambo to the position of Environmental Commission Member with a term expiring December 31, 2021.

Motion was made (DiMaio) and seconded (Sheldon) to appoint Councilperson Kunz to the position of Municipal Land Use Board, Class III Member with a term expiring December 31, 2020.

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

Motion was made (DiMaio) and seconded (Tynan) to appoint William Harper to the position of HMUA Board Member with a term expiring February 1, 2025.

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

No – Sheldon

Motion was made (DiMaio) and seconded (Sheldon) to appoint Patricia Noll to the position of Tax Search Officer with a term expiring December 31, 2020.

January 9, 2020 (continued)

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

Motion was made (DiMaio) and seconded (Tynan) to appoint William Kuster, Jr. to the position of Assessment Search Officer with a term expiring December 31, 2020.

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

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

Resolution

BE IT RESOLVED, that he Chief Financial Officer be designated as the certifying agent for the Public Employee Retirement System, Police and Fire Retirement System and the NJ Social Security Agency.

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

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

Resolution

BE IT RESOLVED, that the Town Clerk/Administrator is hereby designated as certifying agent for the NJ Department of Personnel (Civil Service).

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

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

Resolution

BE IT RESOLVED that the Town Clerk/Administrator or his Deputy be designated as the official responsible for checking and verification of all delivery slips and vouchers for items payable by the Town of Hackettstown.

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

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

Resolution

BE IT RESOLVED that the Police Manual of the Town of Hackettstown, NJ containing the rules and regulations governing the Hackettstown Police Department be readopted.

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

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

Resolution

BE IT RESOLVED that except in cases of extreme emergency, any necessary expenditure of $7,500.00 or more, whether current budget, operating expense or capital budget must have prior approval of the Common Council before the encumbrance of funds.

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

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

Resolution

January 9, 2020 (continued)

BE IT RESOLVED that prior to the placement of any purchase order in excess of $500.00, the Town Clerk/Administrator’s approval must be received.

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

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

Resolution

WHEREAS, NJSA 54:4-66 provides that taxes are payable in quarterly installments on the first of February, May, August and November in each year with installments becoming delinquent if not paid on or before those dates; and

WHEREAS, NJSA 54:4-67 has been amended to permit the fixing of said rate of eight (8) percent per annum on the first $1,500.00 of the delinquency, and eighteen (18) percent per annum on any amount in excess of $1,500.00 and allows an additional penalty of 6% to be collected against a delinquency in excess of $10,000.00 on accounts that fail to pay the delinquency prior to the end of the fiscal year; and

NOW THEREFORE BE IT RESOLVED that in accordance with NJSA 54:4-67, the Tax Collector is hereby authorized and directed to charge eight (8) percent per annum on any tax or assessment of delinquency after the due date in excess of $1,500.00. an additional penalty of six (6) percent shall be charged against the total delinquency if the arrears of $10,000.00 remain at the end of the fiscal year; and

BE IT RESOLVED that no interest shall be charged if any installment is paid within ten (10) calendar days after the date upon which the same is due. However, if paid after the expiration of the ten (10) day grace period the interest charged shall be calculated from the original due date and not from the end of the grace period; and

BE IT FURTHER RESOLVED, that not interest shall be charged senior citizens who pay their taxes with their social security check within thirty (30) days of the taxes due date; and

BE IT FURTHER RESOLVED that the Tax Collector is hereby authorized to hold a tax sale in accordance with law.

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

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

Resolution

BE IT RESOLVED that William Kuster be appointed Public Agency Compliance Officer for the year 2020.

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

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

Resolution

BE IT RESOLVED that William Kuster be appointed Health Benefits Administrator for the year 2020.

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

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

January 9, 2020 (continued)

Resolution

BE IT RESOLVED that the Cash Management Plan for the Town of Hackettstown be readopted for 2020.

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

Motion was made (Engelau) and seconded (Tynan) that ordinance #20-01 entitled ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (NJSA 40A:4-45.14), be introduced and passed on first reading and and that a public hearing be held thereon and it be considered for final passage at 7:00 PM on February 13, 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 int eh 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, Sheldon and Tynan

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

Resolution

BE IT RESOLVED by the Mayor and Common Council for the Town of Hackettstown, N.J. as follows:

1. The following schedule for the regular meetings of the Mayor and Council for 2019 is hereby adopted:

January 1… 1:00 pm May 14…7:00pm September 24…7:00pm

January 9…7:00pm May 28…7:00pm October 8…7:00pm

January 23…7:00pm June 11…7:00pm October 22…7:00pm

February 13…7:00pm June 25…7:00pm November 12...7:00pm

February 27…7:00pm July 9…7:00pm November 23…7:00pm

March 12…7:00pm July 23…7:00pm December 10…7:00pm

March 26…7:00pm August 13…7:00pm December 28…6:30pm

April 9…7:00pm August 27…7:00pm

April 23…7:00pm September 10…7:00pm.

1. All regular meetings will be held in the Municipal Building, 215 Stiger Street,

Hackettstown, N.J., on the date and time indicated.

1. A copy of the Resolution will be prominently posted by the Town Clerk throughout

2020 on the bulletin board in the lobby of the Municipal Building.

1. The Town Clerk, upon adoption of this Resolution, will mail copies to the Daily

Record, Parsippany, N.J., and the New Jersey Herald, Newton, N.J., which are designated as the official newspapers for publication of legal notifications; which said newspapers are hereby designated to receive notices of the meetings of the Mayor and Common Council of the Town pursuant to Section 3 (d) of the Open Public Meetings Act (Chapter 231, P.L. 1975); and will cause to be published in said newspaper a notice of the time, place and date of all regular meetings.

1. The Town Clerk will file a copy of this Resolution in the Town Clerk’s Office, and

this Resolution shall remain on file throughout 2020.

1. A copy of this Resolution, or any revision thereto, or any advance written notice of

any regular, special or rescheduled meeting during 2020 will be mailed by regular mail to any person making written application for the same pursuant to Section 14 of the Open Public Meetings Act (Chapter 231 P.L. 1975) upon payment by said person of FIFTEEN DOLLARS ($15.00) to the Town Clerk. Notices of meetings requested by the news media in writing shall be mailed by regular mail to said news media without charge. All requests for notices made shall terminate on December 31st of each year, but shall be subject to renewal upon a new written request to the Mayor and Common Council.

1. At the commencement of all regular meetings, the Mayor or the Acting Mayor will

January 9, 2020 (continued)

announce publicly and shall cause to enter into the minutes of the meeting an accurate statement substantially as follows:

“Adequate notice of this meeting has been provided in accordance with the Open

Public Meetings Act by:

1. posting a schedule of all regular meetings of the Mayor and Common Council

on the bulletin board in the lobby of the Municipal Building; and

1. mailing a copy of the schedule of regular meetings to the Daily Record and

the NJ Herald, causing a notice of said schedule to be published in said newspapers; and

1. mailing or delivering a copy of the schedule of regular meetings for 2020 to

those persons requesting the same pursuant to the Open Public Meetings Act; and

1. filing a copy of the schedule of all regular meetings for 2020 with the Town

Clerk/Administrator.

1. The Town Clerk shall keep reasonably comprehensive minutes of all meetings of

the Mayor and Common Council, showing the time and place, the members present, the subjects considered, the action taken, the vote of each member, and any other information required by law which shall be promptly available to the public to the extent that making such matters public shall not be inconsistent with Section 7 of the Open Public Meetings Act.

1. The minutes of each meeting shall become public as soon as they are prepared by the Town Clerk promptly after each meeting. Before releasing the minutes prior to

formal approval by the Mayor and Common Council, a statement is to be placed at the top of them stating: “These minutes have not been formally approved and are subject to change or modification by the Mayor and Common Council at its next meeting.

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

Motion was made (Kunz) and seconded (Engelau) that ordinance #20-02 entitled, AN ORDINANCE AMENDING ORDINANCE 2019-10 FOR PURPOSE OF IMPROVEMENTS TO TANNERY FIELD BY THE TOWN OF HACKETTSTOWN, IN THE COUNTY OF WARREN, NEW JERSEY, be introduced and passed on first reading and and that a public hearing be held thereon and it be considered for final passage at 7:00 PM on January 23,2020; 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 int eh 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, Sheldon and Tynan

Motion was made (Sheldon) and seconded (Engelau) to open the street to allow gas hook up at 506 Grand Avenue by Elizabethtown Gas.

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

Motion was made (Sheldon) and seconded (Tynan) to adjourn this meeting at 7:43 PM.

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