

NOTICE OF SPECIAL TELECONFERENCE MEETING OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HACKETTSTOWN.

Please be advised that a special teleconference meeting of the Mayor and Common Council of the Town of Hackettstown will be held on November 23, 2020 at 7:00pm.

While this is a teleconference meeting of the Governing Body, the public will be able to hear and participate and provide public comments during said regular meeting.

To listen, and participate in said meeting the public will be able to access the meeting as follows:

Join Zoom Meeting Online from your computer:

-www.zoom.com, enter meeting ID 840 6457 3731, Passcode 916351

-From Your Phone, dial 1-929-205-6099. When prompted enter meeting ID 840 6457 3731, when prompted enter Passcode 916351

You will now be connected to the meeting and will be able to hear said meeting discussion.

When public comment or questions are appropriate during said meeting, the public communication will be opened.

The Council Agenda to the extent known and all accompanying documents shall be posted on the Hackettstown website, www.Hackettstown.net.

Said meeting telecommunication will be initiated from the Hackettstown Municipal Building, 215 West Stiger Street, Hackettstown, NJ.

William Kuster

Town Clerk/Administrator

TOWN OF HACKETTSTOWN

MUNICIPAL BUILDING

215 STIGER STREET • HACKETTSTOWN • NEW JERSEY 07840

TEL: 908-852-3130 • FAX: 908-852-5728

AGENDA

TELECONFERENCE MEETING

NOVEMBER 23, 2020

Flag salute.

Mayors opening statement as required by the Open Public Meetings Act.

Roll call.

Possible swearing in of new Councilperson.

FOR CONSIDERATION:

- Motion to approve the minutes of the November 12, 2020 regular session.
- Resolution appointing a Risk Management Consultant for 2021.
- Resolution appointing a Statewide Insurance Fund Commissioner and Alternate Fund Commissioner for 2021.
- Motion to approve a Risk Management consultant agreement for 2021.
- Resolution authorizing budget transfers within 2020 appropriations.
- Motion to approve check register 2020-21.
- Discussion with Jade Associates.
- Discussion, BID properties inclusion.
- Motion to approve NJABC permit applications for Apple Food Service and Mamas Pizza Inc.
- Motion to waive the outside dining tents/membranes fees to the Town between December 1, 2020 and March 31, 2021.
- Motion to approve raffle license RL:1236.

Discussion by citizens.

Any other matters that may be brought by the Mayor and Council for action.

Committee reports.

Mayors report.

Possible executive session.

Adjournment.

Place left hand on Bible and raise right hand.

STATE OF NEW JERSEY :
:SS.
COUNTY OF WARREN :

I, Jody BECKER, do solemnly
swear (or affirm) that I will support the constitution of the United
States and the Constitution of the State of New Jersey; that I will
bear true faith and allegiance to the same and to the
Governments established in the United States and in this State,
under the authority of the people; and that I will faithfully
impartially and justly perform all the duties of the office of
COUNCILPERSON - TERM EXPIRING DECEMBER
31, 2021.
according to the best of my ability. (So help me God).*

Sworn and subscribed before
me this _____ day of
_____ A.D. 20____

*Person taking oath has the option of including "So help me
God", if he so desires.

11-12-2020

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The Acting 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 October 22, 2020. The special meeting opened with a salute to the Flag.

Acting Mayor Engelau 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) 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 – Councilpersons Engelau, Kunz, Lambo, Sheldon and Tynan

Absent – Mayor DiMaio

Acting Mayor Engelau presented a proclamation in recognition of School Choice Week.

Motion was made (Sheldon) and seconded (Tynan) to approve the minutes of the regular meeting held on October 8, 2020 as submitted.

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

Abstain – Sheldon

Motion was made (Kunz) and seconded (Lambo) to approve the minutes of the regular meeting held on October 22, 2020 as submitted.

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

Abstain – Sheldon

Motion was made (Sheldon) and seconded (Kunz) to approve the minutes of the executive session held on October 22, 2020 as submitted.

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

Motion was made (Sheldon) and seconded (Lambo) that ordinance 2020-08 entitled, AN ORDINANCE TO APPROVE AND ADOPT THE 2021 BUDGET FOR THE HACKETTSTOWN BUSINESS IMPROVEMENT DISTRICT, INC., 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 December 10, 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 – Engelau, Kunz, Lambo, Sheldon and Tynan

Motion was made (Sheldon) and seconded (Kunz) that ordinance entitled, ORDINANCE TO AMEND SECTION 525 OF THE LAND DEVELOPMENT ORDINANCE ENTITLED “STORMWATER CONTROL” TO REFLECT AMENDMENTS TO THE NEW JERSEY STORMWATER MANAGEMENT RULES AT NJAC 7:8, ADOPTED MARCH 2, 2020, , 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 December 10, 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 – Engelau, Kunz, Lambo, Sheldon and Tynan

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

FAIR AND OPEN PROCESS RESOLUTION

WHEREAS, the Pay-to-Play law under Ch. 19, P.L. 204 requires that all contracts in excess of \$17,500.00 even if normally exempt be publicly bid under the pay-to-play legislation or in the alternative be awarded under the non-fair procedures; and

WHEREAS, the Mayor and Common Council have determined that it is in the best interest of the Town to follow the open and fair public bidding process for all professional service contracts.

THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HACKETTSTOWN as follows:

1. Subsequent to the determination by the Town of Hackettstown that a contract shall be in excess of \$17,500 the Town shall utilize the fair and open process delineated below to select the business entity, including those providing professional services, to which the Town shall enter into such contract. In accordance with Ch. 19, P.L. 204, the criteria delineated below as to what constitutes a fair and open process is the final decision of the Town of Hackettstown
2. The Fair and Open Process established by the Town of Hackettstown shall be as follows:
 - a. The solicitation of qualifications for any contract to be determined in excess of \$17,500, and for which a bid solicitation shall not be required under Local Public Law, shall be published and advertised by the Town either in the official newspaper of the Town of Hackettstown for publication of notices or on the Town of Hackettstown website not later than ten (10) days prior to the date set for the receipt of said request for qualifications. The published notice shall set forth the description of the requested goods and services, the time, date and place that proposals must be submitted, the contact information for obtaining a proposal document and a statement that the proposals are being solicited through the fair and open process in accordance with N.J.S.A. 19:44A-20.5 et seq.
 - b. The Town shall require that any entity responding to the request for qualifications shall include, at a minimum the following:
 - (a) Full name and business address;
 - (b) Any professional licenses held by the applicant in the State of New Jersey or any other State including a "Certificate of Good Standing" or other documents evidencing that the license is not presently suspended or revoked;
 - (c) The number of licensed professionals employed by, or associated with, the applicant;
 - (d) A listing of all degrees (college and/or graduate degrees) held by the applicant and any associated professionals in the business entity;
 - (e) A listing of all public entities for whom the business entity has had a contractual relationship, either currently or previously, including the dates of service and the position held;
 - (f) A listing of any professional affiliations or membership in any professional societies or organizations, including any offices or honors held.

The Town of Hackettstown shall review the responses to the request for qualifications and appoint or award a contract to a business entity for the goods or services advertised subsequent to such review. The resolution awarding the contract shall state that the contract was awarded after a fair and open process and shall state the number of responses received.

Contracts subject to the Fair and Open Process delineated herein are subject to additional requirements as provided by ordinances adopted by the Town of Hackettstown and any other applicable laws including, but not limited to, the Local Public Contracts Law.

3. SELECTION CRITERIA

- a. Qualifications of the individuals who will perform the tasks and the amount of their respective participation;
- b. Experience in providing the services requested by the Town of Hackettstown and referenced related thereto;
- c. Ability to perform the tasks in a timely fashion, including staffing and familiarity with the subject matter and the Town of Hackettstown.
- d. Recent, current and projected workload of the individual or firm;
- e. Thoroughness and completeness of the applicant's submittal.

In accordance with N.J.S.A. 19:44A-20.5 et seq. the Town of Hackettstown is soliciting proposals for the following positions:

Town Attorney
 Town Engineer
 Town Auditor
 Municipal Prosecutor
 Town Planner
 Land Use Planner
 Land Use Engineer

Proposals must be received by the Hackettstown Town Clerk on Wednesday, December 16, 2020 at 10:00 AM prevailing time at the Hackettstown Municipal Building, 215 Stiger street, Hackettstown, NJ 07840 at which time said proposals will be opened and read in public.

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

Motion was made (Sheldon) and seconded (Tynan) to approve the 2021 Warren County Nutrition Program Lease of the Senior Center.

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

Motion was made (Lambo) and seconded (Sheldon) to approve the 2020 Best Practices Program review.

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

Motion was made (Engelau) and seconded (Sheldon) to approve check register #2020-20 in the amount of \$3,067,936.16.

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

Motion was made (Sheldon) and seconded (Lambo) to approve the NJABC permit application for Man Skirt Brewing for a Covid-19 expansion of premises permit and the NJABC permit for Czig Meister Brewing for a Covid-19 expansion of premises permit.

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

Motion was made (Sheldon) and seconded (Tynan) to approve the special event license application for Foundation for Hackettstown Medical Center to hold a Holiday Lights Festival on November 21, 2020, to waive the \$50.00 application fee and charge no Town costs.

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

Motion was made (Sheldon) and seconded (Kunz) to approve the special event license application for the Hackettstown Business Improvement District to hold a Hometown Holiday on December 4, 2020, to waive the \$50.00 application fee and charge no Town costs.

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

Motion was made (Sheldon) and seconded (Lambo) to approve the Chapter 159 for K-9 Funds in the amount of \$7,375.77.

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

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

Resolution

WHEREAS, in accordance with applicable Council on Affordable Housing (“COAH”) regulations, the New Jersey Uniform Housing Affordability Control (“UHAC”) (NJAC 5:80-26., et seq.) and the terms of a Settlement Agreement between the Town of Hackettstown and Fair Share Housing Center (“FSHC”), which was entered into as part of the Two’s Declaratory Judgment action entitled In the Matter of the Application of the Town of Hackettstown, Docket No. WRN-L-234-15, which was filed in response to Supreme Court decisions In re NJAC 5:96 and 5:97, 221 NJ 1, 30 (2015) (“Mount Laurel IV”), the Town of Hackettstown is required to adopt an “Affordable Housing Trust Fund Spending Plan”; and

WHEREAS the Town of Hackettstown adopted a mandatory development fee ordinance that establishes standards for the collection, maintenance, and expenditure of development fees to be used for providing low-and moderate-income housing in the Town; and

WHEREAS, the development fee ordinance establishes an affordable housing trust fund that includes development fees, payments from developers in lieu of construction of affordable units on-site, barrier free escrow funds, repayments from affordable housing program loans, recapture funds, proceeds from the sale of affordable units; and

WHEREAS, NJAC 5:93-8.18 requires a municipality with an affordable housing trust fund to receive approval of a spending plan from the Council on Affordable Housing or a court of competent jurisdiction prior to spending any funds in its housing trust fund; and

WHEREAS NJAC 5:93-8.18 requires a spending plan to include the following:

1. A projection of revenues anticipated from imposing fees on development, based on historic development activity;
2. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
3. A description of the anticipated use of all development fees;
4. A schedule for the creation or rehabilitation of housing units;
5. If the municipality envisions being responsible for public sector or non-profit construction of housing, a pro-forma statement of the anticipated costs and revenues associated with the development; and
6. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan.

WHEREAS the Town of Hackettstown has prepared a spending plan, dated September 24, 2020, consistent with NJAC 5:93-5.1 (c) and P.L. 2008, c.46.

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NOW THEREFORE BE IT RESOLVED by the Mayor and Common Council of the Town of Hackettstown as follows:

1. The "Affordable Housing Trust Fund Spending Plan", dated September 24, 2020 and annexed hereto as Schedule A, is hereby adopted by the Town of Hackettstown.
2. The Superior Court of New Jersey is requested to review and approve the said spending plan.
3. The appropriate Town officials and professionals are authorized to take all actions required to implement the terms of this Resolution.
4. This resolution shall take effect immediately.

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

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

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

This is to certify that the ordinances and resolutions contained herein have been approved by me in accordance with law.

Gerald DiMaio, Jr. Mayor

This is to certify that all proper notices, postings and filings required by the Open Public Meetings Act (Chapter 231, P.L. 1975) were provided for this meeting.

William Kuster, Jr., Town Clerk

RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT

WHEREAS, Town of Hackettstown (hereinafter "Local Unit") has joined the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the "Fund"; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the "Fund" has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of "Local Unit", in the County of WARREN and State of New Jersey, as follows:

1. Town of Hackettstown (Local Unit) hereby appoints RANDALL W. MAY its Risk Management Consultant.
2. The MAYOR (authorized representative of the public entity) and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the year 2021 in the form attached hereto.

Name of Entity: TOWN OF HACKETTSTOWN

Attest:

Name
William W. Kusner, Jr.
Town Clerk/Adm.

Name and title
Gerald B. Mann, Jr., Mayor

Certification

I, William W. Kusner, Jr., Clerk of the Town of Hackettstown
County of WARREN, do hereby certify the foregoing to be a true and correct
copy of a Resolution adopted by the governing body on NOVEMBER 23, 2020

Clerk

Witness my hand and seal of the

_____ of _____

This day of _____, 20____

STATEWIDE INSURANCE FUND
RESOLUTION APPOINTING FUND COMMISSIONER

WHEREAS, Town of HACKETTSTOWN (hereinafter "Local Unit") is a member of the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Fund's Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Town
of HACKETTSTOWN (Local Unit) that Councilperson ERIC TYRAN
(entity's elected official or employee) is hereby appointed as the Fund Commissioner for the Local Unit for the **Fund Year 2021**; and

BE IT FURTHER RESOLVED that William W. HUSTON JR
(second elected official or employee) is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the **Fund Year 2021**; and

BE IT FURTHER RESOLVED that the Local Unit's Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

Name of Entity: Town of HACKETTSTOWN

ATTEST:

Clerk

By: _____

Print Name: Gerald Dimaio, Jr.

Title: MAYOR

This Resolution agreed to the 23rd day of NOVEMBER, 2020, by a vote of:

_____ Affirmative _____ Abstain _____ Negative _____ Absent

**2021 FUND YEAR
STATEWIDE INSURANCE FUND**

RISK MANAGEMENT CONSULTANT'S AGREEMENT

THIS AGREEMENT entered into this 1st day of JANUARY 2021, among the Statewide Insurance Fund ("FUND"), a joint insurance fund of the State of New Jersey, HACKETTSTOWN, TOWN ("MEMBER") and KENNETH W. MAY ("RISK MANAGEMENT CONSULTANT") through a fair and open process, pursuant to N.J.S.A.19:44A-20.4.

WHEREAS, the CONSULTANT has offered to the MEMBER professional risk management consulting services as required by the Bylaws of the FUND; and

WHEREAS, the CONSULTANT has advised the FUND that he/she is familiar with the terms, conditions and operations of the FUND; and

WHEREAS, the MEMBER desires these professional services from the CONSULTANT; and

WHEREAS, the MEMBER has complied with relevant law in regard to the appointment of a Risk Management Consultant; and

WHEREAS, the Bylaws of the FUND require that members engage a CONSULTANT and that the CONSULTANT comply with certain requirements set forth therein.

NOW, THEREFORE, the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

1. For and in consideration of the amount stated hereinafter, the CONSULTANT shall:
 - (a) assist in evaluating the MEMBER'S exposures and advise on matters relating to the Member's operation and coverage.
 - (b) explain to the MEMBER, or its representatives, the various coverages available from the FUND.
 - (c) explain to the MEMBER, or its representatives, the terms of the member's commitment and obligations to the FUND.
 - (d) explain to the MEMBER, or its representatives the operation of the FUND.
 - (e) prepare applications, statements of values, etc., on behalf of the MEMBER, if

required by the FUND.

- (f) review the MEMBER'S assessment and assist in the preparation of the MEMBER'S insurance budget.
- (g) review losses and engineering reports and provide assistance to the MEMBER'S safety committee, if required.
- (h) assist in the claim settlement process, if required, by MEMBER or FUND.
- (i) attend the majority of meetings of the Fund Commissioners or Executive Committee, if requested, and perform such other services as required by the MEMBER or the FUND.
- (j) comply with the obligations imposed upon Risk Managers in the FUND's Bylaws.
- (k) act in good faith and fair dealing to the FUND.
- (l) perform other duties for the FUND as may be required from time to time by the FUND.

2. In exchange for the above services, the CONSULTANT shall be compensated in the following manner:

- (a) The CONSULTANT shall be paid by the FUND, on behalf of the MEMBER, a fee as compensation for services rendered. Said fee, an apportionment of the MEMBER's assessment: 6% of workers' compensation (excluding any fees, PLIGA, and loss ratio apportionment); 7.5% of non WC assessment (excluding any fees, PLIGA, and loss ratio apportionment);
- (b) The CONSULTANT shall be entitled to compensation for services provided during any calendar year only if the CONSULTANT has been appointed and holds the position of Risk Management Consultant, as of January 31 of the said calendar year for counties and municipalities holding general elections and July 30 for municipalities holding regular elections.
- (c) For any insurance coverages authorized by the MEMBER to be placed outside the FUND, the CONSULTANT shall receive as compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the FUND's assessment in computing the fee set forth in 2(a).
- (d) If the MEMBER shall require of the CONSULTANT extra services other than those outlined above, the CONSULTANT shall be paid by the MEMBER a fee at a rate to be negotiated by the parties.

3. The term of this Agreement shall be from **January 1, 2021** to **January 1, 2022**. However, this Agreement may be terminated by either party at any time by mailing to the other thirty (30) days written notice, certified mail return receipt.
4. The CONSULTANT shall comply with all laws applicable to producers who provide insurance products to public entities and shall comply with all applicable statutes and regulations relating to joint insurance funds.
5. The CONSULTANT agrees to comply with all affirmative action laws applicable in accordance with Exhibit A and to submit all necessary documentation establishing compliance within seven (7) days of this Agreement.

ATTEST:

Member Representative, *Mayor*

ATTEST:

Officer

Risk Management Consultant Corporate

ATTEST:

Statewide Insurance Fund Chairperson

**EXHIBIT A
STATEWIDE INSURANCE FUND**

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY NOTICE
(N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.)

GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

This form is a summary of the successful professional service entity's requirement to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.

The successful professional service entity shall submit to the Statewide Insurance Fund, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

(a) A photocopy of a valid letter that the vendor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);

OR

(b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-1.1 et seq.;

OR

(c) A photocopy of a completed Employee Information Report (Form AA302) provided by the Division of Contract Compliance and completed by the vendor in accordance with N.J.A.C. 17:27-1.1 et seq.

The successful professional service entity may obtain the Employee Information Report (AA302) from the Statewide Insurance Fund during normal business hours.

The undersigned professional service entity certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. and agrees to furnish the required forms of evidence.

The undersigned professional service entity further understands that his/her submission shall be rejected as non-responsive if said professional service entity fails to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.

COMPANY: _____
Risk Management Consultant

SIGNATURE: _____

PRINT NAME: _____

TITLE: _____ DATE: _____

TRANSFER RESOLUTION

WHEREAS, certain bills have been presented for payment for which there are insufficient funds in the 2020 budget to pay, and

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of funds from accounts with a surplus to cover such demands,

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all members thereof affirmatively concurring) that the Chief Financial Officer is hereby authorized to make the following transfers:

TRANSFER FROM:

COAH S/W	\$6,085.00
ECONOMIC COMM O/E	\$5,000.00

TRANSFER TO:

PFRS O/E	\$8,002.00
PERS O/E	\$1,583.00
AUDIT O/E	\$1,500.00

CERTIFICATION: It is hereby certified that this is a true and correct copy of a resolution adopted by the governing body of the Town of Hackettstown at a meeting November 23, 2020.

William W Kuster Jr., Town Clerk

**A MOTION OF THE GOVERNING BODY OF THE TOWN OF HACKETTSTOWN
APPROVING CHECK REGISTER #2020-21 DATED NOVEMBER 23, 2020**

CAPITAL ACCOUNT	\$ 8,014.55
COAH TRUST FUND	\$ 1,890.13
DEVELOPERS ESCROW	\$ 3,780.78
DOG TRUST FUND	\$ 7.20
GENERAL TRUST FUND	\$ 11,211.43
POOL ACCOUNT	\$ 624.34
CURRENT ACCOUNT	\$ 298,334.60
 TOTAL	 \$ 323,863.03

Certified by the Finance Committee:

Matthew Engelau

Leonard Kunz

James Lambo

11/23/2020
BILL LIST

CHECK REGISTER 11/23/2020

Capital Account	\$	8,014.55
COAH Trust Fund	\$	1,890.13
Developers Escrow	\$	3,780.78
Dog Trust Fund	\$	7.20
General Trust Account	\$	3,450.08
Pool Account	\$	178.28
Current Account	\$	35,263.66
Total Check Register 11/23/2020	\$	52,584.68

HAND CHECKS 11/23/2020

Current Account	11-13 Payroll	\$	179,981.36
Current Account	State Health	\$	83,089.58
General Trust Fund	11-13 Payroll	\$	7,761.35
Pool Trust Fund	11-13 Payroll	\$	446.06
Total Hand Checks 11/23/2020		\$	271,278.35

TOTAL BILL LIST 11/23/2020	\$	323,863.03
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Bill Kuster <admin@hackettstown.net>

NJ ABC - Permit Application for an event in your municipality.

1 message

ABCDoNotReply@njoag.gov <ABCDoNotReply@njoag.gov>
To: Kuster@hackettstown.net

Mon, Nov 16, 2020 at 2:26 PM



State of New Jersey
Office of the Attorney General
Division of Alcoholic Beverage Control

Municipal Notification Regarding Application of Event Type Permit

P.O. Box 087, 140 East Front Street, Trenton, NJ 08625-0087 • 609-984-2830 • www.nj.gov/oag/abc

FOR ALL APPLICANTS: You are receiving a courtesy copy of your application.

FOR APPLICANTS OF COVID 19 EXPANSION OF PREMISES PERMIT : You are responsible for ensuring that your application has been endorsed by the Chief of Police and the Clerk of the municipality in which the expanded premises that is the subject of this application is located.

FOR APPLICANTS OF SOCIAL AFFAIR, CATERING, EXTENSION OF PREMISES AND LIMITED BREWERY OFF-PREMISES EVENT PERMITS FOR EVENTS TO BE HELD ON MUNICIPAL OR PRIVATE PROPERTY: You are responsible for ensuring that your application has been endorsed by the Chief of Police and the Clerk of the municipality in which the event that is the subject of this application.

FOR APPLICANTS OF TEMPORARY STORAGE PERMITS: You are responsible for ensuring that your application has been endorsed by the Chief of Police and the Clerk of the municipality that is the subject of this application.

FOR MUNICIPAL ISSUING AUTHORITIES: A Special Permit (Social Affair or Catering or Extension of Premises or Limited Brewery Off-Premises or COVID-19 EXPANSION OF PREMISES) has been applied for in your jurisdiction. Please login to the Division website to review the Permit Application and provide your Endorsement of the application by the noted due date. If you have any questions regarding the application, please contact the Division at 609-984-2830, and request to speak with a representative of the Permit Unit.

FOR APPLICANTS OF SOCIAL AFFAIR, CATERING, EXTENSION OF PREMISE AND LIMITED BREWERY OFF-PREMISES PERMITS FOR EVENTS TO BE HELD ON PROPERTY OR PREMISES THAT ARE OWNED BY OR UNDER THE CONTROL OF A STATE OR COUNTY ENTITY: You are responsible for obtaining the Endorsements of the Chief Law Enforcement Officer and Chief Administrative Official with jurisdiction over the property or premises on which the event that is the subject of this application will be held. For instructions on obtaining the required Endorsements, please scroll down to the end of this Notification.

FAILURE TO OBTAIN THE REQUIRED ENDORSEMENTS WILL RESULT IN DENIAL OF YOUR APPLICATION.

This notification is being sent to the following email addresses:

- Kuster@Hackettstown.net
- tpryde@dohertyinc.com

Permit Type: COVID-19 Expansion of Premises Permit
File Number: 413090
Permittee: APPLE FOOD SERVICE OF HACKETTSTOWN LLC
License Number: 2108-33-002-007
Mailing Address:
Physical Address: 7 PEARL COURT
ALLENDALE, NJ 07401
USA
Contact: APPLE FOOD SERVICE OF HACKETTSTOWN LLC
(908) 684-1003
Applicant Email: tpryde@dohertyinc.com
Additional Permit Information
County: 21 - WARREN COUNTY
Municipality: 08 - HACKETTSTOWN TOWN

Location

Location Description:

Applebees Neighborhood Grill and Bar

Address:

215-225 MOUNTAIN AVENUE
HACKETTSTOWN, NJ 07840
USA

Application Questions

Question 1: Please provide the name, phone number, and e-mail address of the individual responsible for this application, should the Division or municipal authority have questions during review of the application. Name: Phone Number: E-Mail Address:

Response: Tim Doherty 201-818-4669 tdoherty@dohertyinc.com

Question 2: In your prior application for the COVID-19 Expansion of Premises Permit you were required to describe the property that is intended to be used for the expansion, and to describe its distance (in feet) from the licensed premises. Are you proposing any changes to the property intended to be used for the extended term? If Yes, must provide sketch.

Yes / No
Response: No

Question 3: Does the licensee or permittee own or lease the property?

Yes / No
Response: Yes

Question 4: Please upload any written document that gives you permission to use property not owned by you for this expansion. If the property is owned by a public entity upload the resolution, ordinance, or other document that allows you to use it for expansion of the premises.

Response: Landlord approval will be uploaded.

Question 5: In your prior application for the COVID-19 Expansion of Premises permit you were required to set forth the hours of operation of the expanded premises. Are you proposing any changes to the hours of operation or the security plan on the expanded premises?

Yes / No
Response: No

Question 6: Confirm the following: I have reviewed State and local safety, fire, building and social distancing guidelines, including EO No. 150, EO No. 157, EO No. 163 and the COVID-19 Outdoor Dining Guidelines for Retail Food Establishment, and will operate the expanded premises in accordance with those guidelines or any that may be promulgated during the term of the permit.

Yes / No
Response: Yes

Documents

Document Type	File Name	Upload Date
Approval for expansion of premises	11.11.20 - LL Approval for Outdoor Dining Extension.pdf	Nov 16, 2020

SPECIAL NOTE TO ALL SOCIAL AFFAIR, CATERING, EXTENSION OF PREMISES AND LIMITED BREWERY OFF-PREMISES EVENT APPLICANTS FOR EVENTS TO BE HELD ON PROPERTY OR PREMISES OWNED BY OR UNDER THE CONTROL OF A STATE OR COUNTY ENTITY

- 1) If you identified in question two (2) above that the event will be held on property or at a premises which is either owned by or under the control of a County or State entity, you are required to obtain the Endorsements of the Chief Law Enforcement Officer and Chief Administrative Official with jurisdiction over the property on which the event is to be held.
- 2) This notification and all documents identified above must be submitted to the appropriate officials;
- 3) If the Chief Law Enforcement Officer or Chief Administrative Official objects to the application or seeks to impose Special Conditions on the requested permit, they shall provide, in writing, the reason(s) for the objections or Special Conditions.
- 4) The Endorsements required herein must be returned to the Division via email (NJABCPermits@njoag.gov) by no later than five business days prior to the date of the event. Counterparts of the Endorsements may be submitted, provided that both Endorsements are received by the Division no later than five business days prior to the date of the event.

THIS SECTION IS TO BE COMPLETED BY THE OFFICIALS OF THE COUNTY OR STATE ENTITY WITH JURISDICTION OVER THE PREMISES OR PROPERTY ON WHICH THE EVENT IS TO BE HELD

CERTIFICATION OF CHIEF ADMINISTRATIVE OFFICIAL AND CHIEF LAW ENFORCEMENT OFFICER:

I hereby certify that:

1. I have the authority to act on behalf of the State or County entity in this matter;
2. I have reviewed the application submitted;
3. I have considered any objections made to this application; and
4. I have concluded that there are not more than 25 permits issued for the premises designated in this application for this calendar year.



Bill Kuster <admin@hackettstown.net>

NJ ABC - Permit Application for an event in your municipality.

1 message

ABCDoNotReply@njoag.gov <ABCDoNotReply@njoag.gov>
To: Kuster@hackettstown.net

Tue, Nov 17, 2020 at 2:04 PM

**State of New Jersey
Office of the Attorney General
Division of Alcoholic Beverage Control****Municipal Notification Regarding
Application of Event Type Permit**P.O. Box 087, 140 East Front Street, Trenton, NJ 08625-0087 • 609-984-2830 • www.nj.gov/oag/abc

FOR ALL APPLICANTS: You are receiving a courtesy copy of your application.

FOR APPLICANTS OF COVID 19 EXPANSION OF PREMISES PERMIT : You are responsible for ensuring that your application has been endorsed by the Chief of Police and the Clerk of the municipality in which the expanded premises that is the subject of this application is located.

FOR APPLICANTS OF SOCIAL AFFAIR, CATERING, EXTENSION OF PREMISES AND LIMITED BREWERY OFF-PREMISES EVENT PERMITS FOR EVENTS TO BE HELD ON MUNICIPAL OR PRIVATE PROPERTY: You are responsible for ensuring that your application has been endorsed by the Chief of Police and the Clerk of the municipality in which the event that is the subject of this application.

FOR APPLICANTS OF TEMPORARY STORAGE PERMITS: You are responsible for ensuring that your application has been endorsed by the Chief of Police and the Clerk of the municipality that is the subject of this application.

FOR MUNICIPAL ISSUING AUTHORITIES: A Special Permit (Social Affair or Catering or Extension of Premises or Limited Brewery Off-Premises or COVID-19 EXPANSION OF PREMISES) has been applied for in your jurisdiction. Please login to the Division website to review the Permit Application and provide your Endorsement of the application by the noted due date. If you have any questions regarding the application, please contact the Division at 609-984-2830, and request to speak with a representative of the Permit Unit.

FOR APPLICANTS OF SOCIAL AFFAIR, CATERING, EXTENSION OF PREMISE AND LIMITED BREWERY OFF-PREMISES PERMITS FOR EVENTS TO BE HELD ON PROPERTY OR PREMISES THAT ARE OWNED BY OR UNDER THE CONTROL OF A STATE OR COUNTY ENTITY: You are responsible for obtaining the Endorsements of the Chief Law Enforcement Officer and Chief Administrative Official with jurisdiction over the property or premises on which the event that is the subject of this application will be held. For instructions on obtaining the required Endorsements, please scroll down to the end of this Notification.

FAILURE TO OBTAIN THE REQUIRED ENDORSEMENTS WILL RESULT IN DENIAL OF YOUR APPLICATION.

This notification is being sent to the following email addresses:

- Kuster@Hackettstown.net
- mlavery@Isaclaw.com

Permit Type: COVID-19 Expansion of Premises Permit
File Number: 413463
Permittee: MAMAS PIZZA INC
License Number: 2108-33-001-008
Mailing Address:
Physical Address: 260 MOUNTAIN AVENUE
HACKETTSTOWN, NJ 07840
USA
Contact: LUIGI OR THOMAS SCHIANO

Applicant Email: mlavery@lsaclaw.com

Additional Permit Information

County: 21 - WARREN COUNTY
Municipality: 08 - HACKETTSTOWN TOWN

Location

Location Description:
Mama's Pizza

Address:
260 MOUNTAIN AVENUE
HACKETTSTOWN, NJ 07840
USA

Application Questions

Question 1: Please provide the name, phone number, and e-mail address of the individual responsible for this application, should the Division or municipal authority have questions during review of the application. Name: Phone Number: E-Mail Address:

Response: Tom Schiano 908-328-4425 tom@mamascafebaci.com

Question 2: In your prior application for the COVID-19 Expansion of Premises Permit you were required to describe the property that is intended to be used for the expansion, and to describe its distance (in feet) from the licensed premises. Are you proposing any changes to the property intended to be used for the extended term? If Yes, must provide sketch.

Yes / No
Response: No

Question 3: Does the licensee or permittee own or lease the property?

Yes / No
Response: Yes

Question 4: Please upload any written document that gives you permission to use property not owned by you for this expansion. If the property is owned by a public entity upload the resolution, ordinance, or other document that allows you to use it for expansion of the premises.

Response: Not applicable.

Question 5: In your prior application for the COVID-19 Expansion of Premises permit you were required to set forth the hours of operation of the expanded premises. Are you proposing any changes to the hours of operation or the security plan on the expanded premises?

Yes / No Response: No

Question 6: Confirm the following: I have reviewed State and local safety, fire, building and social distancing guidelines, including EO No. 150, EO No. 157, EO No. 163 and the COVID-19 Outdoor Dining Guidelines for Retail Food Establishment, and will operate the expanded premises in accordance with those guidelines or any that may be promulgated during the term of the permit.

Yes / No Response: Yes

SPECIAL NOTE TO ALL SOCIAL AFFAIR, CATERING, EXTENSION OF PREMISES AND LIMITED BREWERY OFF-PREMISES EVENT APPLICANTS FOR EVENTS TO BE HELD ON PROPERTY OR PREMISES OWNED BY OR UNDER THE CONTROL OF A STATE OR COUNTY ENTITY

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CERTIFICATION OF CHIEF ADMINISTRATIVE OFFICIAL AND CHIEF LAW ENFORCEMENT OFFICER:

I hereby certify that:

1. I have the authority to act on behalf of the State or County entity in this matter;
2. I have reviewed the application submitted;
3. I have considered any objections made to this application; and
4. I have concluded that there are not more than 25 permits issued for the premises designated in this application for this calendar year.

I further certify that the statements provided herein are accurate. If any of the foregoing statements are willfully false, I am subject to punishment.

Print Name: _____ **Title:** _____

Chief Administrative Official



TOWN OF HACKETTSTOWN

MUNICIPAL BUILDING

215 W. STIGER STREET • HACKETTSTOWN • NEW JERSEY 07840

TEL: 908-852-3130 • FAX: 908-852-5728

WWW.HACKETTSTOWN.NET

MAYOR

Maria DiGiovanni

MEMBERS OF COUNCIL

Gerald DiMaio, Jr.

Matthew Engela

Robert Hinrichs

Leonard Kunz

Scott Sheldon

Eric Tynan

TOWN CLERK/

ADMINISTRATOR

William W. Kuster, Jr.

RMC/CMC/CMR

CHIEF FINANCIAL

OFFICER

Danette Dyer

CMFO/QPA

MUNICIPAL ASSESSOR

Jason Cohen

CTA

TAX COLLECTOR

Patricia Noll

CTC

CONSTRUCTION

OFFICIAL

Richard O'Connor

ZONING OFFICIAL

David Diehl

TO: Bill Kuster, Business Administrator

FROM: Richard O'Connor, Construction Official

RE: Outside Dining Tents/Membranes

DATE: November 18, 2020

As per our conversation regarding tents/membranes for outdoor dining from April 1st thru November 30th jurisdiction falls under the Bureau of Fire Prevention. From December 1st thru March 31st, the jurisdiction falls under the Construction Department.

Due to the pandemic and the financial struggle of the food and beverage establishments in Town, it is the Construction Department's recommendation to the Town Council that permit fees for UCC permits be waived up until April 1, 2021 at such time the Bureau of Fire Prevention takes over jurisdiction again.

Please see attached guidelines from the Uniform Construction Code.

Please advise if this is acceptable.



Guidelines for determining permit requirements for tents, tensioned membrane structures and canopies

	UFC Permit Required, N.J.A.C. 5:70-2.7	UCC Permit Required, N.J.A.C. 5:23-2.14	No Permit Required
Tent, tensioned membrane structure, or canopy less 900 square feet in area or less and 30 feet or less in any dimension without platforms or bleachers			X
Tent, tensioned membrane structure, or canopy greater than 900 square feet in area or more than 30 feet in any dimension, but 16,800 square feet or less in area and 140 feet or less in any dimension, whether it is composed of one unit or multiple units	Type 1 X		
Tent, tensioned membrane structure, or canopy greater than 900 square feet in area or more than 30 feet in any dimension, but 16,800 square feet or less in area and 140 feet or less in any dimension that contains platforms or bleachers 11 feet or less in height, whether it is composed of one unit or multiple units	Type 1 X		
Tent, tensioned membrane structure, or canopy greater than 16,800 square feet or greater than 140 feet in any dimension		X	
Tent, tensioned membrane structure, or canopy of any size remaining in place for more than 180 days		X	
Tent, tensioned membrane structure, or canopy of any size used or occupied between December 1 and March 31		X	
Tent, tensioned membrane structure, or canopy of any size having a permanent anchoring system		X	
Tent, tensioned membrane structure, or canopy of any size containing platforms or bleachers greater than 11 feet in height		X	
Tent, tensioned membrane structure, or canopy greater than 900 square feet in area or more than 30 feet in any dimension, but 16,800 square feet or less in area and 140 feet or less in any dimension, whether it is composed of one unit or multiple units, that installs electrical equipment, electrical wiring or mechanical equipment that is supplied by other than (cord and plug) temporary wiring in accordance with the Uniform Fire Code	Type 1 X	X	

Uniform Fire Code Definitions (also see Chapter 31 of the IFC 2015, NJ edition, for other applicable requirements)

Canopy: A structure or architectural projection of rigid construction over which a covering is attached that provides weather protection, identity or decoration, and may be structurally independent or supported by attachment to a building on one end and by not less than one stanchion on the outer end.

Tent: A structure, enclosure or shelter constructed of fabric or pliable material supported by any manner except by air or the contents that it protects, with sidewalls or drops on more than 25 percent of the perimeter.

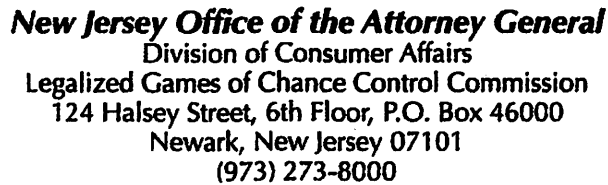
Temporary wiring: Temporary wiring for electrical power and lighting installations is allowed for a period not to exceed 90 days. Temporary wiring methods shall meet the applicable provisions of the electrical subcode of the Uniform Construction Code.

Uniform Construction Code Definitions (also see Chapter 31 of the IBC 2018, NJ edition, for other applicable requirements)

Canopy: A permanent structure or architectural projection of rigid construction over which a covering is attached that provides weather protection, identity or decoration. A canopy is permitted to be structurally independent or supported by attachment to a building on one or more sides.

Tent: A structure, enclosure, umbrella structure or shelter, with or without sidewalls or drops, constructed of fabric or pliable material supported in any manner except by air or the contents it protects (see "Umbrella structure").

Umbrella Structure: A structure, enclosure or shelter with or without sidewalls or drops, constructed of fabric or pliable material supported by a central pole or poles (see "Tent").



Application No. RA 1034
Identification No. 181-4-25042

Please print clearly.

Name of municipality: Township of Hackettstown

1. Name of applying organization: Hackettstown Rotary Foundation

2a. Street address of headquarters: 219 Main Street, Hackettstown, New Jersey 07840

b. Mailing address (if different): PO Box 561, Hackettstown, New Jersey 07840

Date	Hours	Date	Hours
January 1 - March 31, 2021			
A winner will be awarded every			
day during the dates of Jan 1 -			
March 31 - The actual drawing will			
be once a week every Tuesday			
via Zoom between Jan-March 2021			

4a. Address of place where raffles will be played: **Hackettstown, New Jersey 07820**

b. Does the applicant own the premises or regularly occupy them for its general purposes? ☐ Yes ☒ No

5. If raffles equipment is to be rented, attach a statement by the raffles equipment lessor to this application on Form 13.

The items of expense intended to be incurred or paid in connection with the games listed in this application, the names and addresses of the persons to whom each item is to be paid, and the purpose for which each item is to be paid, are:

[illegible]

Part C - Schedule of Purposes

1. The specific purpose(s) to which the entire net proceeds of the games listed in this application are to be devoted, and the manner in which they are to be so devoted, are:

The Hackettstown Rotary holds fundraisers such as these to help support local organizations such as Trinity Food Pantry, Habitat for Humanity, Norwescap, ARC, House of the Good Shepherd, Hackettstown Medical center

2. If any part of the net proceeds are to be devoted to a purpose allowed by the Raffles Licensing Law by turning the same over to another organization which is exclusively devoted to such purposes, secure the signature of its president or other executive officer to the following certificate:

"It is hereby certified that Hackettstown Rotary Foundation

Name of organization

will accept from the licensee any part of the net proceeds of the games listed in this application to be turned over to it."

Date: 11/19/20

Signature: _____

Part D - Schedule of Prizes

A description of all prizes to be offered and given in all of the games listed in this application is as follows. For merchandise, describe the article and state the retail value; if prizes are to be donated, indicate that fact and estimate as accurately as possible the information requested below.

[illegible]

Part E - Officers of Applicant

(1) Office President	Name of officer Laurie Rapisardi	Age 52
Residence address 47 Barn Owl Drive Hackettstown NJ 07840	Telephone No. (include area code) Day 908-455-0179 Evening	
(2) Office Vice President	Name of officer Jill Zinckgraf	Age
Residence address 40 W. Park Place, Unit 415, Morristown, NJ 07960	Telephone No. (include area code) Day 201-400-2530 Evening	
(3) Office Secretary	Name of officer Linda Poisseroux	Age
Residence address 13 Stephens State Park Road, Hackettstown	Telephone No. (include area code) Day 908-963-7514 Evening	
(4) Office Treasurer	Name of officer Gene Milton	Age
Residence address 13 Indigo Road, Hackettstown, NJ 07840	Telephone No. (include area code) Day 908-510-3486 Evening	

Part F - Members of Applicant who will be in charge of the games

Name of member in charge	Residence address	Telephone No. (include area code) Day / Evening	Age
Laurie Rapisardi	47 Barn Owl Drive, Hackettstown, NJ	908-455-0179 /	52
		/	
		/	
		/	
		/	

Part G - Members of Applicant who will assist in conducting the games

Name of member	Residence address	Age
Laurie Rapisardi	47 Barn Owl Drive, Hackettstown, NJ 07840	52

Part H - Names of other organizations whose members will assist in conducting the games

Name and address of organization	How related	Identification No.

Applicant's registration slip from the *Legalized Games of Chance Control Commission* must be presented to the Municipal Clerk with this application.