April 23, 2020

The Mayor and Common Council convened in open session via teleconference in the Municipal Building at 215 Stiger Street, Hackettstown, New Jerseyat 6:00 PM on April 23, 2020. The meeting opened with a salute to the Flag.

Mayor DiGiovanni announced that adequate notice of the time, place and manner of this remote public Council meeting, being conducted via teleconference, including the means by which the public may observe and participate, as been provided in accordance with the Open Public Meetings Act by:

1. posting said notice on the municipal building bulletin board and front window of the

Municipal Building;

(2) emailing said notice to the press and all others who have requested it;

(3) posting on the official Town website; and

(4) transmission to residents via nixel notification.

Roll Call Vote: Present – Mayor DiGiovanni, Councilpersons DiMaio, Engelau, Hinrichs, Kunz,

 Sheldon and Tynan

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

Robert West, 200 Vail Street, asked a question relative to a Land Use Board application and was advised as to the date and time of the Land Use Board teleconference meeting.

Joan Bariewski, 46 Mitchell Road, asked as to how the Town would assist with getting local business moving again.

Frank Casper, 408 E. Valley View Ave., asked about 2nd quarter tax payment and if clean-up will be rescheduled.

Motion as made (DiMaio) and seconded (Sheldon) to approve the minutes of the regular meeting held on February 27, 2020.

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

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

Resolution

WHEREAS, NJSA 40A:4-78b has authorized the Local Finance Board to adopt 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 of the 2020 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 int eh budget:
2. Payment of interest and debt redemption charges.
3. Deferred charges and statutory expenditures.
4. Cash deficit of preceding year.

April 23, 2020 (continued)

1. Reserve for uncollected taxes.
2. Other reserves and nondisbursement items.
3. Any inclusions of amounts required for school purposes.
4. 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 at 40A:4-45.3 et seq. are fully met. (Complies with the “CAP” law.)
5. 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.
6. That pursuant to the Local Budget Law:
	1. All estimates of revenue are reasonable, accurate and correctly states.
	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.
7. 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.
8. 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, Kunz, Sheldon and Tynan

 Abstain – Hinrichs

Motion was made (Sheldon) and seconded (DiMaio) to introduce the 2020 Municipal Budget.

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

 Abstain – Hinrichs

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

Resolution

WHEREAS, the 2020 Temporary Budget of the Mayor and Council of the Town of Hackettstown, as adopted January 1, 2020, appropriated sufficient funds to cover the Town’s financial obligations for the first three months of the calendar year,

WHEREAS, due to a revision in the State budget calendar and the closures due to COVID 19, the 2020 budget was not adopted by March 31st,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council of the Town of Hackettstown, that the temporary budget be extended and that the appropriations be increased by two twelfths of appropriations made for all purposes in the budget for the year 2019, excluding appropriations made for debt service, capital improvement fund and public assistance.

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

 Abstain – Hinrichs

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

Resolution

WHEREAS, it is anticipated that the Town of Hackettstown will not be able to issue tax bills for the third quarter 2020 payment on a timely basis due to the COVID 19 crisis and adjustments to the State Budget calendar, and

April 23, 2020 (continued)

WHEREAS, the State of New Jersey, Division of Local Government Services had recommended that all municipalities considering sending their residents estimated third quarter tax bills due to these changes, and

WHEREAS, the Town of Hackettstown has determined that there could be insufficient cash flow to support operations if the third quarter tax collections are not received on the normal collection cycle calendar,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Hackettstown, Warren County, that:

1. The Tax Collector be and is hereby directed to take all steps necessary to send out estimated tax bills for the third quarter 2020.
2. The entire estimated tax levy for 2020 is hereby set at $31,903659.40 and the estimated tax rate is $3.113.
3. In accordance with the law, the third installment of 2020 taxes shall not be subject to interest until the later of August 10th or the 25th calendar day after the date the estimated tax bills are mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

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

 Abstain – Hinrichs

Motion was made (Sheldon) and seconded (DiMaio) that ordinance #2020-04 entitled, AN ORDINANCE FIXING THE SALARY AND OTHER BENEFITS OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWN OF HACKETTSTOWN FOR 2020, be introduced and passed on first reading and that a public hearing be held thereon and it be considered for final passage on May 28, 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, Kunz, Sheldon and Tynan

 Abstain – Hinrichs

Motion was made (Sheldon) and seconded (Tynan) that ordinance #2020-05 entitled, AN ORDINANCE APPROPRIATING THE TOTAL SUM OF $388,300 FOR THE FUNDING OF VARIOUS CAPITAL IMPROVEMENTS OR PURPOSES BY THE TOWN OF HACKETTSTOWN, IN THE COUNTY OF WARREN, NEW JERSEY, be introduced and passed on first reading and that a public hearing be held thereon and it be considered for final passage on May 28, 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, Kunz, Sheldon and Tynan

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

Resolution

WHEREAS, Governor Murphy has declared a state of emergency via Executive Order 103 in response to the coronavirus outbreak, and

WHEREAS, as a result of the coronavirus outbreak, many municipalities may experience addition expenses for purchases regarding coronavirus response, and

April 23, 2020 (continued)

WHEREAS, per Local Finance Notice 2020-06 the State of New Jersey Division of Local Government Services has authorized municipalities to use funds that are reserved in their Storm Recovery Trust Find for payment of these expenses,

NOW THEREFORE, BE IT RESOLVED, that the Town of Hackettstown Storm Recovery Trust Fund may be utilized for any expenses relating to the coronavirus outbreak.

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

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

Resolution

WHEREAS, the Tax Collector advises of overpayment of taxes for calendar year 2020 due to a duplicate payment and recommends a refund of the overpaid amount.

NOW, THEREFORE, BE IT RESOLVED by the governing body to authorize the Chief Financial Officer to make the following refund of taxes:

Block 41.04, Lot 45 $1,897.94

 Corelogic/Refunds Dept.

 PO Box 9202

 Coppell, TX 75019

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

Motion was made (Engelau) and seconded (Sheldon) to approve check register #2020-05 in the amount of $396,495.60, check register #2020-06 in the amount of $2,553,750.97 and check register #2020-07 in the amount of $1,731,480.71.

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

Motion was made (Sheldon) and seconded (DiMaio) to approve the Maser Engineering contract for COAH service with costs to be charged to the COAH Trust Fund in the amount of $7,800.00.

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

Motion was made (Sheldon) and seconded (Tynan) to approve the following taxi cab owners licenses through May 1, 2021: Metro Car Service for a 2012 Toyota Sienna, VIN# 5TDZK3DC3C5194449; Metro Car Service for a 2015 Toyota Sienna, VIN# 5TDKK3DC75632573; Ada Garcia for a 2006 Toyota Sienna, VIN# 5TDBA23C4658234; Ana M. Ramirez for a 2009 Honda, VIN# 5FNRL386X9B018240; Henry Sandi for a 2009 Nissan, VIN# 85N1A08W19C514638 and Normal Rugel for a 2012 Chrysler, VIN# 2C4RC1BG4CR353172.

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

Motion was made (Sheldon) and seconded (Kunz) to approve the following taxicab drivers’ applications through May 1, 2021: Martha Allardice, Samuel Poff, Henry Sandi and Ana M. Ramirez.

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

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

Resolution

WHEREAS, the salary ordinance of the Town of Hackettstown was adopted by the Mayor and Common Council at a meeting held on March 10, 2016, and

April 23, 2020 (continued)

WHEREAS, the salary ordinance provides for ranges of salary,

NOW THEREFORE BE IT RESOLVED that the following 2020 salaries are established for employees currently in the following positions, effective March 1, 2020

Zoning Officer $46,182 annual

(this increases the salary by $4,787 annually for an additional 1.5 hours per week, for the purpose of additional enforcement duties.)

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

Motion was made (Sheldon) and seconded (Hinrichs) to approve raffle license #1233 for the Hackettstown Moose Lodge 816 to hold a pull tab raffle through March 15, 2021.

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

Motion was made (DiMaio) and seconded (Engelau) to approve the special event license application for the Knights of Columbus to hold an annual softball tournament on June 27, 2020, to waive the $50.00 application fee and charge no Town costs.

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

Motion was made (Sheldon) and seconded (Hinrichs) to approve the release of the MedExpress Maintenance Bond as recommended by Town Engineer Paul Sterbenz, P.E.

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

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

Resolution

WHEREAS, to witness the birth of a child is our best opportunity “to experience the meaning of the word miracle” (Paul Carvel); and

WHEREAS, one of the greatest joys experienced by a spouse is being able to participate in the birth of and have that initial boding with a new baby; and

WHEREAS, many Warren County couples have brought it to the attention of the Board of Chosen Freeholders that St. Luke’s University Health Network and Lehigh Valley Health Network have imposed a ban on New Jersey visitors, including for maternity visits; and

WHEREAS, this ban is particularly discriminatory against Warren County couples, as neither hospital in Warren County offers maternity services, leaving expectant parents no choice but to use medical facilities located outside of the County; and

WHEREAS, Warren County’s number of COVID-19 infections is far fewer than the amount reported in Pennsylvania’s Lehigh Valley, where St. Luke’s University Health Network and Lehigh Valley Health Network maternity facilities are located, so a ban on family members assisting in the birth of a baby is an unnecessary and heavy-handed approach not supported by the facts; an

WHEREAS, the New York Department of Health has updated specific guidelines for obstetrical and pediatric setting providing for familial support in labor and delivery as well as the immediate postpartum period if the patient so desires; and

WHEREAS, New Jersey Health Commissioner Judith Persichilli has issued an order to hospitals requiring them to allow one designated support person to be with the expectant mother, deeming such support as essential to patient care throughout labor, delivery, and the immediate postpartum period; and

April 23, 2020 (continued)

WHEREAS, the Town of Hackettstown shares the sentiment that a child’s birth is a special moment and should be celebrated; an

WHEREAS, the delivery of a baby without a spouse or any family members present creates additional stress and anxiety, which could impact delivery; and

WHEREAS, an amended order on visitation, being cognizant of symptoms of COVID-19 and protocols addressing the health, safety and welfare of all patients and staff, should be implemented to ensure a practical, prudent and reasonable policy;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council, the Town of Hackettstown requests the Gov. Phil Murphy of the State of New Jersey and Gov. Tom Wolf of the Commonwealth of Pennsylvania, modify the policies for labor and delivery for the birth of a child to permit participation by designated family; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be sent to Gov. Murphy, Gov. Wolf and to the respective boards of trustees of St. Luke’s University Hospital Network and the Lehigh Valley Health Network.

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

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

Resolution

WHEREAS, in response to the deadly COVID-19 (“Corona Virus”) pandemic the Federal Government recently enacted several pieces of legislation aimed at reducing the economic impact and protecting public health; and

WHEREAS the Coronavirus Aid, Relief and Economic Security Act (the “CARES Act”) is largest emergency aid package in United Sates History and provides for over two trillion dollars ($2,000,000,000,000) in emergency and economic aid and allocates billions of dollars of relief to individuals, businesses, the health care system and state, county and local governments; and

WHEREAS, on April 2, 2020, the United States Senators for the State of New Jersey, Robert Menendez and Cory Booker, announced the release of the first wave of Federal funding pursuant to the CARES Act under which New Jersey would receive a combined total in excess of eighty-two million dollars ($82,000,000) in State and local funding and of which fifteen million seven-hundred thousand dollars ($15,700,000) in discretionary funding was allocated directly to the State Government; and

WHEREAS, notwithstanding that Northern New Jersey has one of the highest concentrations of confirmed cases in the entire world and is currently considered to be at the epicenter of the national and global emergency caused by the deadly Corona Virus, the County of Warren is only (1) of four (4) New Jersey Counties not to receive any federal funding; and

WHEREAS, while several other counties within the State with significantly less Coronavirus cases received federal aid, the taxpayers and residents of Warren County and a few other counties have been marginalized, ignored and left to carry the heavy burden and cost of responding to the most significant national emergency that has faced this Country since World War 2 alone and without the benefit of critically needed federal and state assistance; and

WHEREAS, unlike in other parts of the State where testing centers have been opened with the help of State or Federal assistance, Warren County, with the assistance of St. Luke’s Hospital and local municipalities, took action to open a testing center on its own initiative and funded solely by the County;

NOW THEREFORE BE IT RESOLVED b y the Mayor and Common Council of the Town of Hackettstown, County of Warren, State of New Jersey, imploring Federal and State Government to take notice of the significant impact on residents and taxpayers of warren County caused by

April 23, 2020 (continued)

the Corona Virus pandemic and to take immediate action to correct and address the inequities caused by the current allocation of State and Federal and provide the necessary funding and resources to the County of Warren and municipalities within the County to protect the health and safety of the public.

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

Motion was made (Sheldon) and seconded (Kunz) to adjourn this meeting at 6:55 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.

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

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