May 13, 2021

The Mayor and Common Council convened in open session via teleconference in the Municipal Building at 215 Stiger Street, Hackettstown, New Jersey at 7:00 PM on May 13, 2021. The special meeting opened with a salute to the Flag.

Mayor DiMaio 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, has been provided in accordance with the Open Public Meetings Act by:

1. Posing 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 DiMaio, Councilpersons Engelau, Kunz, Lambo,

Sheldon and Tynan

Absent – Becker

Motion was mad (Sheldon) and seconded (Engelau) to approve the minutes of the regular meeting held on April 22, 2021 as submitted.

Roll Call Vote: Yes – Engelau, Kunz, Lambo and Sheldon

Abstain – Tynan

Motion was made (Sheldon) and seconded (Lambo) that ordinance #2021-07, which reads:

WHEREAS, by Resolution, and pursuant to the Local Redevelopment and Housing Law, NJSA 40A:12A-1, et seq. (the “Redevelopment Law”), the Town Council of the Town of Hackettstown (the “Council”) previously designated certain real property (the “Property”) located at Lots 1.01 and 2 in Block 45 as shown on the Tax Map of the Town of Hackettstown as a “non-condemnation area in need of redevelopment” (the “Redevelopment Area”); and

WHEREAS, pursuant to Ordinance, the Council previously adopted the “Bilby Road Redevelopment Plan” (the “Redevelopment Plan”) for the Redevelopment Area; and

WHEREAS, by Resolution and pursuant to the Redevelopment Law, the Council designated Moudro Urban Renewal, LLC (“Moudro”) as the redeveloper of the Redevelopment Area in accordance with the Redevelopment Law; and

WHEREAS, Moudro intends to redevelop the Redevelopment Area with a residential project consisting of the 275 total residential units, of which 55 units are “affordable” rental units (the “Project”); and

WHEREAS, the Council has determined that the Project will qualify for a tax exemption under the Long Term Tax Exemption Law, NJSA 40A:20-1 et seq. (the “LTTEL”); and

WHEREAS, in accordance with the LTTEL, Moudro has filed with the Mayor of the Town of Hackettstown an application for approval of a long term tax exemption (the “Long Term Tax Exemption”) for the Project, which application is incorporated herein by reference (the “Application”); and

WHEREAS, the Mayor submitted the Application to the Council with his recommendation for approval on April 22, 2021; and

WHEREAS, the Council approved the Application by unanimous vote on April 22, 2021; and

WHEREAS, WITH THE application, Moudro also submitted to the Mayor a form of financial agreement (the “Financial Agreement”), to be executed by the Mayor, on behalf of the Town of Hackettstown and Moudro, establishing the rights, responsibilities, and obligations of Moudro in accordance with the LTTEL; and

WHEREAS, the Council made the following findings in accordance with NJSA 40A:20-11.a and NJSA 40:20-11.b regarding the relative benefits and costs of granting the tax abatement for the Project, and the importance of the tax abatement in realizing the development of the Project:

The Town finds that the Long Term Tax Exemption granted pursuant to the Financial Agreement will benefit the Town and the community by assuring the success of the redevelopment of the Property, which as exhibited the statutorily recognized redevelopment criteria for years. The benefits of granting the Long Term Tax Exemption. The Long Term Tax outweigh the costs, if any, associated with the Long Term Tax Exemption. The Long Term Tax Exemption is important to the Town and Moudro because without the incentive of the Long Term Tax Exemption, it is unlikely that the Project which will address a portion of the Township’s Third Round affordable housing obligation, would be undertaken. The high costs associated with the development and construction of the Project and the real estate taxes that would otherwise be levied upon the Project would operate a a disincentive to the redevelopment of the Property and would therefore frustrate the goals and objectives of the Redevelopment Plan and would make the Project materially less competitive in the marketplace.

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

1. The Application is hereby approved.
2. The Mayor and Township Clerk are hereby authorized to execute the Financial Agreement with Moudro.
3. An executed copy of the Financial Agreement shall be certified by and be filed with the Office of the Township Clerk.
4. Within the (10) calendar days following the later of (i) the effective date of this Ordinance following its final adoption by the Town Council approving the Long Term Tax Exemption or (ii) the execution of the Financial Agreement by Moudro, the Town Clerk shall file certified copies of the Ordinance and the Financial Agreement with the Tax Assessor of the Township and the Chief Financial Officer of Warren County and to Warren County Counsel, in accordance with NJSA 40A:20-12.
5. The Mayor and Town Clerk are hereby authorized to take such action and to execute such other documents on behalf of the Township as is necessary to effectuate the terms of the Financial Agreement, as deemed advisable by the Township Attorney.
6. The Town Clerk shall publish notice of this ordinance in a newspaper of general circulation int eh Town and in Warren County, in accordance with NJSA 40A:20-12.
7. This Ordinance shall take effect upon adoption and publication according to law,

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 June 10, 2021; 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 – Engelau, Kunz, Lambo, Sheldon and Tynan

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

Resolution

WHEREAS, the Morris County Cooperative Pricing Council (“MCCPC”) was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of educations, and other public bodies located in the County of Morris and adjoining counties; and

WHEREAS, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; and

WHEREAS, the Town of Hackettstown desires to enter into an Agreement with the MCCPC, which is administered by Randolph Township as Lead Agency, to renew its membership in the MCCPC for the period of October 1, 2021 through September 30, 2026.

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

1. The Mayor and Council of the Town of Hackettstown hereby authorize the execution

of an Agreement with the Morris County Cooperative Pricing Council by the Township

of Randolph as Lead Agency dated October 1, 2021, pursuant to N.J.S.A. 40A:11-11(5).

Said Agreement is for renewal of membership in the MCCPC for a five (5) year period

from October 1, 2021 through September 30, 2026.

2. The Town of Hackettstown Clerk is hereby directed to submit a copy of this adopted

Resolution, along with an executed Agreement, to Randolph Township as Lead Agency

of the MCCPC.

3. This Resolution shall take effect immediately upon final passage according to law.

4. All Appropriation Town of Hackettstown officials are authorized and directed to

perform all required acts to affect the purpose of this Resolution.

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

Councilperson Becker entered the meeting at 7:03 PM.

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

Resolution

WHEREAS, the Tax Collector of the Town of Hackettstown has been paid the amount necessary to redeem with interest calculated in accordance with the New Jersey Statutes on property known on the Tax Map and in the Tax Duplicate as the following municipal lien:

Block 112, Lot 20 108 Pleasant View Rd

Tax Sale Certificate #18-000136

Assessed to: Cacchio, Barbara G.

NOW THEREFORE BE IT RESOLVED on this 13th day of May 2021 that the Chief Financial Officer is hereby authorized to issue a check for $72,112.32 to the lienholder:

Fedigan LLC

474 Mary Allen Way

Mountainside, NJ 07092

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

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

Resolution

WHEREAS, due to COVID and other factors it is the desire of the Mayor and Council and the Recreation Commission to expand the payment options to the Hackettstown Pool users by permitting the payment of Pool Memberships and daily passes by credit and debit card; and

WHEREAS, the Recreation Commission has authorized the purchase of a point of sale system for use at the pool facility to facilitate the acceptance of credit card payments; an

WHEREAS, it is the desire of the Recreation Commission that the Pool Trust Fund absorb the cost of the associated fees involved in credit cared acceptance at the pool facility.

NOW THEREFORE BE IT RESOLVED that the Town of Hackettstown and the Hackettstown Recreation Commission hereby approves an agreement with Fulton Bank for credit card processing at a rate of 2.75%, a .15 cent authorization fee, and a flat monthly merchant fee of $15.00.

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

Motion was made (Engelau) and seconded (Sheldon) to approve check register #2021-8 in the amount of $4,665,024.30.

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

Motion was made (Kunz) and seconded (Lambo) to approve the application for Jaime Santos as a member of the Hackettstown Fire Department, Cataract Hose Company #1.

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

Motion was made (Sheldon) and seconded (Becker) to approve the taxicab owner’s license for Ana Ramirez for a 2009 Honda, VIN #5FNRL386X9B018240 through May 1, 2022, the taxicab owner’s license for Ada Garcia for a 2006 Toyota, VIN #5TDBA23C465O58254 through May 1, 2022, Sergio Rojas for a 2012 Toyota, VIN #5TDZK3DC3CS194449 through May 1, 2022 and Henry Sandi for a 2009 Nissan, VIN#58NIAN08W19C514638 through May 1, 2022.

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

Motion was made (Sheldon) and seconded (Engelau) to approve the raffle license application for the New Jersey Civic Youth Ballet to hold an on premise 50/50.

Roll Call Vote: Yes – Becker, Engelau, Lambo, Sheldon and Tynan

Abstain – Kunz

Motion was made (Engelau) and seconded (Kunz) to approve the Recreation Department purchase order for the repair of tile and plaster on the dive tank, Olympic pool and baby pool, to repair the return piping at the baby pool and to repair the starting block pads at the Olympic pool in the amount of $8,100.00 from RJR Engineering Co., Inc.

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

Motion was made (Kunz) and seconded (Engelau) to authorize giving a quitclaim deed to the owners of the Greenview Gardens apartment complex for B 107, L 75, subject to the Town retaining an easement for the existing walking path. Grantee is to pay costs for preparing and recording the deed.

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

Motion was made (Kunz) and seconded (Lambo) to hire Steven Carter as a substitute crossing guard at a rate of $13.21 per hour.

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

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

Maggie Elder, a Warren Hills High School Student, stated she was observing the meeting.

Motion was made (Sheldon) and seconded (Engelau) to adjourn this meeting at 7:18 PM.

Roll Call Vote: Yes – Becker, Engelau, Kunz, Lambo, 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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Gerald DiMaio, Jr., Mayor William Kuster, Jr., Town Clerk